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Price: EUR 3

⁽¹⁾ Text with EEA relevance

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 932/2012

of 3 October 2012

**implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to
ecodesign requirements for household tumble driers****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products⁽¹⁾, and in particular Article 15(1) thereof,

After consulting the Ecodesign Consultation Forum,

Whereas:

- (1) Under Directive 2009/125/EC, ecodesign requirements should be set by the Commission for energy-related products representing significant volumes of sales and trade, having significant environmental impact and presenting significant potential for improvement in terms of their environmental impact without entailing excessive costs.
- (2) Article 16(2)(a) of Directive 2009/125/EC provides that the Commission should, as appropriate, introduce an implementing measure for domestic appliances, including household tumble driers.
- (3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of household tumble driers typically used in households. The study has been developed together with stakeholders and interested parties from the Union and third countries, and the results have been made publicly available.
- (4) This Regulation should cover products designed for drying laundry in households.
- (5) Household combined washer-driers have particular characteristics and should therefore be exempted from the scope of this Regulation.

- (6) The environmental aspect of household tumble driers, identified as significant for the purposes of this Regulation, is energy consumption in the use phase. The annual electricity consumption of household tumble driers is estimated to have been 21 TWh in the European Union in 2005. Unless specific measures are taken, annual electricity consumption is predicted to be 31 TWh in 2020. The preparatory study shows that the energy consumption of products subject to this Regulation can be significantly reduced.
- (7) The preparatory study shows that requirements regarding other ecodesign parameters as referred to in Annex I, Part 1, to Directive 2009/125/EC are not necessary, as the energy consumption of household tumble driers in the use phase is by far the most important environmental aspect. In accordance with Article 6(2) of Directive 2009/125/EC, Member States shall not prohibit, restrict or impede the placing on the market and/or putting into service, within their territories, of household tumble driers on grounds of ecodesign requirements relating to those ecodesign parameters referred to in Annex I, Part 1, of that Directive for which this Regulation provides that no ecodesign requirement is necessary.
- (8) The energy consumption of household tumble driers should be made more efficient by applying existing non-proprietary cost-effective technologies that can reduce the combined costs of purchasing and operating those products.
- (9) The ecodesign requirements should not affect functionality from the end-user's perspective and should not negatively affect health, safety or the environment. In particular, the benefits of reducing energy consumption during the use phase should more than offset any additional environmental impacts during the production and disposal phases.
- (10) The ecodesign requirements should be introduced gradually in order to provide a sufficient timeframe for manufacturers to redesign products subject to this Regulation. The timing should be such as to avoid negative

⁽¹⁾ OJ L 285, 31.10.2009, p. 10.

impacts on the functionalities of equipment on the market, and to take into account cost impacts for end-users and manufacturers, in particular small and medium-sized enterprises, while ensuring timely achievement of the objectives of this Regulation.

- (11) Measurements of the relevant product parameters should be performed using reliable, accurate and reproducible measurement methods which take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation bodies, as listed in Annex I to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services⁽¹⁾.
- (12) In accordance with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.
- (13) In order to facilitate compliance checks, manufacturers should provide information in the technical documentation referred to in Annexes V and VI to Directive 2009/125/EC in so far as that information relates to the requirements laid down in this Regulation.
- (14) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to ensure the wide availability and easy accessibility of information on the life-cycle environmental performance of products subject to this Regulation.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation establishes ecodesign requirements for the placing on the market of electric mains-operated and gas-fired household tumble driers and built-in household tumble driers, including those sold for non-household use.
2. This Regulation shall not apply to household combined washer-driers and household spin-extractors.

Article 2

Definitions

In addition to the definitions set out in Article 2 of Directive 2009/125/EC, the following definitions shall apply for the purpose of this Regulation:

- (1) 'household tumble drier' means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed and which is designed to be used principally for non-professional purposes;
- (2) 'built-in household tumble drier' means a household tumble drier intended to be installed in a cabinet, a prepared recess in a wall or a similar location, requiring furniture finishing;
- (3) 'household combined washer-drier' means a household washing machine which includes both a spin extraction function and also a means for drying the textiles, usually by heating and tumbling;
- (4) 'household spin-extractor', also known commercially as 'spin-drier', means an appliance in which water is removed from the textiles by centrifugal action in a rotating drum and drained through an automatic pump and which is designed to be used principally for non-professional purposes;
- (5) 'air-vented tumble drier' means a tumble drier that draws in fresh air, passes it over the textiles and vents the resulting moist air into the room or outside;
- (6) 'condenser tumble drier' means a tumble drier which includes a device (either using condensation or any other means) for removing moisture from the air used for the drying process;
- (7) 'automatic tumble drier' means a tumble drier which switches off the drying process when a certain moisture content of the load is detected, for example through conductivity or temperature sensing;
- (8) 'non-automatic tumble drier' means a tumble drier which switches off the drying process after a predefined period, usually controlled by a timer, but which may also be manually switched off;
- (9) 'programme' means a series of operations that are predefined and which are declared by the manufacturer as suitable for drying certain types of textile;
- (10) 'cycle' means a complete drying process, as defined for the selected programme;
- (11) 'programme time' means the time that elapses from the initiation of the programme until the completion of the programme, excluding any end-user programmed delay;
- (12) 'rated capacity' means the maximum mass in kilograms, indicated by the manufacturer in 0,5 kilogram increments of dry textiles of a particular type, which can be treated in a household tumble drier with the selected programme, when loaded in accordance with the manufacturer's instructions;

⁽¹⁾ OJ L 204, 21.7.1998, p. 37.

- (13) 'partial load' means half of the rated capacity of a household tumble drier for a given programme;
- (14) 'condensation efficiency' means the ratio between the mass of moisture condensed by a condenser tumble drier and the mass of moisture removed from the load at the end of a cycle;
- (15) 'off-mode' means a condition where the household tumble drier is switched off using appliance controls or switches accessible to and intended for operation by the end-user during normal use to attain the lowest power consumption that may persist for an indefinite time while the household tumble drier is connected to a power source and used in accordance with the manufacturer's instructions; where there is no control or switch accessible to the end-user, 'off-mode' means the condition reached after the household tumble drier reverts to a steady-state power consumption on its own;
- (16) 'left-on mode' means the lowest power consumption mode that may persist for an indefinite time after completion of the programme without any further intervention by the end-user besides unloading of the household tumble drier;
- (17) 'equivalent household tumble drier' means a model of household tumble drier placed on the market with the same rated capacity, technical and performance characteristics, energy consumption, condensation efficiency where relevant, standard cotton programme time and airborne acoustical noise emissions during drying as another model of household tumble drier placed on the market under a different commercial code number by the same manufacturer.
- (18) 'standard cotton programme' means the cycle which dries cotton laundry with an initial moisture content of the load of 60 % up to a remaining moisture content of the load of 0 %.

Article 3

Ecodesign requirements

The generic ecodesign requirements for household tumble driers are set out in point 1 of Annex I. The specific ecodesign requirements for household tumble driers are set out in point 2 of Annex I.

No ecodesign requirement is necessary regarding any other ecodesign parameter referred to in Annex I, Part 1, of Directive 2009/125/EC.

Article 4

Conformity assessment

1. The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.

2. For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall include a copy of the calculations set out in Annex II to this Regulation.

Where the information included in the technical documentation for a particular household tumble drier model has been obtained by calculation on the basis of design or by extrapolation from other equivalent household tumble driers, or both, the technical documentation shall include details of such calculations or extrapolations, or both, and of tests undertaken by manufacturers to verify the accuracy of the calculations undertaken. In such cases, the technical documentation shall also include a list of all other equivalent household tumble drier models where the information included in the technical documentation was obtained in the same way.

Article 5

Verification procedure for market surveillance purposes

Member States shall apply the verification procedure described in Annex III to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC for compliance with requirements set out in Annex I to this Regulation.

Article 6

Benchmarks

The indicative benchmarks for best-performing household tumble driers available on the market at the time of entry into force of this Regulation are set out in Annex IV.

Article 7

Revision

The Commission shall review this Regulation in the light of technological progress no later than five years after its entry into force and present the result of that review to the Ecodesign Consultation Forum. The review shall in particular assess the verification tolerances set out in Annex III and the efficiency of air-vented appliances.

Article 8

Entry into force and application

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

2. It shall apply from 1 November 2013.

However:

(a) the generic ecodesign requirements set out in points 1.1 and 1.2 of Annex I shall apply from 1 November 2014;

(b) the specific ecodesign requirements set out in point 2.2 of Annex I shall apply from 1 November 2015.

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

Done at Brussels, 3 October 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Ecodesign requirements

1. Generic ecodesign requirements

- 1.1. For the calculation of the energy consumption and other parameters for household tumble driers, the cycle which dries cotton laundry (with an initial moisture content of the load of 60 %) up to a remaining moisture content of the load of 0 % (hereinafter the 'standard cotton programme') shall be used. That cycle shall be clearly identifiable on the programme selection device(s) of the household tumble drier or the household tumble drier display, if any, or both, and indicated as 'standard cotton programme' or by a uniform symbol or an appropriate combination thereof, and shall be set as the default cycle for household tumble driers equipped with automatic programme selection or any function for automatically selecting a drying programme or maintaining the selection of a programme. If the tumble drier is automatic tumble drier the 'standard cotton programme' shall be automatic.
- 1.2. The booklet of instructions provided by the manufacturer shall provide:
 - (a) information about the 'standard cotton programme' and shall specify that it is suitable to dry normal wet cotton laundry and that it is the most efficient programme in terms of energy consumption for drying wet cotton laundry;
 - (b) the power consumption of the off-mode and the left-on mode;
 - (c) indicative information on the programme time and energy consumption for the main drying programmes at both full, and, if applicable, partial load;

2. Specific ecodesign requirements

Household tumble driers shall comply with the following requirements:

- 2.1. From 1 November 2013:
 - the energy efficiency index (*EEI*) shall be less than 85,
 - for condenser household tumble driers the weighted condensation efficiency shall be not lower than 60 %.
- 2.2. From 1 November 2015:
 - for condenser household tumble driers the energy efficiency index (*EEI*) shall be less than 76,
 - for condenser household tumble driers, the weighted condensation efficiency shall be not lower than 70 %.

The energy efficiency index (*EEI*) and the weighted condensation efficiency are calculated in accordance with Annex II.

ANNEX II

Method for calculating the energy efficiency index and weighted condensation efficiency**1. CALCULATION OF THE ENERGY EFFICIENCY INDEX**

For the calculation of the energy efficiency index (*EEl*) of a household tumble drier model, the weighted annual energy consumption of a household tumble drier for the standard cotton programme at full and partial load is compared to its standard annual energy consumption.

- (a) The energy efficiency index (*EEl*) is calculated as follows and rounded to one decimal place:

$$EEI = \frac{AE_C}{SAE_C} \times 100$$

where:

- AE_C = weighted annual energy consumption of the household tumble drier,
- SAE_C = standard annual energy consumption of the household tumble drier.

- (b) The standard annual energy consumption (SAE_C) is calculated in kWh/year as follows and rounded to two decimal places:

- for all household tumble driers that are not air-vented:

$$SAE_C = 140 \times c^{0.8}$$

- for air-vented household tumble driers:

$$SAE_C = 140 \times c^{0.8} - \left(30 \times \frac{T_t}{60} \right)$$

where:

- c is the rated capacity of the household tumble drier for the standard cotton programme,
- T_t is the weighted programme time for the standard cotton programme.

- (c) The weighted annual energy consumption (AE_C) is calculated in kWh/year as follows and is rounded to two decimal places:

(i)

$$AE_C = E_t \times 160 + \frac{\left[P_o \times \frac{525\,600 - (T_t \times 160)}{2} + P_l \times \frac{525\,600 - (T_t \times 160)}{2} \right]}{60 \times 1\,000}$$

where:

- E_t = weighted energy consumption, in kWh and rounded to two decimal places,
- P_o = power in 'off-mode' for the standard cotton programme at full load, in W and rounded to two decimal places,
- P_l = power in 'left-on mode' for the standard cotton programme at full load, in W and rounded to two decimal places,
- T_t = weighted programme time, in minutes and rounded to the nearest minute,
- 160 = total number of drying cycles per year.

- (ii) When the household tumble drier is equipped with a power management system, with the household tumble drier reverting automatically to 'off-mode' after the end of the programme, the weighted annual energy consumption (AE_C) is calculated taking into consideration the effective duration of the 'left-on mode', according to the following formula:

$$AE_C = E_i \times 160 + \frac{\{(P_l \times T_l \times 160) + P_o \times [525\,600 - (T_l \times 160) - (T_l \times 160)]\}}{60 \times 1\,000}$$

where:

- T_l = duration of the 'left-on mode' for the standard cotton programme at full load, in minutes and rounded to the nearest minute.

- (d) The weighted programme time (T_l) for the standard cotton programme is calculated in minutes as follows and rounded to the nearest minute:

$$T_l = (3 \times T_{dry} + 4 \times T_{dry\frac{1}{2}})/7$$

where:

- T_{dry} = programme time for the standard cotton programme at full load, in minutes and rounded to the nearest minute,
- $T_{dry\frac{1}{2}}$ = programme time for the standard cotton programme at partial load, in minutes and rounded to the nearest minute.

- (e) The weighted energy consumption (E_l) is calculated in kWh as follows and rounded to two decimal places:

$$E_l = (3 \times E_{dry} + 4 \times E_{dry\frac{1}{2}})/7$$

where:

- E_{dry} = energy consumption of the standard cotton programme at full load, in kWh and rounded to two decimal places,
 - $E_{dry\frac{1}{2}}$ = energy consumption of the standard cotton programme at partial load, in kWh and rounded to two decimal places.
- (f) For gas-fired household tumble driers, the energy consumption for the standard cotton programme at full and partial load is calculated in kWh, rounded to two decimal places, as:

$$E_{dry} = \frac{E_{g,dry}}{f_g} + E_{g,dry,a}$$

$$E_{dry\frac{1}{2}} = \frac{E_{g,dry\frac{1}{2}}}{f_g} + E_{g,dry\frac{1}{2},a}$$

where:

- $E_{g,dry}$ = gas consumption of the standard cotton programme at full load, in kWh and rounded to two decimal places,
- $E_{g,dry\frac{1}{2}}$ = gas consumption of the standard cotton programme at partial load, in kWh and rounded to two decimal places,
- $E_{g,dry,a}$ = auxiliary electricity consumption of the standard cotton programme at full load, in kWh and rounded to two decimal places,
- $E_{g,dry\frac{1}{2},a}$ = auxiliary electricity consumption of the standard cotton programme at partial load, in kWh and rounded to two decimal places,
- $f_g = 2,5$.

2. CALCULATION OF THE WEIGHTED CONDENSATION EFFICIENCY

The condensation efficiency of a programme is the ratio between the mass of moisture condensed and collected in the container of a condenser household tumble drier and the mass of moisture removed from the load by the programme, the latter being the difference between the mass of the wet test load before drying and the mass of the test load after drying. For calculating the weighted condensation efficiency, the average condensation efficiency of the standard cotton programme at both full and partial load is considered.

The weighted condensation efficiency (C_t) of a programme is calculated as a percentage and rounded to the nearest whole percent as:

$$C_t = (3 \times C_{dry} + 4 \times C_{dry^{1/2}}) / 7$$

where:

- C_{dry} = average condensation efficiency of the standard cotton programme at full load,
- $C_{dry^{1/2}}$ = average condensation efficiency of the standard cotton programme at partial load.

The average condensation efficiency C is calculated from the condensation efficiencies of test runs and expressed as a percentage:

$$C = \frac{1}{(n-1)} \sum_{j=2}^n \left(\frac{W_{wj}}{W_i - W_f} \times 100 \right)$$

where:

- n is the number of test runs, comprising at least four valid test runs for the selected programme,
- j is the test run number,
- W_{wj} is the mass of water collected in the condenser reservoir during test run j ,
- W_i is the mass of the wet test load before drying,
- W_f is the mass of the test load after drying.

ANNEX III

Verification procedure for market surveillance purposes

For the purposes of compliance and verification of compliance with the requirements of this Regulation, measurements and calculations shall be made using harmonised standards the reference numbers of which have been published in the *Official Journal of the European Union*, or other reliable, accurate and reproducible methods, which take into account the generally recognised state of the art methods, and whose results are deemed to be of low uncertainty.

For the purposes of checking conformity with the requirements laid down in Annex I, Member State authorities shall test a single household tumble drier. If the measured parameters do not meet the values declared in the technical documentation file within the meaning of Article 4(2) by the manufacturer within the ranges set out in Table 1, the measurements shall be carried out on three more household tumble driers. The arithmetic mean of the measured values of those three household tumble driers shall meet the requirements within the ranges set out in Table 1.

Otherwise, the model and all other equivalent household tumble driers models shall be considered not to comply with the requirements laid down in Annex I.

Table 1

Measured parameter	Verification tolerances
Weighted annual energy consumption	The measured value shall not be greater than the rated value (*) of AE_C by more than 6 %.
Weighted energy consumption	The measured value shall not be greater than the rated value of E_t by more than 6 %.
Weighted condensation efficiency	The measured value shall not be less than the rated value of C_t by more than 6 %.
Weighted programme time	The measured value shall not be longer than the rated values of T_t by more than 6 %.
Power consumption in off-mode and left-on mode	The measured value of power consumption P_o and P_l of more than 1,00 W shall not be greater than the rated value by more than 6 %. The measured value of power consumption P_o and P_l of less than or equal to 1,00 W shall not be greater than the rated value by more than 0,10 W.
Duration of the left-on mode	The measured value shall not be longer than the rated value of T_l by more than 6 %.

(*) 'rated value' means a value that is declared by the manufacturer. The 6 % uncertainty in the measurement represent the current acceptable testing laboratory error in measuring the declared parameters with the new measurement method used for the new labelling/ecodesign requirements including full and partial load cycles.

ANNEX IV

Benchmarks

At the time of entry into force of this Regulation, the best available technology on the market for household tumble driers, in terms of their energy consumption and airborne acoustical noise emissions during drying for the standard cotton programme, is identified as follows:

- (1) Air-vented household tumble drier with a rated capacity of 3 kg:
 - (a) energy consumption: 1,89 kWh/cycle for the standard cotton cycle at full load, equal to about 247 kWh/year (*);
 - (b) airborne acoustical noise emissions: 69 dB.
- (2) Air-vented household tumble drier with a rated capacity of 5 kg:
 - (a) energy consumption: 2,70 kWh/cycle for the standard cotton cycle at full load, equal to about 347 kWh/year (*);
 - (b) airborne acoustical noise emissions: not available.
- (3) Gas fired air-vented household tumble driers with a rated capacity of 5 kg:
 - (a) Gas energy consumption: 3,25 kWh_{Gas}/cycle equivalent to 1,3 kWh for the standard cotton cycle at full load. Annual energy consumption not available.
 - (b) airborne noise emissions: not available.
- (4) Condenser household tumble drier with a rated capacity of 5 kg:
 - (a) energy consumption: 3,10 kWh/cycle for the standard cotton cycle at full load, equal to about 396 kWh/year (*);
 - (b) airborne acoustical noise emissions: not available.
- (5) Air-vented household tumble drier with a rated capacity of 6 kg:
 - (a) energy consumption: 3,84 kWh/cycle for the standard cotton cycle at full load, equal to about 487 kWh/year (*);
 - (b) airborne acoustical noise emissions: 67 dB.
- (6) Condenser household tumble drier with a rated capacity of 6 kg:
 - (a) energy consumption: 1,58 kWh/cycle for the standard cotton cycle at full load, equal to about 209 kWh/year (*);
 - (b) airborne acoustical noise emissions: not available.
- (7) Air-vented household tumble drier with a rated capacity of 7 kg:
 - (a) energy consumption: 3,9 kWh/cycle for the standard cotton cycle at full load, equal to about 495 kWh/year (*);
 - (b) airborne acoustical noise emissions: 65 dB.
- (8) Gas fired air-vented household tumble driers with a rated capacity of 7 kg:
 - (a) Gas energy consumption: 3,4 kWh_{Gas}/cycle equivalent to 1,36 kWh for the standard cotton cycle at full load. Annual energy consumption not available.
 - (b) airborne noise emissions: not available
- (9) Condenser household tumble drier with a rated capacity of 7 kg:
 - (a) energy consumption: 1,6 kWh/cycle for the standard cotton cycle at full load, equal to about 211 kWh/year (*);
 - (b) airborne acoustical noise emissions: 65 dB.

(*) Calculated assuming 160 drying cycles per year with an energy consumption for the standard cotton programme at partial load equal to 60 % of the energy consumption at full load, and an additional annual energy consumption in low power modes of 13,5 kWh.

- (10) Air-vented household tumble drier with a rated capacity of 8 kg:
- (a) energy consumption: 4,1 kWh/cycle for the standard cotton cycle at full load, equal to about 520 kWh/year (*);
 - (b) airborne acoustical noise emissions: 65 dB.
- (11) Condenser household tumble drier with a rated capacity of 8 kg:
- (a) energy consumption: 2,30 kWh/cycle for the standard cotton cycle at full load, equal to about 297 kWh/year (*);
 - (b) airborne acoustical noise emissions: not available.
-

COMMISSION IMPLEMENTING REGULATION (EU) No 933/2012**of 11 October 2012****amending for the 180th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al Qaida network**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network,⁽¹⁾ and in particular Article 7(1)(a) and 7a(5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 5 October 2012 the Sanctions Committee of the United Nations Security Council decided to remove one natural person from its list of persons, groups and entities to whom the freezing of funds and economic

resources should apply after considering the de-listing requests submitted by this person and the Comprehensive Report of the Ombudsperson established pursuant to United Nations Security Council Resolution 1904(2009). Furthermore, on 3 October 2012 it decided to amend one entry on the list.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 11 October 2012.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

- (1) The following entry under the heading 'Natural persons' is deleted:

'Yasin Abdullah Ezzedine **Qadi** (*alias* (a) Kadi, Shaykh Yassin Abdullah; (b) Kahdi, Yasin; (c) Yasin Al-Qadi). Address: Farsi Center – West Tower 11th floor, Suite 1103, Wally Al-Ahd Street, Ruwais District, P.O. Box 214, Jeddah 21411, Saudi Arabia. Date of birth: 23.2.1955. Place of birth: Cairo, Egypt. Nationality: Saudi Arabian. Passport No: (a) B 751550, (b) E 976177 (issued on 6.3.2004, expired on 11.1.2009). Date of designation referred to in Article 2a(4)(b): 17.10.2001.'

- (2) The entry 'Al-Qaida in the Arabian Peninsula (*alias* (a) AQAP, (b) Al-Qaida of Jihad Organization in the Arabian Peninsula, (c) Tanzim Qa'idat al-Jihad fi Jazirat al-Arab, (d) Al-Qaida Organization in the Arabian Peninsula, (e) Al-Qaida in the South Arabian Peninsula, (f) Al-Qaida in Yemen, (g) AQY). Other information: Location: Yemen or Saudi-Arabia. Formed in January 2009. Date of designation referred to in Article 2a(4)(b): 19.1.2010.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Al-Qaida in the Arabian Peninsula (*alias* (a) AQAP, (b) Al-Qaida of Jihad Organization in the Arabian Peninsula, (c) Tanzim Qa'idat al-Jihad fi Jazirat al-Arab, (d) Al-Qaida Organization in the Arabian Peninsula, (e) Al-Qaida in the South Arabian Peninsula, (f) Ansar al-Shari'a, (g) AAS, (h) Al-Qaida in Yemen, (i) AQY). Other information: Location: Yemen or Saudi-Arabia. Ansar al-Shari'a was formed in early 2011 by AQAP. Date of designation referred to in Article 2a(4)(b): 19.1.2010.'

COMMISSION IMPLEMENTING REGULATION (EU) No 934/2012**of 11 October 2012****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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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 XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 11 October 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, 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	MA	67,7
	MK	39,0
	TR	59,9
	ZZ	55,5
0707 00 05	MK	34,4
	TR	118,1
	ZZ	76,3
0709 93 10	TR	116,6
	ZZ	116,6
0805 50 10	AR	86,7
	CL	84,6
	TR	89,1
	UY	65,5
	ZA	94,8
	ZZ	84,1
0806 10 10	BR	237,0
	MK	116,3
	TR	130,5
	ZZ	161,3
0808 10 80	BR	79,8
	CL	99,9
	NZ	114,0
	ZA	96,9
	ZZ	97,7
0808 30 90	CN	69,0
	TR	110,9
	ZZ	90,0

⁽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 IMPLEMENTING REGULATION (EU) No 935/2012**of 11 October 2012****establishing the allocation coefficient to be applied to applications for export licences for cheese to be exported to the United States of America in 2013 under certain GATT quotas**

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 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products ⁽²⁾, and in particular the first subparagraphs of Article 23(1) and (4) thereof,

Whereas:

- (1) Chapter III, Section 2 of Regulation (EC) No 1187/2009 opens the procedure for the allocation of export licences for cheese to be exported to the United States of America under the GATT quotas referred to in Article 21 of that Regulation.
- (2) The export licence applications for certain product groups and quotas exceed the quantities available for the 2013 quota year. Allocation coefficients should therefore be established.
- (3) In the case of product groups and quotas for which the applications lodged are for quantities smaller than those available, it is appropriate to provide for the allocation of the remaining quantities to the applicants in proportion to the quantities applied for. The allocation of such further quantities should be conditional upon the

competent authority being notified of the quantities accepted by the operator concerned and upon the interested operators lodging a security.

- (4) Given the time limit for carrying out the procedure for establishing those coefficients, as provided for in Article 23 of Regulation (EC) No 1187/2009, this Regulation should apply as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences lodged pursuant to Regulation (EC) No 1187/2009 in respect of the product groups and quotas identified by '16-Tokyo and 16-, 17-, 18-, 20-, 21-Uruguay' in column 3 of the Annex to this Regulation shall be accepted, subject to the application of the allocation coefficients set out in column 5 of that Annex.

Article 2

Applications for export licences lodged pursuant to Regulation (EC) No 1187/2009 in respect of the product groups and quotas identified by '22-, 25-Tokyo and 22-, 25-Uruguay' in column 3 of the Annex to this Regulation shall be accepted for the quantities applied for.

Export licences may be issued for further quantities distributed in accordance with the allocation coefficients set out in column 6 of the Annex, after acceptance by the operator within one week of publication of this Regulation and subject to the lodging of the requisite security.

Article 3

This Regulation shall enter into force on the day following that of 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, 11 October 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 318, 4.12.2009, p. 1.

ANNEX

Identification of group in accordance with the additional notes in Chapter 4 of the Harmonised Tariff Schedule of the United States		Identification of group and quota	Quantity available for 2013 (in kg)	Allocation coefficient provided for in Article 1	Allocation coefficient provided for in Article 2
Note No	Group				
(1)	(2)	(3)	(4)	(5)	(6)
16	Not specifically provided for (NSPF)	16-Tokyo	908 877	0,2822774	
		16-Uruguay	3 446 000	0,1674651	
17	Blue Mould	17-Uruguay	350 000	0,0862068	
18	Cheddar	18-Uruguay	1 050 000	0,5000000	
20	Edam/Gouda	20-Uruguay	1 100 000	0,1743264	
21	Italian type	21-Uruguay	2 025 000	0,1220614	
22	Swiss or Emmenthaler cheese other than with eye formation	22-Tokyo	393 006		1,8110875
		22-Uruguay	380 000		9,5000000
25	Swiss or Emmenthaler cheese with eye formation	25-Tokyo	4 003 172		1,5396815
		25-Uruguay	2 420 000		3,2925170

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 5 October 2012

on the recognition of the legal and supervisory framework of Canada as equivalent to the requirements of Regulation (EC) No 1060/2009 of the European Parliament and of the Council on credit rating agencies

(Text with EEA relevance)

(2012/630/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies ⁽¹⁾, and in particular Article 5(6) thereof,

Whereas:

(1) On 12 June 2009 the Commission granted a mandate to the Committee of European Securities Regulators (CESR), whose tasks have been assumed by the European Securities and Markets Authority established on 1 January 2011 pursuant to Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority) ⁽²⁾ (ESMA), requesting their advice with regard to the technical assessment of the legal and supervisory framework of Canada in respect of credit rating agencies.

(2) In its advice delivered on 18 April 2012, ESMA suggested that the Canadian legal and supervisory framework in respect of credit rating agencies be considered equivalent to the EU regulatory regime for credit rating agencies.

(3) Pursuant to the second subparagraph of Article 5(6) of Regulation (EC) No 1060/2009, the fulfilment of three conditions needs to be assessed in order to consider a third country legal and supervisory framework equivalent to Regulation (EC) No 1060/2009.

(4) According to the first condition, credit rating agencies in the third country must be subject to authorisation or registration and subject to effective supervision and enforcement on an ongoing basis. Canada has a comprehensive and legally binding framework in relation to CRAs and the use of credit ratings. National Instrument 25-101 Designated Rating Organizations (DRO) was introduced on 27 January 2012 and became effective from 20 April 2012. This framework requires a credit rating agency to be registered with the Canadian Securities Administrators (CSA) and provides for ongoing supervision of the credit rating agency by the CSA. For the purposes of carrying out its oversight tasks, the CSA is endowed with a wide and comprehensive range of powers. The CSA has the power to require access to books, records and documents kept by credit rating agencies, and to request other relevant information, including telephone records and data traffic. The CSA is also empowered to conduct on-site inspections and inquire into and examine books and records. Moreover, the CSA may bring proceedings against a credit rating agency in the event of a breach of National Instrument 25-101 using any of the powers which are available in the event of a breach of securities' legislation. Among other powers, the CSA may make an order revoking the designated status of a DRO, impose a fine up to 1 000 000 CAD for each failure to comply with its legal obligations, and require a DRO to rectify any past non-compliance. All CRAs based in Canada were registered as DROs by the CSA on 30 April 2012 and have since then been subject to the CSA's ongoing supervision. The Ontario Securities Commission which acts as lead supervisor within the CSA intends to conduct on-site inspections at least every two years. The cooperation agreement concluded between ESMA and the CSA provides for information exchange with regard to enforcement and supervisory measures taken against cross border CRAs.

⁽¹⁾ OJ L 302, 17.11.2009, p. 1.

⁽²⁾ OJ L 331, 15.12.2010, p. 84.

- (5) According to the second condition, credit rating agencies in the third country must be subject to legally binding rules which are equivalent to those set out in Articles 6 to 12 of and Annex I to Regulation (EC) No 1060/2009. The Canadian legal and supervisory framework meets the objectives of Regulation (EC) No 1060/2009 in respect of the management of conflicts of interest, the organisational processes and procedures that a credit rating agency needs to have in place, the quality of ratings and of rating methodologies, the disclosure of credit ratings and the general and periodic disclosure of credit rating activities. Therefore, the Canadian framework provides for equivalent protection in terms of integrity, transparency, good governance of credit rating agencies and reliability of the credit rating activities.
- (6) According to the third condition, the regulatory regime in the third country must prevent interference by the supervisory authorities and other public authorities of that third country with the content of credit ratings and methodologies. In this respect, Section B of Appendix A to National Instrument 25-101 requires credit rating agencies to establish a committee responsible for implementing a rigorous and formal process for issuing and reviewing the methodologies, models and key rating assumptions they use. Neither the CSA nor any other public authority is empowered to interfere in this process or with the content of credit ratings, or rating methodologies.
- (7) In view of the factors examined, the conditions laid down in the second subparagraph of Article 5(6) of Regulation (EC) No 1060/2009 can be considered to be met by the Canadian legal and supervisory framework for credit rating agencies. Therefore, the

Canadian legal and supervisory framework for credit rating agencies should be considered equivalent to the legal and supervisory framework established by Regulation (EC) No 1060/2009. The Commission, in cooperation with ESMA, will continue monitoring the evolution of the Canadian legal and supervisory framework for credit rating agencies and the fulfilment of the conditions on the basis of which this decision has been taken.

- (8) The measures provided for in this Decision are in accordance with the opinion of the European Securities Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 5 of Regulation (EC) No 1060/2009, the Canadian legal and supervisory framework for credit rating agencies shall be considered as equivalent to the requirements of Regulation (EC) No 1060/2009.

Article 2

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

Done at Brussels, 5 October 2012.

For the Commission

The President

José Manuel BARROSO

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