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⁽¹⁾ Text with EEA relevance

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 1084/2010

of 25 November 2010

amending Regulation (EC) No 612/2009 on laying down common detailed rules for the application of the system of export refunds on agricultural products, as regards equivalence under Inward Processing

THE EUROPEAN COMMISSION,

new customs-approved treatment or use is assigned to the goods placed under that arrangement or to compensating products placed under it.

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⁾, and in particular Articles 167 and 170, in conjunction with Article 4 thereof,

Whereas:

(1) According to the second subparagraph of Article 12(4) of Commission Regulation (EC) No 612/2009 ⁽²⁾, export refunds are to be granted where the ingredient, or ingredients, in respect of which the refund is claimed, were originally of Community (currently Union) origin and/or in free circulation as provided for in paragraph 1 thereof and are no longer in free circulation on account solely of their incorporation in other products. That provision applies when products of Community origin and/or in free circulation are processed under Inward Processing as set out in Articles 114 to 129 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽³⁾.

(2) According to Article 84(1)(b) and Article 89 of Regulation (EEC) No 2913/92, Inward Processing is a customs procedure with economic impact and a suspensive procedure which shall be discharged when a

(3) Article 115(1) of Regulation (EEC) No 2913/92 provides that the customs authorities have to allow compensating products to be obtained from equivalent goods and compensating products obtained from equivalent goods to be exported from the Community before importation of the import goods. Article 114(2)(e) of that Regulation defines equivalent goods as Community goods which are used instead of the import goods for the manufacture of compensating products. According to Article 545(2) and (3) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Customs Code ⁽⁴⁾, equivalent goods and compensating products made therefrom become non-Community goods and the import goods Community goods at the time of acceptance of the declaration discharging the arrangements, or where import goods are put on the market before the arrangements are discharged, they change their status at the time they are put on the market. In case of prior exportation, compensating products become non-Community goods on acceptance of the export declaration on condition that the goods to be imported are entered for the arrangements; import goods become Community goods at the time of their entry for the arrangements.

(4) As under the rules on the use of equivalent goods the customs status of import goods changes into Community status, and the Inward Processing arrangement is or will be discharged by that, the import goods are not subject to import duties. Consequently, the price level in the Union of the equivalent exported goods of Community origin is in that situation compensated by the world market price level of the import goods, and therefore there is no justification for the equivalent exported

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 186, 17.7.2009, p. 1.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

goods to be covered for the difference between the world market price and the price in the Union by an export refund as set out in Article 162 of Regulation (EC) No 1234/2007.

- (5) For the sake of clarity and legal certainty it is appropriate to exclude the granting of export refunds explicitly in Regulation (EC) No 612/2009 when products are exported under rules on the use of equivalent goods.
- (6) Regulation (EC) No 612/2009 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 12(1) of Regulation (EC) No 612/2009, the following subparagraph is added:

‘Refunds shall not be granted for products which are used as equivalent goods within the meaning of Article 114(2)(e) of Regulation (EEC) No 2913/92.’

Article 2

This Regulation shall enter into force on the seventh 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, 25 November 2010.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 1085/2010

of 25 November 2010

opening and providing for the administration of certain annual tariff quotas for importing sweet potatoes, manioc, manioc starch and other products falling within CN codes 0714 90 11 and 0714 90 19 and amending Regulation (EU) No 1000/2010

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⁾, and in particular Article 144(1) and Article 148 in conjunction with Article 4 thereof,

Whereas:

- (1) As a result of the agreements reached in the World Trade Organisation (WTO) multilateral trade negotiations, the Commission has drawn up a 'CXL-European Communities' schedule (hereinafter the 'CXL schedule'), listing the concessions granted. The schedule requires the Union to open certain annual tariff quotas for the products falling within CN codes 0714 10 91, ex 0714 10 98, 0714 90 11 and 0714 90 19 originating in Indonesia, the People's Republic of China (China), other contracting parties to the WTO excluding Thailand and certain third countries that are not members of the WTO. Under those quotas the customs duty is limited to 6 % *ad valorem*. The quotas are to be opened on a multiannual basis and administered by the Commission.
- (2) The CXL schedule also requires the Union to open two duty-free tariff quotas for sweet potatoes falling within CN code 0714 20 90 in favour of China and other third countries respectively, as well as two tariff quotas for manioc starch falling within CN code 1108 14 00 in favour of other third countries.
- (3) The agreement in the form of an exchange of letters on the consultations between the European Community and the Kingdom of Thailand under GATT Article XXIII ⁽²⁾ (hereinafter referred to as 'the agreement with Thailand'), approved by Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII ⁽³⁾, provides for the opening of an additional autonomous annual tariff quota of 10 500 tonnes of manioc starch, 10 000 tonnes of which are reserved for Thailand. The applicable duty is the most favoured nation duty (MFN duty) in force, less EUR 100 per tonne.
- (4) The detailed rules for the application of the management of all these import tariff quotas, hereinafter referred to as 'the quotas' are currently laid down in Commission Regulation (EC) No 2402/96 of 17 December 1996 opening and setting administrative rules for certain annual tariff quotas for sweet potatoes and manioc starch ⁽⁴⁾ and Commission Regulation (EC) No 27/2008 of 15 January 2008 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, ex 0714 10 98, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand ⁽⁵⁾.
- (5) The use of the first come, first served principle has proved positive in other agricultural sectors, and in the interest of administrative simplification, those quotas should henceforth be administered in accordance with the method indicated in Article 144(2)(a) of Regulation (EC) No 1234/2007. This should be done in accordance with Articles 308a, 308b and 308c(1) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁶⁾.
- (6) Having regard to the particularities involved in the transfer from one management system to another, Article 308c(2) and (3) of Regulation (EC) No 2454/93 should not apply to the tariff period from 1 January 2011 to 31 December 2011.
- (7) In the case of sweet potatoes, it is important to differentiate those intended for human consumption from other products; the presentation and packaging of sweet potatoes falling within CN code 0714 20 10 (for human consumption) should therefore be specified and products not meeting those presentation and packaging specifications should be considered to fall within CN code 0714 20 90.
- (8) It is necessary to maintain a system of administration which ensures that only products originating in Indonesia, China and Thailand can be imported under the quotas allocated to those countries. It should be clarified which kind of proof certifying the origin of products has to be provided to benefit from these tariff quotas under the first come, first served system.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 122, 22.5.1996, p. 16.

⁽³⁾ OJ L 122, 22.5.1996, p. 15.

⁽⁴⁾ OJ L 327, 18.12.1996, p. 14.

⁽⁵⁾ OJ L 13, 16.1.2008, p. 3.

⁽⁶⁾ OJ L 253, 11.10.1993, p. 1.

- (9) Regulations (EC) No 2402/96 and (EC) No 27/2008 should therefore be repealed and replaced by a new Regulation. However, those Regulations should continue to apply to import licences issued for import quota periods prior to those covered by this Regulation.
- (10) The provisions laid down in Articles 1, 2 and 3 of Commission Regulation (EU) No 1000/2010 of 3 November 2010 derogating from Regulations (EC) No 2402/96, (EC) No 2058/96, (EC) No 2305/2003, (EC) No 969/2006, (EC) No 1918/2006, (EC) No 1964/2006, (EC) No 27/2008, (EC) No 1067/2008 and (EC) No 828/2009 as regards the dates for lodging import licence applications and issuing import licences in 2011 under tariff quotas for sweet potatoes, manioc starch, manioc, cereals, rice, sugar and olive oil and derogating from Regulations (EC) No 382/2008, (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004 and (EC) No 951/2006 as regards the dates for issuing export licences in 2011 in the beef and veal, pigmeat, eggs, poultrymeat and out-of-quota sugar and isoglucose sectors⁽¹⁾ are no longer relevant, given the transfer of management of those quotas to the first come, first served system referred to in Article 144(2)(a) of Regulation (EC) No 1234/2007. They should therefore be deleted.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation opens the import tariff quotas set out in the Annex hereto. These quotas shall be administered on a calendar year basis, starting 1 January 2011.

Article 2

The quotas set out in the Annex shall be administered in accordance with Articles 308a, 308b and 308c(1) of Regulation (EEC) No 2454/93. Article 308c(2) and (3) of that Regulation shall not apply to the tariff period from 1 January 2011 to 31 December 2011.

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

Done at Brussels, 25 November 2010.

For the Commission

Joaquín ALMUNIA

Vice-President

Article 3

Entitlement to the tariff quotas bearing order numbers 09.0125, 09.0126 or 09.0124 or 09.0127 as set out in the Annex for products originating in Thailand, Indonesia and the People's Republic of China respectively shall be conditional on presentation of a certificate of origin issued by the competent authorities in accordance with Articles 55 to 65 of Regulation (EEC) No 2454/93.

Article 4

1. For the purposes of this Regulation, sweet potatoes shall be deemed to be for human consumption within the meaning of CN code 0714 20 10 if they are fresh, whole and put up in immediate packings at the time of the customs formalities for release for free circulation.

2. This Regulation shall apply only to sweet potatoes that are not intended for human consumption as defined in paragraph 1.

3. For the purposes of the application of this Regulation, the products falling within CN code ex 0714 10 98 are products other than pellets obtained from flours and meals falling within CN code 0714 10 98.

Article 5

Regulations (EC) No 2402/96 and (EC) No 27/2008 are hereby repealed. However, they shall continue to apply to import licences issued before 1 January 2011 up to the time they expire.

Article 6

In Regulation (EU) No 1000/2010, Articles 1, 2 and 3 are deleted.

Article 7

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

It shall apply from 1 January 2011.

⁽¹⁾ OJ L 290, 6.11.2010, p. 26.

ANNEX

Without prejudice to the rules governing the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation.

Order number	CN codes/product	Origin	Customs duty	Annual tariff quota (tonnes, net weight)
09.0124	0714 20 90 Sweet potatoes other than those intended for human consumption	People's Republic of China	Free	600 000
09.0125	1108 14 00 Manioc starch	Thailand	Duty equal to the most favoured nation duty (MFN duty) in force, less EUR 100/tonne	10 000
09.0126	0714 10 91, ex 0714 10 98, 0714 90 11 0714 90 19 Manioc, arrowroot, salep and similar roots and tubers with high starch content	Indonesia	6 % <i>ad valorem</i>	825 000
09.0127	0714 10 91, ex 0714 10 98, 0714 90 11 0714 90 19 Manioc, arrowroot, salep and similar roots and tubers with high starch content	People's Republic of China	6 % <i>ad valorem</i>	350 000
09.0128	0714 10 91, ex 0714 10 98, 0714 90 11 0714 90 19 Manioc, arrowroot, salep and similar roots and tubers with high starch content	Third countries which are members of the WTO, with the exception of the People's Republic of China, Thailand and Indonesia	6 % <i>ad valorem</i>	145 590
09.0130	0714 10 91, 0714 90 11 Manioc, arrowroot, salep and similar roots and tubers with high starch content	Third countries which are not members of the WTO	6 % <i>ad valorem</i>	2 000
09.0129	0714 10 91, ex 0714 10 98, 0714 90 11 0714 90 19 Manioc, arrowroot, salep and similar roots and tubers with high starch content	Third countries which are not members of the WTO	6 % <i>ad valorem</i>	30 000

Order number	CN codes/product	Origin	Customs duty	Annual tariff quota (tonnes, net weight)
09.0131	0714 20 90 Sweet potatoes other than those intended for human consumption	Third countries other than the People's Republic of China	Free	5 000
09.0132	1108 14 00 Manioc starch	All third countries	Duty equal to the most favoured nation duty (MFN duty) in force, less EUR 100/ tonne	10 500

COMMISSION REGULATION (EU) No 1086/2010**of 25 November 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 26 November 2010.

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

Done at Brussels, 25 November 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	AL	50,2
	EC	92,0
	MA	76,9
	MK	48,2
	ZZ	66,8
0707 00 05	AL	54,8
	EG	150,8
	TR	64,9
	ZZ	90,2
0709 90 70	MA	70,3
	TR	115,5
	ZZ	92,9
0805 20 10	MA	71,9
	ZZ	71,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	60,7
	IL	72,5
	MA	61,9
	TR	61,4
	UY	58,6
	ZZ	63,0
0805 50 10	AR	65,2
	MA	68,0
	TR	62,7
	UY	57,1
	ZA	51,7
	ZZ	60,9
0808 10 80	AR	74,9
	AU	167,9
	BR	50,3
	CA	113,1
	CL	84,2
	CN	67,1
	MK	24,7
	NZ	139,2
	US	92,1
	ZA	114,5
	ZZ	92,8
0808 20 50	CL	78,3
	CN	85,8
	ZZ	82,1

⁽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'.

COMMISSION REGULATION (EU) No 1087/2010**of 25 November 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 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) ⁽¹⁾,

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 ⁽²⁾, 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 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 1083/2010 ⁽⁴⁾

- (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 (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 2010.

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

Done at Brussels, 25 November 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 309, 25.11.2010, p. 3.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 26 November 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 ⁽¹⁾	58,48	0,00
1701 11 90 ⁽¹⁾	58,48	0,00
1701 12 10 ⁽¹⁾	58,48	0,00
1701 12 90 ⁽¹⁾	58,48	0,00
1701 91 00 ⁽²⁾	53,26	1,49
1701 99 10 ⁽²⁾	53,26	0,00
1701 99 90 ⁽²⁾	53,26	0,00
1702 90 95 ⁽³⁾	0,53	0,20

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

DIRECTIVES

COMMISSION DIRECTIVE 2010/81/EU

of 25 November 2010

amending Council Directive 91/414/EEC as regards an extension of the use of the active substance 2-phenylphenol

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) By Commission Directive 2009/160/EU ⁽²⁾ 2-phenylphenol was included as active substance in Annex I to Directive 91/414/CEE, with the specific provision that Member States may only authorise indoor uses as a post-harvest fungicide in closed drench chambers.

(2) On 18 June 2010 the notifier submitted information on other application techniques, such as wax treatment, dipping treatment and foam curtain treatment, in order to remove the restriction to closed drench chambers.

(3) Spain, which had been designated rapporteur Member State by Commission Regulation (EC) No 2229/2004 ⁽³⁾, evaluated the additional information and submitted to the Commission on 30 July 2010 an addendum to the draft assessment report on 2-phenylphenol, which was circulated for comments to the other Member States and to the European Food Safety Authority (EFSA). In the comments received no major concerns were raised and the other Member States and EFSA did not raise any point which would exclude the extension of the use. The draft assessment report together with that addendum was reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 28 October 2010 in the format of the Commission review report for 2-phenylphenol.

(4) The new information on the application techniques submitted by the notifier and the new assessment carried out by the rapporteur Member State indicate that plant protection products containing 2-phenylphenol may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the indoor uses as a post-harvest fungicide which were examined and detailed in the Commission review report. Consequently, it is no longer necessary to restrict the use of 2-phenylphenol to closed drench chambers, as laid down in Directive 91/414/EEC as amended by Directive 2009/160/EU.

(5) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore, it is appropriate to require that the notifier submit further information to confirm the residue levels occurring as a result of application techniques other than those in drench chambers.

(6) Furthermore, it is also appropriate to require Member States to pay particular attention to the protection of operators and workers and ensure that conditions of use prescribe the application of adequate personal protective equipment.

(7) It is therefore appropriate to amend Directive 91/414/EEC accordingly.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 338, 19.12.2009, p. 83.

⁽³⁾ OJ L 379, 24.12.2004, p. 13.

Article 2

Member States shall adopt and publish by 31 December 2010 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 January 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 November 2010.

For the Commission

The President

José Manuel BARROSO

In Annex I to Directive 91/414/EEC, row 305 is replaced by the following:

No	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Entry into force	Expiration of inclusion	Specific provisions
'305	2-Phenylphenol (including its salts such as the sodium salt) CAS No 90-43-7 CIPAC No 246	<i>biphenyl-2-ol</i>	≥ 998 g/kg	1 January 2010	31 December 2019	PART A Only uses as a post-harvest fungicide for indoor use may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on 2-phenylphenol, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009, as amended in the Standing Committee on the Food Chain and Animal Health on 28 October 2010, shall be taken into account. In this overall assessment Member States must pay particular attention: — to the protection of operators and workers and ensure that conditions of use prescribe the application of adequate personal protective equipment, — to put in place appropriate waste management practices to handle the waste solution remaining after application, including the cleaning water of the drenching and other application systems. Member States permitting the release of wastewater into the sewage system, shall ensure that a local risk assessment is carried out. The Member States concerned shall ensure that the notifier submits to the Commission: — further information on the potential for skin depigmentation for workers and consumers due to possible exposure to the metabolite 2-phenylhydroquinone (PHQ) on citrus peel, — further information to confirm that the analytical method applied in residue trials correctly quantifies the residues of 2-phenylphenol, PHQ and their conjugates. They shall ensure that the notifier provides such information to the Commission by 31 December 2011. Furthermore, the Member States concerned shall ensure that the notifier submits to the Commission further information to confirm the residue levels occurring as a result of application techniques other than those in drench chambers. They shall ensure that the notifier provides such information to the Commission by 31 December 2012.'

(*) Further details on identity and specification of active substance are provided in the review report.

DECISIONS

COMMISSION DECISION

of 25 November 2010

amending Decision 2004/4/EC authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt

(notified under document C(2010) 8185)

(2010/714/EU)

THE EUROPEAN COMMISSION,

been sufficiently mitigated, provided that the specific conditions indicated in Decision 2004/4/EC are satisfied.

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

- (4) The entry into the Union of tubers of *Solanum tuberosum* L., originating in 'pest-free areas' of Egypt, should therefore be permitted for the 2010/2011 import season.

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular Article 16(3) thereof,

- (5) Decision 2004/4/EC established that it had to be reviewed by 30 September 2010. In light of the above findings, the deadline for the review should be extended.

- (6) Decision 2004/4/EC should be therefore amended accordingly.

Whereas:

- (1) Under Commission Decision 2004/4/EC ⁽²⁾, tubers of *Solanum tuberosum* L., originating in Egypt, must not in principle be introduced into the Union. In line with a possibility to derogate from that Decision, the entry of such tubers into the Union was permitted from 'pest-free areas' and subject to specific conditions in previous years, including the 2009/2010 import season.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/4/EC is amended as follows:

- (2) During the 2009/2010 import season, only one interception of *Pseudomonas solanacearum* (Smith) Smith was recorded in the Union.

1. in Article 2(1), '2009/2010' is replaced by '2010/2011';

- (3) As requested by Egypt, and in the light of the information provided by it, the Commission has established that the risk of spreading *Pseudomonas solanacearum* (Smith) Smith with the entry into the Union of tubers of *Solanum tuberosum* L. from 'pest-free areas' of Egypt has

2. in Article 4, '31 August 2010' is replaced by '31 August 2011';

3. in Article 7, '30 September 2010' is replaced by '30 September 2011';

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 2, 6.1.2004, p. 50.

4. the Annex is amended as follows:

Article 2

This Decision is addressed to the Member States.

(a) in point 1(b)(iii), '2009/2010' is replaced by '2010/2011';

Done at Brussels, 25 November 2010.

(b) in the second indent of point 1(b)(iii), '1 January 2010' is replaced by '1 January 2011';

(c) in point 1(b)(xii), '1 January 2010' is replaced by '1 January 2011'.

For the Commission

John DALLI

Member of the Commission

COMMISSION DECISION

of 25 November 2010

authorising the placing on the market of ferrous ammonium phosphate as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council

*(notified under document C(2010) 8191)***(Only the French text is authentic)**

(2010/715/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) On 21 October 2008 the company Cantox Health Sciences International on behalf of Nestec Ltd made a request to the competent authorities of Ireland to place ferrous ammonium phosphate on the market as a novel food ingredient.
- (2) On 20 November 2008 the competent food assessment body of Ireland issued its initial assessment report. In that report it came to the conclusion that an additional assessment was required.
- (3) The Commission informed all Member States about the request on 23 December 2008. The European Food Safety Authority (EFSA) was requested to carry out the assessment on 28 April 2009.
- (4) On 14 April 2010 following a request from the Commission, EFSA adopted an opinion ⁽²⁾ on the safety of ferrous ammonium phosphate as a source of iron added for nutritional purposes to foods for the general population (including food supplements) and to foods for particular nutritional uses. In the opinion EFSA concluded that ferrous ammonium phosphate, at the proposed use levels, is not of safety concern provided that established upper safety limits for iron are not exceeded.
- (5) Commission Regulation (EC) No 953/2009 of 13 October 2009 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses ⁽³⁾, Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the

approximation of the laws of the Member States relating to food supplements ⁽⁴⁾ and/or Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods ⁽⁵⁾ lay down specific provision for the use of vitamins, minerals and other substances in food. The use of ferrous ammonium phosphate should be authorised without prejudice to the requirements of this legislation.

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

HAS ADOPTED THIS DECISION:

Article 1

Ferrous ammonium phosphate as a source of iron as specified in the Annex may be placed on the market in the Union as a novel food ingredient to be used in food without prejudice to the specific provisions of Regulation (EC) No 953/2009, Directive 2002/46/EC and/or Regulation (EC) No 1925/2006.

Article 2

The designation of the novel food ingredient authorised by this Decision on the labelling of the foodstuff containing it shall be 'ferrous ammonium phosphate'.

Article 3

This Decision is addressed to Nestec Ltd Avenue Nestlé 55, CH-1800 Vevey, Switzerland.

Done at Brussels, 25 November 2010.

For the Commission

John DALLI

Member of the Commission⁽¹⁾ OJ L 43, 14.2.1997, p. 1.⁽²⁾ EFSA Journal 2010; 8(5): 1584.⁽³⁾ OJ L 269, 14.10.2009, p. 9.⁽⁴⁾ OJ L 183, 12.7.2002, p. 51.⁽⁵⁾ OJ L 404, 30.12.2006, p. 26.

ANNEX

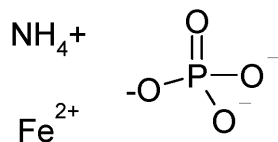
SPECIFICATIONS OF FERROUS AMMONIUM PHOSPHATE

Description: Ferrous ammonium phosphate is a grey/green fine powder, practically insoluble in water and soluble in dilute mineral acids.

CAS No: 10101-60-7

Chemical Formula: FeNH_4PO_4

Structural Formula:



Chemical characteristics of ferrous ammonium phosphate:

pH of 5 % suspension in water	6,8 to 7,8
Iron (total)	not less than 28 %
Iron (II)	22 % to 30 % (w/w)
Iron (III)	not more than 7 % (w/w)
Ammonia	5 % to 9 % (w/w)
Water	not more than 3 %

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29docstts.html>

Regulation No 64 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to their equipment which may include: a temporary-use spare unit, run-flat tyres and/or a run-flat system, and/or a tyre pressure monitoring system

Incorporating all valid text up to:

02 series of amendments — Date of entry into force: 19 August 2010

Corrigendum 1 to the 02 series of amendments — Date of entry into force: 19 August 2010

CONTENTS

REGULATION

1. Scope
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3. Application for approval
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9. Penalties for non-conformity of production
10. Production definitely discontinued
11. Names and addresses of technical services responsible for conducting approval tests, and of administrative departments
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ANNEXES

- Annex 1 — Communication concerning the approval (or refusal or extension or withdrawal of approval or production definitely discontinued) of a vehicle type with regard to its equipment, pursuant to Regulation No 64
- Annex 2 — Arrangements of approval marks
- Annex 3 — Braking and deviation test for vehicles fitted with temporary-use spare units
- Annex 4 — Test requirements for run-flat warning system (RFWS)
- Annex 5 — Tests for tyre pressure monitoring systems (TPMS)

1. SCOPE

This Regulation applies to the approval of vehicles of category M₁ and N₁ ⁽¹⁾ when equipped with:

- (a) a temporary use spare unit; and/or
- (b) run-flat tyres and/or a run-flat system; and/or
- (c) a tyre pressure monitoring system ⁽²⁾.

For the purposes of this Regulation, spare wheel and tyre substitute units in the form of run-flat tyres or a run-flat system in a totally deflated condition, are to be treated as being temporary use spare units as defined in paragraph 2.10 of the Regulation.

2. DEFINITIONS

For the purposes of this Regulation:

- 2.1. 'Approval of a vehicle' means the approval of a vehicle type with regard to its temporary use spare wheel and tyre unit;
- 2.2. 'Vehicle type' means a category of vehicles which do not differ significantly in such essential aspects as:
 - 2.2.1. 'Vehicle type with regard to its temporary-use spare unit':
 - 2.2.1.1. the maximum axle loads of the vehicle, as defined in paragraph 2.12,
 - 2.2.1.2. the characteristics of the temporary-use spare wheel and tyre unit,
 - 2.2.1.3. the method of drive (front wheel, rear wheel, four wheels),
 - 2.2.1.4. the suspension,
 - 2.2.1.5. the braking system,
 - 2.2.1.6. the wheel size/tyre size;
 - 2.2.1.7. the wheel offset.
 - 2.2.2. 'Vehicle type with regard to its tyre pressure monitoring system':
 - 2.2.2.1. the manufacturer's trade name or mark,
 - 2.2.2.2. vehicle features which significantly influence the performances of the tyre pressure monitoring system,
 - 2.2.2.3. the type and design of the tyre pressure monitoring system
- 2.3. 'Wheel' means a complete wheel consisting of a rim and a wheel disc;
 - 2.3.1. 'Wheel size designation' means a designation comprising at least the nominal rim diameter, the nominal rim width and the rim profile;
 - 2.3.2. 'Wheel offset' means the distance from the hub abutment face to the centre line of the rim.

⁽¹⁾ As defined in Annex 7 of the Consolidated Resolution on the Construction of Vehicles (R.E.3) (TRANS/WP.29/78/Rev.1/Amend.2, as last amended by Amend.4).

⁽²⁾ In the case of vehicles of categories M₁ up to a maximum mass of 3 500 kg and N₁, in both cases with all axles equipped with single tyres.

- 2.4. 'Tyre' means a pneumatic tyre, being a reinforced flexible envelope that is provided with, or forms in conjunction with the wheel on which it is mounted, a continuous, essentially toroidal, closed chamber containing a gas (usually air) or a gas and liquid, that is intended normally to be used at a pressure greater than atmospheric pressure. It may be a:
- 2.4.1. 'Normal tyre' being a tyre that is suitable for all normal, on-road, conditions of use;
- 2.4.2. 'Temporary use spare tyre' being a tyre that is specifically designed to be different from a normal tyre and intended only for temporary use under restricted driving conditions;
- 2.4.3. 'Run flat tyre' or 'Self supporting tyre' describes a pneumatic tyre structure provided with any technical solutions (for example, reinforced sidewalls, etc.) allowing the pneumatic tyre, mounted on the appropriate wheel and in the absence of any supplementary component, to supply the vehicle with the basic tyre functions, at least, at a speed of 80 km/h (50 mph) and a distance of 80 km when operating in flat tyre running mode;
- 2.4.4. 'Run flat system' or 'Extended mobility system' describes an assembly of specified functionally dependant components, including a tyre, which together provide the specified performance granting the vehicle with the basic tyre functions, at least, at a speed of 80 km/h (50 mph) and a distance of 80 km when operating in flat tyre running mode.
- 2.5. 'Flat tyre running mode' describes the state of tyre, essentially maintaining its structural integrity, while operating at an inflation pressure between 0 and 70 kPa.
- 2.6. 'Basic tyre function' means the normal capability of an inflated tyre in supporting a given load up to a given speed and transmitting the driving, the steering and the braking forces to the ground on which it runs.
- 2.7. 'Tyre size designation' means a combination of figures that uniquely identify the geometric size of the tyre, comprising the nominal section width, the nominal aspect ratio and the nominal diameter. Precise definitions of these features may be found in Regulation No 30.
- 2.8. 'Tyre structure' means the technical characteristics of the tyre's carcass. This may be bias ply (diagonal or cross ply), bias-belted, radial ply or run flat tyre as further defined in Regulation No 30.
- 2.9. 'Standard spare unit' means an assembly of a wheel and tyre identical in terms of wheel and tyre size designations, wheel offset and tyre structure to that fitted in the same axle position and to the particular model or version of the vehicle for normal operation. It includes the case of a wheel that is produced from a different material, for example, steel instead of aluminium alloy, that may use different wheel fixing nut or bolt designs but which is otherwise identical to the wheel intended for normal operation.
- 2.10. 'Temporary use spare unit' means an assembly of any wheel and tyre that is not within that defined as a 'Standard spare unit' in paragraph 2.9. Temporary use spare units may be of the following types:
- 2.10.1. Type 1
- An assembly in which the tyre is a temporary use spare tyre as defined in paragraph 2.4.2;
- 2.10.2. Type 2
- An assembly in which the wheel has a different offset from that of the wheel fitted in the same axle position for normal operation of the vehicle;
- 2.10.3. Type 3
- An assembly in which the tyre is of a different structure from that fitted in the same axle position for normal operation of the vehicle;

2.10.4. Type 4

An assembly in which the tyre is a normal tyre as defined in paragraph 2.4.1 but where the size designation of the wheel or the tyre or both, differ from those of the wheel or tyre fitted in the same axle position for normal operation of the vehicle;

2.10.5. Type 5

An assembly in which a wheel and tyre unit as defined in paragraph 2.4.3 or 2.4.4 is fitted to the vehicle for normal, long term road use, but used in an emergency in a totally deflated condition;

2.11. 'Maximum mass' means the maximum value of the vehicle stated by the manufacturer to be technically permissible (this mass may be higher than the 'permissible maximum mass' laid down by the national administration);

2.12. 'Maximum axle load' means the maximum value, as indicated by the manufacturer, of the total vertical force between the contact surfaces of the tyres or tracks of one axle and the ground and resulting from the part of the vehicle mass supported by that axle; this load may be higher than the 'authorised axle load' laid down by the national administration. The sum of the axle loads may be greater than the value corresponding to the total mass of the vehicle;

2.13. 'Run-flat warning system' describes a system which delivers information to the driver that a tyre is operating in the flat tyre running mode.

2.14. 'Tyre pressure monitoring system (TPMS)' means a system fitted on a vehicle, able to perform a function to evaluate the inflation pressure of the tyres or the variation of this inflation pressure over time and to transmit corresponding information to the user while the vehicle is running.

2.15. 'Cold tyre inflation pressure' means the tyre pressure at ambient temperature, in the absence of any pressure build-up due to tyre usage.

2.16. 'Recommended cold inflation pressure (P_{rec})' means the pressure recommended for each tyre position by the vehicle manufacturer, for the intended service conditions (e.g. speed and load) of the given vehicle, as defined on the vehicle placard and/or the vehicle owner's manual.

2.17. 'In service operating pressure (P_{warm})' means the inflation pressure for each tyre position elevated from the cold pressure (P_{rec}) by temperature effects during vehicle usage.

2.18. 'Test Pressure (P_{test})' means the actual pressure of the tyre(s) selected for each tyre position after deflation during the test procedure.

2.19. 'Type of tyre pressure monitoring system' means systems which do not differ significantly in such essential aspects as:

(a) the principle of operation;

(b) any components which are likely to have a significant influence on the performance of the system as specified under paragraph 5.3 to this Regulation.

3. APPLICATION FOR APPROVAL

3.1. The application for approval of a vehicle type with regard to its equipment with:

(a) a temporary use spare unit (including, where applicable, a run-flat warning system); and/or

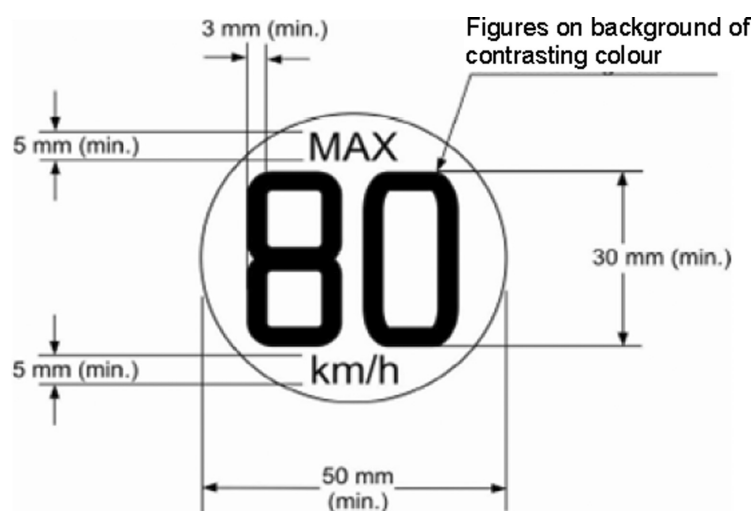
(b) a tyre pressure monitoring system

shall be submitted by the vehicle manufacturer or by his duly accredited representative;

- 3.2. It shall be accompanied, in triplicate, by a description of the vehicle type with regard to the items specified in Annex 1 to this Regulation:
- 3.3. A vehicle representative of the vehicle type to be approved shall be submitted to the type approval authority or the technical service responsible for conducting the approval tests.
- 3.4. The administrative department shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity of production before type approval is granted.
4. APPROVAL
- 4.1. If the vehicle submitted for approval pursuant to this Regulation meets all the requirements of paragraph 5 below, approval of that vehicle type shall be granted.
- 4.1.1. A vehicle approval with respect to the provisions relating to temporary use spare unit only shall be granted if the vehicle meets the requirements of paragraphs 5.1 and 5.2.
- 4.1.2. A vehicle approval with respect solely to the provisions relating to tyre pressure monitoring systems only shall be granted if the vehicle meets the requirements of paragraph 5.3.
- 4.2. An approval number shall be assigned to each type approved. Its first two digits (at present 02 corresponding to the 02 series of amendments) shall indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval. The same Contracting Party may not assign the same number to another type of vehicle. However, variants of a model range which are in separate categories with respect to the criteria of paragraph 2.2 may be covered by the same type approval, provided that the results of the tests described in paragraphs 5.2 and 5.3 do not show major differences.
- 4.3. Notice of approval or of extension or of refusal of approval of a vehicle type pursuant to this Regulation shall be communicated to the Parties to the Agreement which apply this Regulation by means of a form conforming to the model in Annex 1 to this Regulation.
- 4.4. There shall be affixed, conspicuously and in a readily accessible place specified on the approval form, to every vehicle conforming to a vehicle type approved under this Regulation an international approval mark consisting of:
- 4.4.1. a circle surrounding the letter 'E' followed by the distinguishing number of the country which granted approval⁽¹⁾:
- 4.4.2. the number of this Regulation, followed by:
- 4.4.2.1. the letter 'R' in the case of vehicles approved in accordance with paragraph 4.1.1 only.
- 4.4.2.2. the letter 'P' in the case of vehicles approved in accordance with paragraph 4.1.2 only.

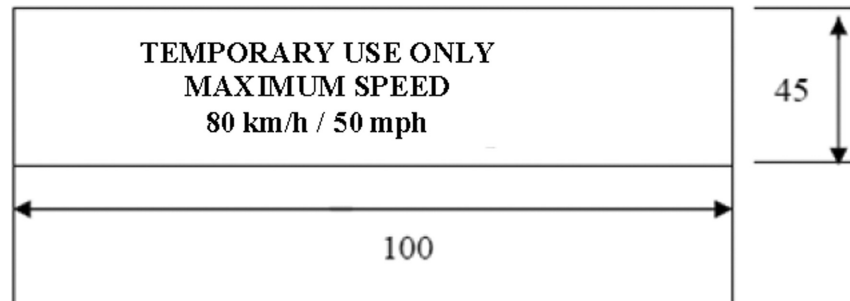
⁽¹⁾ 1 for Germany, 2 for France, 3 for Italy, 4 for Netherlands, 5 for Sweden, 6 for Belgium, 7 for Hungary, 8 for the Czech Republic, 9 for Spain, 10 for Serbia, 11 for the United Kingdom, 12 Austria, 13 for Luxembourg, 14 for Switzerland, 15 (vacant), 16 for Norway, 17 for Finland, 18 for Denmark, 19 for Romania, 20 for Poland, 21 for Portugal, 22 for the Russian Federation, 23 for Greece, 24 for Ireland, 25 for Croatia, 26 for Slovenia, 27 for Slovakia, 28 for Belarus, 29 for Estonia, 30 (vacant), 31 for Bosnia and Herzegovina, 32 for Latvia, 33 (vacant), 34 for Bulgaria, 35 (vacant), 36 for Lithuania, 37 for Turkey, 38 (vacant), 39 for Azerbaijan, 40 for The former Yugoslav Republic of Macedonia, 41 (vacant), 42 for the European Community (Approvals are granted by its Member States using their respective ECE symbol), 43 for Japan, 44 (vacant), 45 for Australia, 46 for Ukraine, 47 for the Republic of South Africa, 48 for New Zealand, 49 for Cyprus, 50 for Malta, 51 for Republic of Korea, 52 for Malaysia, 53 for Thailand, 54 and 55 (vacant), 56 for Montenegro, 57 (vacant) and 58 for Tunisia. Subsequent numbers shall be assigned to other countries in the chronological order in which they ratify or accede to the Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approval Granted on the Basis of these Prescriptions, and the numbers thus assigned shall be communicated by the Secretary-General of the United Nations to the Contracting Parties to the Agreement.

- 4.4.2.3. the letters 'RP' in the case of vehicles approved in accordance with both paragraphs 4.1.1 and 4.1.2.
- 4.4.3. a dash and the approval number to the right of the markings prescribed in paragraphs 4.4.1 and 4.4.2.
- 4.5. If the vehicle conforms to a vehicle type approved, under one or more Regulations annexed to the Agreement, in the country which granted approval under this Regulation, the symbol prescribed in paragraph 4.4.1 need not be repeated; in such a case, the Regulation and approval numbers and the additional symbols for all the Regulations under which approval has been granted in the country which granted approval under this Regulation shall be placed in vertical columns to the right of the symbol prescribed in paragraph 4.4.1.
- 4.6. The approval mark shall be clearly legible and be indelible.
- 4.7. The approval mark shall be placed close to or on the vehicle data plate affixed by the manufacturer.
- 4.8. Annex 2 to this Regulation gives examples of approval marks.
5. SPECIFICATIONS AND TESTS
- 5.1. **General**
- 5.1.1. Tyres intended for use as part of a temporary use spare unit as defined in paragraph 2.10, shall be approved in accordance with Regulation No 30.
- 5.1.2. For vehicles having at least four wheels, the load capacity of the temporary-use spare unit shall be at least equal to one half of the highest of the maximum axle loads of the vehicle; if its use is restricted to a specific axle mentioned in the instructions in paragraph 6 below, its load capacity shall be at least equal to one half of the maximum load of that axle.
- 5.1.3. The design speed of the temporary-use spare unit shall be at least 120 km/h for types 1, 2 and 3.
- 5.1.4. The temporary-use spare unit shall exhibit the following characteristics:
- 5.1.4.1. An 80 km/h maximum speed warning symbol arranged in accordance with the diagram below shall be permanently displayed on the outer face of the wheel in a prominent position.



In the case of vehicles intended to be sold in countries using imperial units of measurement, an additional warning symbol, identical to that described above, with the exception that the figure '80' shall be replaced by '50' and the wording 'km/h' by 'mph', shall be permanently displayed on the outer face of the wheel in a prominent position.

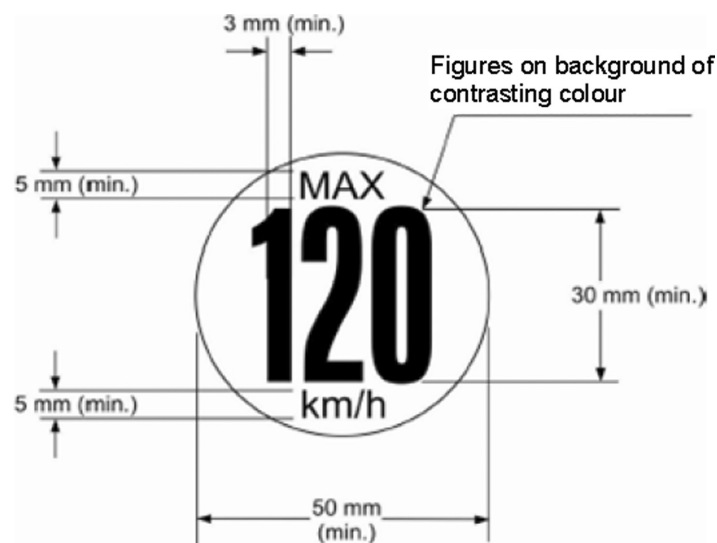
Alternatively a single warning symbol arranged in accordance with the diagram below, shall be permanently displayed on the outer face of the wheel in a prominent position.



Upper case letters shall be at least 5 mm high and the numbers '80' and '50' shall be at least 20 mm high with the elements that make up each character of the number at least 3 mm line thickness. Lower case text shall at least have a line height of 5 mm. All text shall be enclosed in a border and be on a background of contrasting colour.

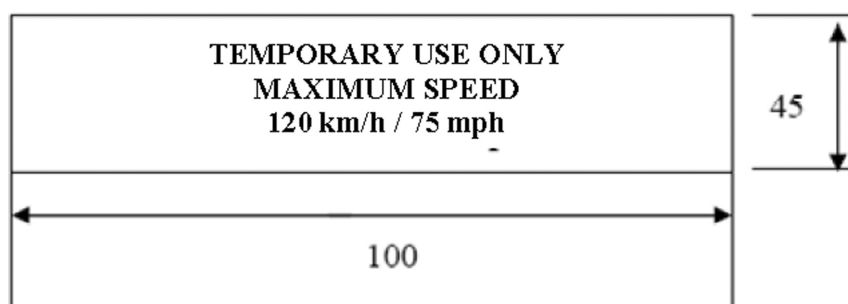
The requirements of this paragraph shall only apply to types 1, 2 and 3 temporary use spare unit as defined in paragraphs 2.10.1, 2.10.2 and 2.10.3.

- 5.1.4.1.1. An 120 km/h maximum speed warning symbol arranged in accordance with the diagram below shall be permanently displayed on the outer face of the wheel in a prominent position.



In the case of vehicles intended to be sold in countries using imperial units of measurement, an additional warning symbol, identical to that described above, with the exception that the figure '120' shall be replaced by '75' and the wording 'km/h' by 'mph', shall be permanently displayed on the outer face of the wheel in a prominent position.

Alternatively a single warning symbol arranged in accordance with the diagram below, shall be permanently displayed on the outer face of the wheel in a prominent position.



Upper case letters shall be at least 5 mm high and the numbers '120' and '75' shall be at least 20 mm high with the elements that make up each character of the number at least 3 mm line thickness. Lower case text shall at least have a line height of 5 mm. All text shall be enclosed in a border and be on a background of contrasting colour.

The requirements of this paragraph shall only apply to a type 4 temporary use spare unit as defined in paragraph 2.10.4 to be supplied for use on an M₁ category vehicle.

- 5.1.4.2. When mounted to the vehicle for temporary use the outward facing surface of the wheel and/or tyre shall exhibit a distinctive colour or colour pattern which is quite clearly different from the colour(s) of the standard units. If it is possible to attach a wheel cover to the temporary-use spare unit, the distinctive colour or colour pattern shall not be obscured by this wheel cover.
- 5.1.5. Except in the case of a run-flat/self supporting tyres or run-flat/extended mobility system, it is permitted to supply only one temporary use spare unit with the vehicle.
- 5.1.6. In the case of vehicles equipped with run-flat/self supporting tyres or run-flat/extended mobility system, the vehicle shall also be fitted with a run-flat warning system (defined in paragraph 2.13) capable of operating within a speed range from 40 km/h to the maximum design speed of the vehicle and meeting the requirements of paragraphs 5.1.6.1 to 5.1.6.6. However, if the vehicle is fitted with a tyre pressure monitoring system meeting the requirements of paragraph 5.3, the additional fitment of a run-flat warning system is not required.
 - 5.1.6.1. The warning indication shall be by means of an optical yellow warning signal.
 - 5.1.6.2. The warning signal shall be activated when the ignition (start) switch is in the 'on' (run) position (bulb check).
 - 5.1.6.3. A warning shall be indicated to the driver by the operation of the warning signal referred to in paragraph 5.1.6.1 at the latest when one tyre is detected to be in the flat tyre running mode.
 - 5.1.6.4. Electrical failure or sensor anomaly that affects the run-flat warning system, including failure of the electrical source, supply or transmission of the output signal, shall be indicated to the driver by an optical yellow run flat malfunction signal. If the warning signal described in paragraph 5.1.6.1 is used to indicate both a tyre in the run flat mode and a malfunction in the run-flat warning system, the following shall apply: with the ignition (start) switch in the 'on' (run) position the warning signal shall flash to indicate a system failure. After a short period of time the warning signal shall remain continuously illuminated as long as the failure exists and the ignition (start) switch is in the 'on' (run) position. The flashing and illumination sequence shall be repeated each time the ignition (start) switch is in the 'on' (run) position until the failure has been corrected.
 - 5.1.6.5. When the system is being manually reset in accordance with the vehicle manufacturer's instructions the provisions in paragraphs 5.1.6.3 and 5.1.6.4 may not apply.
 - 5.1.6.6. The operation of the warning signal specified in paragraphs 5.1.6.2 to 5.1.6.4 shall meet the requirements in Annex 4.

- 5.1.7. If the vehicle is equipped with a temporary-use spare unit stored in a deflated condition, a device must be provided on the vehicle which permits the tyre to be inflated to the pressure specified for temporary use within a maximum of 10 minutes.
- 5.2. **Braking test**
- 5.2.1. Vehicles intended to be equipped with temporary-use spare units shall meet the requirements of Annex 3 to this Regulation.
- 5.3. **Tyre pressure monitoring systems (TPMS)**
- 5.3.1. *General requirements*
- 5.3.1.1. Subject to the requirements of paragraph 12, any vehicle of categories M₁ up to a maximum mass of 3 500 kg and N₁ in both cases with all axles equipped with single tyres and fitted with a tyre pressure monitoring system complying with the definition of paragraph 2.14 shall meet the performance requirements contained in paragraphs 5.3.1.2 to 5.3.5.5 below and shall be tested in accordance with Annex 5.
- 5.3.1.2. Any tyre pressure monitoring system fitted on a vehicle shall comply with the requirements of Regulation No 10.
- 5.3.1.3. The system shall operate from a speed of 40 km/h or below, up to the vehicle's maximum design speed.
- 5.3.2. *Tyre pressure detection for incident-related pressure loss (puncture test)*
- 5.3.2.1. The TPMS shall be tested according to the test procedure set out in paragraph 2.6.1 of Annex 5. When tested to this procedure, the TPMS shall illuminate the warning signal described in paragraph 5.3.5 not more than 10 minutes after the in service operating pressure in one of the vehicle's tyres has been reduced by 20 per cent or it is at a minimum pressure of 150 kPa, whatever is higher.
- 5.3.3. *Detection for a tyre pressure level significantly below the recommended pressure for optimum performance including fuel consumption and safety (diffusion test)*
- 5.3.3.1. The TPMS shall be tested according to the test procedure set out in paragraph 2.6.2 of Annex 5. When tested to this procedure, the TPMS shall illuminate the warning signal described in paragraph 5.3.5 within not more than 60 minutes of cumulative driving time after the in-service operating pressure in any of the vehicle's tyres, up to a total of four tyres, has been reduced by 20 per cent.
- 5.3.4. *Malfunction detection test*
- 5.3.4.1. The TPMS shall be tested according to the test procedure set out in paragraph 3 of Annex 5. When tested to this procedure, the TPMS shall illuminate the warning signal described in paragraph 5.3.5 not more than 10 minutes after the occurrence of a malfunction that affects the generation or transmission of control or response signals in the vehicle's tyre pressure monitoring system. If the system is blocked by external influence (e.g. radio-frequency noise), the malfunction detection time may be extended.
- 5.3.5. *Warning indication*
- 5.3.5.1. The warning indication shall be by means of an optical warning signal conforming to Regulation No 121.
- 5.3.5.2. The warning signal shall be activated when the ignition (start) switch is in the 'on' (run) position (bulb check). [This requirement does not apply to tell-tales shown in a common space.]
- 5.3.5.3. The warning signal must be visible even by daylight; the satisfactory condition of the signal must be easily verifiable by the driver from the driver's seat.

- 5.3.5.4 The malfunction indication may be the same warning signal as the one used to indicate under-inflation. If the warning signal described in paragraph 5.3.5.1 is used to indicate both under-inflation and a malfunction of the TPMS, the following shall apply: with the ignition (start) switch in the 'on' (run) position the warning signal shall flash to indicate a malfunction. After a short period of time the warning signal shall remain continuously illuminated as long as the malfunction exists and the ignition (start) switch is in the 'on' (run) position. The flashing and illumination sequence shall be repeated each time the ignition (start) switch is in the 'on' (run) position until the malfunction has been corrected.
- 5.3.5.5. The tell-tale of the warning described in paragraph 5.3.5.1 may be used in a flashing mode in order to provide information about the reset status of the tyre pressure monitoring system in accordance with the owner's manual of the vehicle.
6. SUPPLEMENTARY INFORMATION
- 6.1. If the vehicle is equipped with a temporary use spare unit, the owner's manual of the vehicle shall contain at least the following information:
- 6.1.1. A statement of the risk resulting from non-compliance with the restrictions on the use of a temporary-use spare unit including, as appropriate, a statement relating to use restricted to a specific axle.
- 6.1.2. An instruction to drive with caution and at no more than the permitted maximum speed of 80 km/h (50 mph) when a type 1, 2 or 3 temporary-use spare unit as defined in paragraphs 2.10.1, 2.10.2 or 2.10.3 is fitted, and to reinstall a standard unit as soon as possible. It shall be made clear that this instruction also applies to a type 5 temporary-use spare unit as defined in paragraph 2.10.5 being used in the flat tyre running mode.
- 6.1.2.1. An instruction to drive with caution and at no more than the permitted maximum speed of 120 km/h (75 mph), when a type 4 spare unit as defined in paragraph 2.10.4 is fitted, and to reinstall a standard unit as soon as possible.
- 6.1.3. A statement that operation of the vehicle is not permitted with more than one temporary-use spare unit fitted at the same time. This requirement shall only apply to a type 1, 2 and 3 temporary-use spare unit as defined in paragraphs 2.10.1, 2.10.2 and 2.10.3.
- 6.1.4. A clear indication of the inflation pressure specified by the vehicle manufacturer for the tyre of the temporary-use spare unit.
- 6.1.5. For vehicles equipped with a temporary use spare unit stored in a deflated condition, a description of the procedure for inflating the tyre to the pressure specified for temporary use by means of the device referred to in paragraph 5.1.7 above.
- 6.2. If the vehicle is fitted with a tyre pressure monitoring system or a run-flat warning system, the owner's manual of the vehicle shall contain at least the following information:
- 6.2.1. A statement that the vehicle is equipped with such a system (and information how to reset the system, if the actual system includes such a feature).
- 6.2.2. An image of the tell-tale symbol described in paragraph 5.1.6.1 or 5.3.5.1 as appropriate (and an image of the malfunction tell-tale symbol, if a dedicated tell-tale is used for this function).
- 6.2.3. Additional information about the significance of the low tyre pressure warning tell-tale illuminating and a description of the corrective action to be undertaken if this happens.
- 6.3. If no owner's manual is supplied with the vehicle, the information required in paragraph 6.1 and/or 6.2 above shall be displayed in a prominent place on the vehicle.

7. MODIFICATIONS AND EXTENSION OF APPROVAL OF THE VEHICLE TYPE
 - 7.1. Every modification of the vehicle type shall be notified to the administrative department which granted the type approval. The department may then either:
 - 7.1.1. Consider that the modifications made are unlikely to have appreciable adverse effects and that in any event the vehicle still complies with the requirements; or
 - 7.1.2. Require a further test report from the technical service responsible for conducting the tests.
 - 7.2. Confirmation or refusal of approval, specifying the alterations, shall be notified by the procedure specified in paragraph 4.3 above to the Parties to the Agreement applying this Regulation.
 - 7.3. The administrative department issuing the extension of approval shall assign a series number to each communication form drawn up for such an extension.
8. CONFORMITY OF PRODUCTION
 - 8.1. The Conformity of Production procedures shall comply with those set out in Appendix 2 of the Agreement (E/ECE/324 – E/ECE/TRANS/505/Rev.2), with the following requirements:
 - 8.2. The administrative department which has granted type approval may at any time verify the conformity of production in each production facility. The normal frequency of these verifications shall be at least once per year.
9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION
 - 9.1. The approval granted in respect of a vehicle type pursuant to this Regulation may be withdrawn if the requirements laid down in paragraph 8 are not complied with.
 - 9.2. If a Party to the Agreement which applies this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a copy of the approval form bearing at the end, in large letters, the signed and dated annotation 'APPROVAL WITHDRAWN'.
10. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of vehicle approved in accordance with this Regulation, he shall so inform the authority which granted the approval. Upon receiving the relevant communication that authority shall inform thereof the other Parties to the Agreement applying this Regulation by means of a copy of the approval form bearing at the end, in large letters, the signed and dated annotation 'PRODUCTION DISCONTINUED'.
11. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF ADMINISTRATIVE DEPARTMENTS

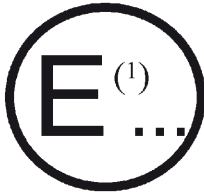
The Parties to the Agreement which apply this Regulation shall communicate to the United Nations Secretariat the names and addresses of the technical services responsible for conducting approval tests and of the administrative departments which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.
12. TRANSITIONAL PROVISIONS
 - 12.1. As from the official date of entry into force of the 01 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the 01 series of amendments.

-
- 12.2. As from 36 months after the date of entry into force of the 01 series of amendments, Contracting Parties applying this Regulation with respect to the temporary use spare wheels/tyres, run flat tyres or a run flat system shall grant approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by the 01 series of amendments.
- 12.3. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the preceding series of amendments to this Regulation.
- 12.4. Contracting Parties applying this Regulation shall continue to grant approvals to those types of vehicles which comply with the requirements of this Regulation as amended by the preceding series during the 36 months' period which follows the date of entry into force of the 01 series of amendments.
- 12.5. As from the official date of entry into force of the 02 series of amendments to this Regulation, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the 02 series of amendments.
- 12.6. As from 1 November 2012, Contracting Parties applying this Regulation may refuse to grant national or regional approval to a vehicle type of categories M₁ up to a maximum mass of 3 500 kg and N₁, in both cases with all axles equipped with single tyres, if the vehicle type does not meet the requirements of the 02 series of amendments to this Regulation.
- 12.7. As from 1 November 2014, Contracting Parties applying this Regulation may refuse first national or regional registration (first entry into service) of a vehicle in categories M₁ up to a maximum mass of 3 500 kg and N₁, in both cases with all axles equipped with single tyres, if the vehicle type does not meet the requirements of the 02 series of amendments to this Regulation.
- 12.8. Notwithstanding the transitional provisions above, Contracting Parties whose application of this Regulation comes into force after the date of entry into force of the most recent series of amendments are not obliged to accept approvals which were granted in accordance with any of the preceding series of amendments to this Regulation.
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ANNEX I

COMMUNICATION

(maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

.....

.....

concerning ⁽²⁾: APPROVAL GRANTED
 APPROVAL EXTENDED
 APPROVAL REFUSED
 APPROVAL WITHDRAWN
 PRODUCTION DEFINITELY DISCONTINUED

of a vehicle type with regard to its equipment which may include: a temporary-use spare unit, run-flat tyres and/or a run-flat system, and/or a tyre pressure monitoring system ⁽²⁾, pursuant to Regulation No 64.

Approval No Extension No

1. Trade name or mark of the device:
2. Vehicle type (if applicable, variants that are included):
3. Manufacturer's name and address:
4. If applicable, name and address of the manufacturer's representative:

5. Vehicle submitted for approval on:
6. Technical service responsible for conducting approval tests:

7. Date of test report:
8. Number of test report:
9. Brief description of the vehicle type:
- 9.1. Mass of the vehicle when tested:
 Front axle:
 Rear axle:
 Total:
- 9.2. Marking and wheel size(s) of standard unit equipment:
- 9.3. Details of temporary use spare unit, including wheel and tyre size designations and marking, tyre load and speed capability, run-flat tyre including the maximum distance wheel offset (where different from standard unit).
- 9.4. The vehicle is fitted with a run flat warning system: yes/no ⁽²⁾

If the answer to the above item is yes, the run flat warning system meets the requirements of paragraphs 5.1.6 to 5.1.6.6/meets the requirements of paragraphs 5.3 to 5.3.5.5 (tyre pressure monitoring system) ⁽²⁾

9.5. The vehicle is fitted with a tyre pressure monitoring system meeting the requirements of paragraphs 5.3 to 5.3.5.5: yes/no ⁽²⁾

9.6. Brief description of run flat warning system /tyre pressure monitoring system where applicable:

10. Result of the tests:

	Measured Time to warning (mm:ss)
'Puncture test'	
'Diffusion test'	
'Malfunction test'	

11. Position of approval mark:

12. Reason(s) of extension (if applicable):

13. Approval granted/refused/extended/withdrawn ⁽²⁾

14. Place:

15. Date:

16. Signature:

17. The list of documents deposited with the administrative department which has granted approval is annexed to this communication and can be obtained upon request.

⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

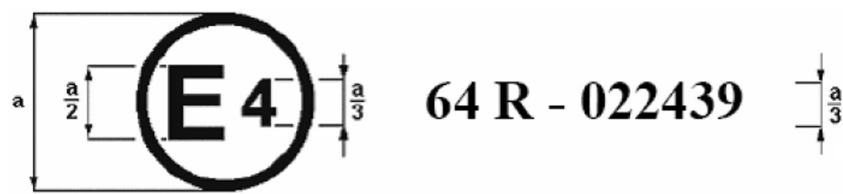
⁽²⁾ Strike out what does not apply.

ANNEX 2

ARRANGEMENTS OF APPROVAL MARKS

Model A

(See paragraph 4.4 of this Regulation)

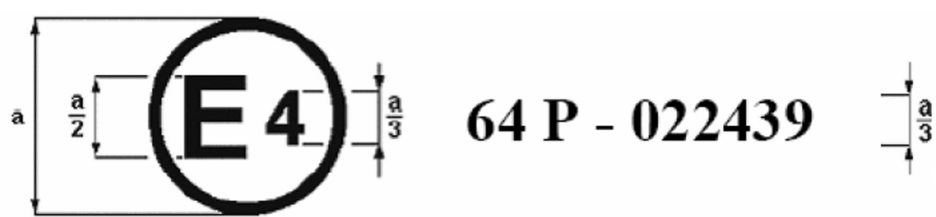


a = 8 mm min.

The above approval mark affixed to a vehicle shows that the vehicle type concerned has, with regard to the equipment of temporary-use spare unit(s), been approved in the Netherlands (E 4), pursuant to Regulation No 64 under approval number 022439. The approval number indicates that the approval was granted in accordance with the requirements of Regulation No 64, incorporating the 02 series of amendments.

Model B

(See paragraph 4.4 of this Regulation)

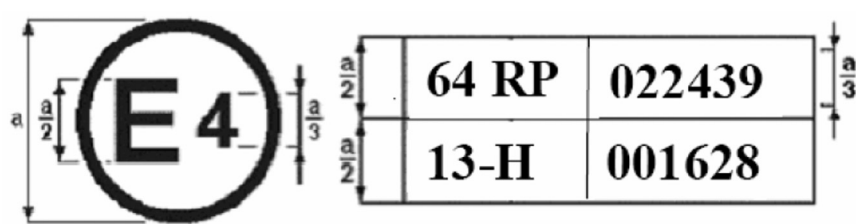


a = 8 mm min.

The above approval mark affixed to a vehicle shows that the vehicle type concerned has, with regard to the equipment of a tyre pressure monitoring system, been approved in the Netherlands (E 4), pursuant to Regulation No 64 under approval number 022439. The approval number indicates that the approval was granted in accordance with the requirements of Regulation No 64, incorporating the 02 series of amendments.

Model C

(See paragraph 4.5 of this Regulation)



a = 8 mm min.

The above approval mark affixed to a vehicle shows that the vehicle type concerned has been approved in the Netherlands (E 4) pursuant to Regulation Nos 64 (with respect to the equipment of temporary-use spare unit(s) and equipment with a tyre pressure monitoring system) and 13-H ⁽¹⁾. The approval numbers indicate that, at the dates when the respective approvals were given, Regulation No 64 included the 02 series of amendments and Regulation No 13-H was in its original form.

⁽¹⁾ The latter number is given as an example only.

ANNEX 3

BRAKING AND DEVIATION TEST FOR VEHICLES FITTED WITH TEMPORARY-USE SPARE UNITS**1. GENERAL CONDITIONS**

- 1.1. The test track shall be substantially level and have a surface affording good adhesion.
- 1.2. The test shall be performed when there is no wind liable to affect the results.
- 1.3. The vehicle shall be loaded to its maximum mass as defined in paragraph 2.11 of this Regulation.
- 1.4. The axle loads resulting from the loading condition in accordance with paragraph 1.3 of this Annex shall be proportional to the maximum axle loads as defined in paragraph 2.12 of this Regulation.
- 1.5. Except in the case of a run-flat tyre, the tyres shall be inflated to the pressures recommended by the vehicle manufacturer for the vehicle type and loading condition. A run-flat tyre shall be tested in the fully deflated condition.

2. BRAKING AND DEVIATION TEST

- 2.1. The test shall be carried out with the temporary-use spare unit fitted alternately in place of one front wheel and one rear wheel. However, if use of the temporary-use spare unit is restricted to a specific axle, the test shall be carried out only with the temporary-use spare unit fitted to that axle.
- 2.2. The test shall be carried out using the service braking system from an initial speed of 80 km/h with the engine disconnected.
- 2.3. The braking performance shall correspond to the test procedure given in Regulation No 13 or 13-H for categories M₁ and N₁ vehicles for the Type O cold test with the engine disconnected:
 - 2.3.1. In the case of M₁ category vehicles approved to Regulation No 13 fitted with type(s) 1, 2, 3 and 5 temporary use spare units as defined in paragraphs 2.10.1, 2.10.2, 2.10.3 and 2.10.5 and tested using a prescribed speed of 80 km/h,

the stopping distance achieved using a maximum force of 500 N applied to the foot control, shall not exceed 50,7 m and

the mean fully developed deceleration (mfdd) given by the following formula shall be not less than 5,8 ms⁻²:

$$Mfdd = v^2 / 41,14 \text{ s}$$

where 'v' is the initial speed at which braking commences and 's' is the distance covered during braking between 0,8 v and 0,1 v.

- 2.3.1.1. In the case of N₁ category vehicles approved to Regulation No 13 fitted with type(s) 1, 2, 3 and 5 temporary-use spare units as defined in paragraphs 2.10.1, 2.10.2, 2.10.3 and 2.10.5 and tested using a prescribed speed of 80 km/h,

the stopping distance achieved using a maximum force of 700 N applied to the foot control shall not exceed 61,2 m and

the mean fully developed deceleration (mfdd) given by the following formula shall be not less than 5,0 ms⁻²:

$$Mfdd = v^2 / 41,14 \text{ s}$$

where v is the initial speed at which braking commences and s is the distance covered during braking between $0,8 v$ and $0,1 v$.

- 2.3.1.2. In the case of M_1 category vehicles approved to Regulation No 13 fitted with type 4 spare unit as defined in paragraph 2.10.4 tested using a prescribed speed of 120 km/h,

the stopping distance achieved using a maximum force of 500 N applied to the foot control, shall not exceed 108 m and

the mean fully developed deceleration (mfdd) given by the following formula shall be not less than $5,8 \text{ ms}^{-2}$:

$$\text{Mfdd} = v^2 / 41,14 \text{ s}$$

where ' v ' is the initial speed at which braking commences and ' s ' is the distance covered during braking between $0,8 v$ and $0,1 v$.

- 2.3.1.3. In the case of M_1 or N_1 category vehicles approved to Regulation No 13-H fitted with type(s) 1, 2, 3 and 5 temporary use spare units as defined in paragraphs 2.10.1, 2.10.2, 2.10.3 and 2.10.5 and tested using a prescribed speed of 80 km/h,

the stopping distance achieved using a maximum force of $650 \text{ N} + 0 / - 50 \text{ N}$ applied to the foot control, shall not exceed 46,4 m and

the mean fully developed deceleration (mfdd) given by the following formula shall be not less than $6,43 \text{ ms}^{-2}$:

$$\text{Mfdd} = v^2 / 41,14 \text{ s}$$

where ' v ' is the initial speed at which braking commences and ' s ' is the distance covered during braking between $0,8 v$ and $0,1 v$.

- 2.3.1.4. In the case of M_1 category vehicles approved to Regulation No 13-H fitted with type 4 temporary-use spare unit as defined in paragraph 2.10.4 and tested using a prescribed speed of 120 km/h,

the stopping distance achieved using a maximum force of $650 \text{ N} + 0 / - 50 \text{ N}$ applied to the foot control, shall not exceed 98,4 m and

the mean fully developed deceleration (mfdd) given by the following formula shall be not less than $6,43 \text{ ms}^{-2}$:

$$\text{Mfdd} = v^2 / 41,14 \text{ s}$$

where ' v ' is the initial speed at which braking commences and ' s ' is the distance covered during braking between $0,8 v$ and $0,1 v$.

- 2.4. Tests shall be carried out for each of the fitting conditions of temporary-use spare units specified in paragraph 2.1 of this Annex.
- 2.5. The prescribed braking performance shall be obtained without any wheel-locking, deviation of the vehicle from its intended course, abnormal vibration, abnormal wear of the tyre during the test or excessive steering correction.
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ANNEX 4

TEST REQUIREMENTS FOR RUN-FLAT WARNING SYSTEM (RFWS)**1. TEST CONDITIONS****1.1. Ambient temperature**

The ambient temperature shall be between 0 °C and 40 °C.

1.2. Test road surface

The test road surface shall be dry and smooth.

1.3. Test location

The test location shall be other than an environment susceptible to radio wave interference such as a strong electric field.

1.4. Condition of the test vehicle in a stationary state

The vehicle's tyres shall be shaded from direct sun when the vehicle is parked.

2. TEST METHOD**2.1. Test procedures for detection of a tyre in the flat tyre running mode.** The requirements of either paragraph 2.1.1 or 2.1.2 shall be met.**2.1.1. Test 1**

2.1.1.1. The tyres are to be inflated to the pressure recommended by the vehicle manufacturer.

2.1.1.2. With the vehicle stationary and the ignition (start) switch in the 'Lock' or 'Off' position, turn the ignition (start) switch to the 'On' ('Run') position or, where applicable, the appropriate key position. Confirm the activation of the warning signal.

2.1.1.3. Turn off the ignition and reduce the inflation pressure of any one of the tyres until the adjusted tyre inflation pressure is 100 kPa below the recommended cold inflation pressure.

2.1.1.4. Within 5 minutes after reducing the inflation pressure of the tyre, drive the vehicle normally between 40 and 100 km/h.

2.1.1.5. The test is completed when either:

(a) the run flat warning system as described in paragraph 5.1.6 has activated; or

(b) a period of 5 minutes has elapsed, when determined in accordance with paragraph 2.3, from the time the test speed has been reached. If the warning does not activate the test has failed.

The vehicle shall be brought to a halt and the ignition switched off.

2.1.1.6. If the warning signal as required in paragraph 2.1.1.5 above has activated, wait 5 minutes before turning the ignition on; the signal must reactivate and remain active as long as the ignition switch is in the 'on' ('run') position.

2.1.1.7. Repeat the process described in paragraphs 2.1.1.1 to 2.1.1.6, but with a test speed of 130 km/h or higher. All the relevant requirements shall be met for both test speeds.

2.1.2. Test 2

2.1.2.1. The tyres are to be inflated to the pressure recommended by the vehicle manufacturer.

2.1.2.2. With the vehicle stationary and the ignition (start) switch in the 'Lock' or 'Off' position, turn the ignition (start) switch to the 'On' ('Run') position or, where applicable, the appropriate key position. Confirm the activation of the warning signal. Turn off the ignition.

2.1.2.3. Produce on one tyre a gradual pressure loss of between 10 kPa/min and 20 kPa/min.

2.1.2.4. Drive the vehicle at any speed above 25 km/h.

2.1.2.5. The test requirement is satisfied if the system delivers an alert by the time the pressure drop has reached 100 kPa.

2.2. Test procedures for detecting a failure of the run-flat warning system

2.2.1. With the vehicle in the normal use condition, simulate a run-flat warning system failure. This may be simulated by, for example, disconnecting connectors for wiring related to the power supply from the power source or wiring related to the input/output to/from the warning system control.

2.2.2. With a simulated fault introduced, drive the vehicle normally between 40 and 100 km/h.

2.2.3. The test is completed when either:

(a) the run flat malfunction signal as described in paragraph 5.1.6.4 has activated; or

(b) a period of 5 minutes has elapsed, when determined in accordance with paragraph 2.3, from the time the test speed has been reached. If the warning does not activate the test has failed.

The vehicle shall be brought to a halt and the ignition switched off.

2.2.4. If the warning signal as required in paragraph 2.2.3 above has activated, wait 5 minutes before turning the ignition on; the signal must reactivate and remain active as long as the ignition switch is in the 'on' ('run') position.

2.3. Calculation of time duration

The time to be taken for determination of the requirements of paragraphs 2.1.1.5 and 2.2.3 shall be the total elapsed time while the vehicle is driven in the test speed range 40 km/h to 100 km/h.

The time shall be calculated over a continuous drive but it is not necessary that the vehicle maintains throughout the test a speed within the test speed range. Where the vehicle speed falls outside the test speed range, any time accumulated during such events shall not be considered as part of the total test time duration.

The type approval authority shall satisfy itself that the run flat warning system records the time within the test speed range on a cumulative basis and does not restart the time calculation if the vehicle falls outside the test speed range.

ANNEX 5

TESTS FOR TYRE PRESSURE MONITORING SYSTEMS (TPMS)

1. TEST CONDITIONS

1.1. **Ambient temperature**

The ambient temperature shall be between 0 °C and 40 °C.

1.2. **Road test surface**

The road shall have a surface affording good adhesion. The road surface shall be dry during testing.

1.3. The tests shall be conducted in an environment free of interferences from radio wave.

1.4. **Vehicle conditions**1.4.1. *Test weight*

The vehicle may be tested at any condition of load, the distribution of the mass among the axles being that stated by the vehicle manufacturer without exceeding any of the maximum permissible mass for each axle.

However, in the case where there is no possibility to set or reset the system, the vehicle shall be unladen. There may be, in addition to the driver, a second person on the front seat who is responsible for noting the results of the tests. The load condition shall not be modified during the test.

1.4.2. *Vehicle speed*

The TPMS shall be calibrated and tested:

- (a) in a speed range from 40 km/h to 120 km/h or the vehicle's maximum design speed if it is less than 120 km/h for the puncture test to verify the requirements of paragraph 5.3.2 to this Regulation; and
- (b) in a speed range from 40 km/h and 100 km for the diffusion test to verify the requirements of paragraph 5.3.3 to this Regulation and for the malfunction test to verify the requirements of paragraph 5.3.4 to this Regulation.

The whole speed range shall be covered during the test.

For vehicles equipped with cruise control, the cruise control shall not be engaged during testing.

1.4.3. *Rim position*

The vehicle rims may be positioned at any wheel position, consistent with any related instructions or limitations from the vehicle's manufacturer.

1.4.4. *Stationary location*

When the vehicle is parked, the vehicle's tyres shall be shaded from direct sun. The location shall be shielded from any wind that may affect the results.

1.4.5. *Brake pedal application*

Driving time shall not accumulate during service brake application while the vehicle is moving.

1.4.6. *Tyres*

The vehicle shall be tested with the tyres installed on the vehicle according to the vehicle manufacturer's recommendation. However, the spare tyre may be utilised for testing TPMS malfunction.

1.5. Accuracy of pressure measurement equipment

Pressure measurement equipment to be used for the tests contained in this Annex shall be accurate to at least ± 3 kPa.

2. TEST PROCEDURE

The test shall be performed at a test speed within the range in accordance with paragraph 1.4.2 to this Annex, at least once for the test case according to paragraph 2.6.1 to this Annex ('puncture test'), and at least once for each test case according to paragraph 2.6.2 to this Annex ('diffusion test').

2.1. Before inflating the vehicle's tyres, leave the vehicle stationary outside at ambient temperature with the engine off shaded from direct sunlight and not exposed to wind or other heating or chilling influences for at least one hour. Inflate the vehicle's tyres to the vehicle manufacturer's recommended cold inflation pressure (P_{rec}), in accordance with the vehicle manufacturer's recommendation for the speed and load conditions, and tyre positions. All pressure measurements shall be carried out using the same test equipment.

2.2. With the vehicle stationary and the ignition locking system in the 'Lock' or 'Off' position, activate the ignition locking system to the 'On' or 'Run' position. The tyre pressure monitoring system shall perform a check of lamp function for the low tyre pressure tell-tale as specified in paragraph 5.3.5.2 of this Regulation. [This last requirement does not apply to tell-tales shown in a common space.]

2.3. If applicable, set or reset the tyre pressure monitoring system in accordance with the vehicle manufacturer's recommendations.

2.4. Learning phase

2.4.1. Drive the vehicle for a minimum of 20 minutes within the speed range in paragraph 1.4.2 to this Annex, and with an average speed of 80 km/h (± 10 km/h). It is allowed to be outside the speed range for a maximum cumulative time of 2 minutes during the learning phase.

2.4.2. At the discretion of the technical service, where the driving test is undertaken on a track (circle/oval) with only turns in a single direction, then the driving test in paragraph 2.4.1 above should be equally split (± 2 minutes) in both directions.

2.4.3. Within the 5 minutes of completing the learning phase, measure the warm pressure of the tyre(s) to be deflated. The warm pressure shall be taken as the value P_{warm} . This value will be used for subsequent operations.

2.5. Deflation phase

2.5.1. *Procedure for the puncture test to verify the requirements of paragraph 5.3.2 to this Regulation*

Deflate one of the vehicle's tyres within 5 minutes of measuring the warm pressure as described in paragraph 2.4.3 above, until it is at $P_{warm} - 20$ per cent, or it is at a minimum pressure of 150 kPa, whichever is higher, namely P_{test} . Following a stabilisation period of between 2 and 5 minutes the pressure P_{test} shall be rechecked and adjusted if necessary.

2.5.2. *Procedure for the diffusion test to verify the requirements of paragraph 5.3.3 to this Regulation*

Deflate all four tyres within 5 minutes of measuring the warm pressure as described in paragraph 2.4.3 above, until the deflated tyres are at $P_{warm} - 20$ per cent plus a further deflation of 7 kPa, namely P_{test} . Following a stabilisation period of between 2 and 5 minutes the pressure P_{test} shall be rechecked and adjusted if necessary.

2.6. Low tyre pressure detection phase

2.6.1. *Procedure for the puncture test to verify the requirements of paragraph 5.3.2 to this Regulation*

2.6.1.1. Drive the vehicle along any portion of the test course (not necessarily continuously). The sum of the total cumulative drive time shall be the lesser of 10 minutes or the time at which the low tyre pressure tell-tale illuminates.

- 2.6.2. *Procedure for the diffusion test to verify the requirements of paragraph 5.3.3 to this Regulation*
- 2.6.2.1 Drive the vehicle along any portion of the test course. After not less than 20 minutes and not more than 40 minutes bring the vehicle to a complete standstill with the engine switched off and the ignition key removed for not less than 1 minute or more than 3 minutes. Resume the test. The sum of the total cumulative drive time shall be the lesser of 60 minutes of cumulative driving under the conditions set out in paragraph 1.4.2 above or the time at which the low tyre pressure tell-tale illuminates.
- 2.6.3. If the low tyre pressure signal did not illuminate, discontinue the test.
- 2.7. If the low tyre pressure tell-tale illuminated during the procedure in paragraph 2.6 above, deactivate the ignition locking system to the 'Off' or 'Lock' position. After a 5 minutes period, reactivate the vehicle's ignition locking system to the 'On' ('Run') position. The tell-tale must illuminate and remain illuminated as long as the ignition locking system is in the 'On' ('Run') position.
- 2.8. Inflate all of the vehicle's tyres to the vehicle manufacturer's recommended cold inflation pressure. Reset the system in accordance with the instructions of the vehicle manufacturer. Determine whether the tell-tale has extinguished. If necessary, drive the vehicle until the tell-tale has been extinguished. If the tell-tale does not extinguish, discontinue the test.
- 2.9. **Repetition of the deflation phase**
The test may be repeated, at the same or different loads, using the relevant test procedures in paragraphs 2.1 to 2.8 above, with the relevant tyre(s) on the vehicle under-inflated, in accordance with the provisions of paragraph 5.3.2 or 5.3.3 to this Regulation, whichever is relevant.
3. **TPMS MALFUNCTION DETECTION**
- 3.1. Simulate a TPMS malfunction, for example, by disconnecting the power source to any TPMS component, disconnecting any electrical connection between TPMS components, or installing a tyre or wheel on the vehicle that is incompatible with the TPMS. When simulating a TPMS malfunction, the electrical connections for the tell-tale lamps shall not be disconnected.
- 3.2. Drive the vehicle for up to 10 minutes of cumulative time (not necessarily continuously) along any portion of the test course.
- 3.3. The sum of the total cumulative drive time under paragraph 3.2 shall be the lesser of 10 minutes or the time at which the TPMS malfunction tell-tale illuminates.
- 3.4. If the TPMS malfunction indicator did not illuminate in accordance with paragraph 5.3.4 to this Regulation, as required, discontinue the test.
- 3.5. If the TPMS malfunction indicator is illuminated or illuminates during the procedure in paragraphs 3.1 to 3.3 above, deactivate the ignition locking system to the 'Off' or 'Lock' position. After 5 minutes, reactivate the vehicle's ignition locking system to the 'On' ('Run') position. The TPMS malfunction indicator shall again signal a malfunction and remain illuminated as long as the ignition locking system is in the 'On' ('Run') position.
- 3.6. Restore the TPMS to normal operation. If necessary, drive the vehicle until the warning signal has extinguished. If the warning lamp has not extinguished, discontinue the test.
- 3.7. The test may be repeated using the test procedures in paragraphs 3.1 to 3.6 above, with each such test limited to simulation of a single malfunction.
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