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⁽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 IMPLEMENTING REGULATION (EU) 2015/884**of 8 June 2015****establishing technical specifications and procedures required for the system of interconnection of registers established by Directive 2009/101/EC of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty with a view to making such safeguards equivalent ⁽¹⁾, and in particular Article 4c thereof,

Whereas:

- (1) Article 4c of Directive 2009/101/EC requires the Commission to adopt technical specifications and procedures for the system of interconnection of registers established by that Directive.
- (2) The system of interconnection of registers is also to be used to implement certain requirements set out in Council Directive 89/666/EEC ⁽²⁾ and in Directive 2005/56/EC of the European Parliament and of the Council ⁽³⁾.
- (3) In order to establish the system of interconnection of registers, it is necessary to define and adopt technical specifications and procedures which ensure uniform conditions for the implementation of the system, while accounting for the differences in the technical characteristics of the Member States' registers.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Interconnection of Central, Commercial and Companies Registers,

HAS ADOPTED THIS REGULATION:

Article 1

The technical specifications and procedures for the system of interconnection of registers referred to in Article 4a(2) of Directive 2009/101/EC shall be as set out in the Annex.

⁽¹⁾ OJ L 258, 1.10.2009, p. 11.

⁽²⁾ Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of companies governed by the law of another Member State (OJ L 395, 30.12.1989, p. 36).

⁽³⁾ Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies (OJ L 310, 25.11.2005, p. 1).

Article 2

This Regulation shall enter into force on the twentieth 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, 8 June 2015

For the Commission

The President

Jean-Claude JUNKER

ANNEX

setting out the technical specifications and procedures referred to in Article 1

Where reference is made herein to 'registers', it is always to be understood as 'central, commercial and companies registers'.

The system of interconnection of registers shall be referred to as the Business Registers Interconnection System (BRIS).

1. Methods of communication

BRIS shall use service-based methods of electronic communication, such as Web-services, for the purpose of interconnection of registers.

The communication between the portal and the platform, and between a register and the platform, shall be one-to-one communication. The communication from the platform to the registers may be one-to-one or one-to-many.

2. Communication protocols

Secure internet protocols, such as HTTPS, shall be used for the communication between the portal, the platform, the registers and the optional access points.

Standard communication protocols, such as Simple Object Access Protocol (SOAP), shall be used for the transmission of structured data and metadata.

3. Security standards

For the communication and distribution of information via BRIS, the technical measures for ensuring minimum information technology security standards shall include:

- (a) Measures to ensure confidentiality of information, including by using secure channels (HTTPS);
- (b) Measures to ensure the integrity of data while being exchanged;
- (c) Measures to ensure the non-repudiation of origin of the sender of information within BRIS and the non-repudiation of receipt of information;
- (d) Measures to ensure logging of security events in line with recognized international recommendations for information technology security standards;
- (e) Measures to ensure the authentication and authorisation of any registered users and measures to verify the identity of systems connected to the portal, the platform or the registers within BRIS.

4. Methods of exchange of information between the register of the company and the register of the branch

The following method shall be used for the exchange of information between the register of the company and the register of the branch as referred to in Article 3d of Directive 2009/101/EC and in Article 5a of the Directive 89/666/EEC:

- (a) The register of the company shall make available, without delay, to the platform the information on the opening and termination of any winding-up or insolvency proceedings and on the striking-off of the company ('disclosed information');
- (b) To ensure receipt without delay of the disclosed information, the register of the branch shall request that information from the platform. That request may consist of indicating to the platform the companies on which the register of the branch is interested to receive disclosed information;
- (c) Upon that request, the platform shall ensure that the register of the branch has access to the disclosed information without delay.

Appropriate technical measures and procedures shall be in place to handle any communication error between the register and the platform.

5. List of data to be exchanged between registers

5.1. Branch disclosure notification

For the purposes of this Annex, the exchange of information between registers set out in Article 3d of Directive 2009/101/EC and in Article 5a of Directive 89/666/EEC shall be referred to as 'branch disclosure notification'. The proceeding triggering that notification shall be referred to as 'branch disclosure event'.

For each branch disclosure notification referred to in Article 3d of Directive 2009/101/EC and in Article 5a of Directive 89/666/EEC, Member States shall exchange the following data:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Legislation Reference	Reference to relevant national or EU legislation	0...n	Text
Proceeding-related data		1	Group of Elements
Effective Date	Date when the proceeding affecting the company has come into effect	1	Date
Proceeding Type	Type of proceeding leading to a branch disclosure event as referred to in Article 5a(1) of Directive 89/666/EEC	1	Code (Winding-up Opening Winding-up Termination Winding-up Opening and Termination Winding-up Revocation Insolvency Opening Insolvency Termination Insolvency Opening and Termination Insolvency Revocation Striking-off)
Company data		1	Group of Elements
EUID	Unique identifier of the company making subject of this notification	1	Identifier See section 8 of this Annex for structure of the EUID
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form	1	Code As referred to in Article 1 of Directive 2009/101/EC

Data type	Description	Cardinality ⁽¹⁾	Additional description
Name	Name of the company making subject of this notification	1	Text
Registered Office	Registered office of the company	1	Text
Register Name	Name of the register where the company is registered	1	Text

(1) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.2. Cross-border merger notification

For the purposes of this Annex, the exchange of information between registers as referred to in Article 13 of Directive 2005/56/EC shall be referred to as 'cross-border merger notification'. For each cross-border merger notification referred to in Article 13 of Directive 2005/56/EC, Member States shall exchange the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Organisation that issued this notification	1	Party data structure
Recipient Organisation	Organisation this notification is addressed to	1	Party data structure
Legislation Reference	Reference to relevant national or EU legislation	0...n	Text
Merger-related data		1	Group of Elements
Effective Date	Date when the merger became effective	1	Date
Merger Type	Type of merger as defined by Article 2(2) of Directive 2005/56/EC	1	Code (Cross-border merger by acquisition Cross-border merger by formation of new company Cross-border merger of wholly owned company)
Resulting company		1	Group of Elements
EUID	Unique identifier of the company resulting from the merger	1	Identifier See section 8 of this Annex for structure of the EUID

Data type	Description	Cardinality	Additional description
Alternate IDs	Other identifiers	0...n	Identifier
Legal form	Type of legal form	1	Code As referred to in Article 1 of Directive 2009/101/EC
Name	Name of the company resulting from the merger	1	Text
Registered Office	Registered office of the company resulting from the merger	1	Text
Register Name	Name of the register where the company resulting from the merger was registered	1	Text
Merging Company		1...n	Group of Elements
EUID	Unique identifier of the company being merged	1	Identifier See section 8 of this Annex for structure of the EUID
Alternate IDs	Other identifiers	0...n	Identifier
Legal Form	Type of legal form	1	Code As referred to in Article 1 of Directive 2009/101/EC
Name	Name of the company taking part in the merger	1	Text
Registered Office	Registered office of the company taking part in the merger	0...1	Text
Register Name	Register where the merging company was registered	1	Text

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6. Structure of the standard message format

The exchange of information between the registers, the platform and the portal shall be based on standard data-structuring methods and shall be expressed in a standard message format such as XML.

7. Data for the platform

The following type of data shall be provided for the platform to perform its functions:

- Data allowing for the identification of systems that are connected to the platform. Those data could consist of URLs or any other number or code uniquely identifying each system within BRIS;
- An index of the particulars listed in Article 3c(2) of Directive 2009/101/EC. This data shall be used to ensure consistent and quick results of the search service. Where the data is not made available to the platform for indexation, Member States shall make the same particulars available for the purpose of the search service in a way that guarantees the same level of service as provided by the platform;

- (c) Unique identifiers of companies referred to in Article 3(1) of Directive 2009/101/EC and unique identifiers of branches referred to in Article 1(4) of Directive 89/666/EEC. These identifiers shall be used to ensure the interoperability of registers via the platform;
- (d) Any other operational data that is necessary for the platform to ensure the proper and efficient functioning of the search service and the interoperability of registers. Those data may include code lists, reference data, glossaries and related translations of those metadata, as well as logging and reporting data.

The data and metadata handled by the platform shall be processed and stored in line with the security standards outlined in section 3 of this Annex.

8. Structure and use of the unique identifier

The unique identifier for the purpose of communication between registers shall be referred to as the EUID (European Unique Identifier).

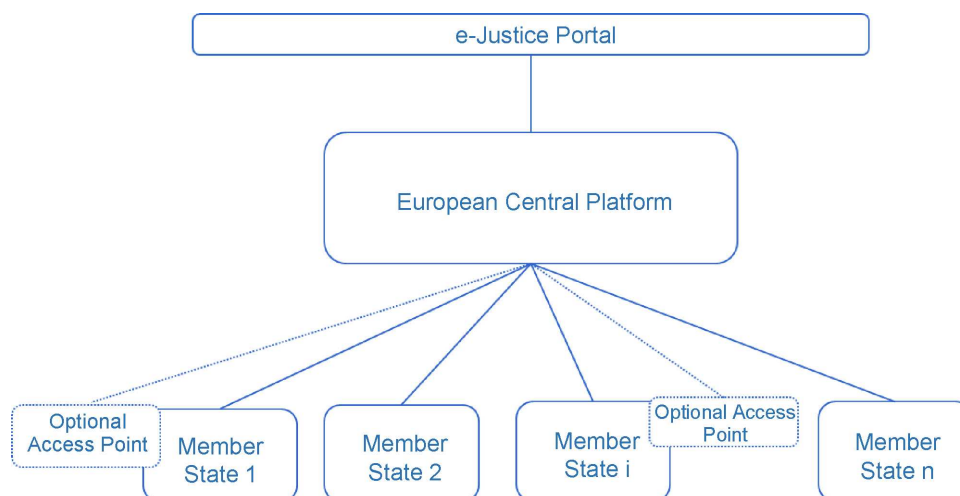
The structure of the EUID will be compliant with ISO 6523 and will contain the following elements:

EUID element	Description	Additional description
Country code	Elements making it possible to identify the Member State of the register	Mandatory
Register Identifier	Elements making it possible to identify the domestic register of origin of the company and of the branch respectively	Mandatory
Registration number	Company/branch number refers to the registration number of the company/branch in the domestic register of origin	Mandatory
Verification digit	Elements making it possible to avoid identification errors	Optional

The EUID shall be used to unequivocally identify companies and branches for the purpose of the exchange of information between registers via the platform.

9. Methods of operation of the system and information technology services provided by the platform

For the distribution and exchange of information, the system shall be based on the following technical method of operation:



For the delivery of messages in the relevant language version, the platform shall provide reference data artefacts, such as code lists, controlled vocabularies and glossaries. Where relevant, these will be translated into the EU official languages. Where possible, recognised standards and standardized messages shall be used.

The Commission will share with the Member State further details on the technical method of operation and the implementation of the information technology services provided by the platform.

10. Search criteria

At least one country must be selected when running a search.

The portal shall provide the following harmonised criteria for the search:

- Company name.
- Registration number. This refers to the registration number of the company or the branch in the domestic register.

Further search criteria may be available on the portal.

11. Payment modalities

For the documents and particulars for which Member States charge fees and which are made available on the e-Justice portal via BRIS, the system shall allow users to pay online by using widely used payment modalities such as credit and debit cards.

The system may also provide alternative online payment methods, such as bank transfers or virtual wallets (deposit).

12. Explanatory labels

In relation to the particulars and types of documents listed in Article 2 of Directive 2009/101/EC, Member States shall provide the following explanatory labels:

- (a) A short title for each particular and document (for example: 'Articles of incorporation');
- (b) As appropriate, a brief description of the content of each document or particular, including, optionally, information on the legal value of the document.

13. Availability of services

The service time frame shall be 24/7 days, with an availability rate of the system of at least 98 % excluding scheduled maintenance.

Member States shall notify the Commission of maintenance activities as follows:

- (a) 5 working days in advance for maintenance operations that may cause an unavailability period of up to 4 hours;
- (b) 10 working days in advance for maintenance operations that may cause an unavailability period of up to 12 hours;
- (c) 30 working days in advance for infrastructure computer room maintenance, which may cause up to 6 days unavailability period per year.

To the extent possible, maintenance operations shall be planned outside working hours (19:00h — 8:00h CET).

Where Member States have fixed weekly service windows, they shall inform the Commission of the time and day of the week when such fixed weekly windows are planned. Without prejudice to the obligations in points (a) to (c) of second paragraph, if Member States systems become unavailable during such a fixed window, Member States may choose not to notify the Commission on each occasion.

In case of unexpected technical failure of the Member States systems, Member States shall inform the Commission without delay of their system unavailability, and, if known, of the projected resuming of the service.

In case of unexpected failure of the central platform or of the portal, the Commission shall inform the Member States without delay of the platform or portal unavailability, and if known, of the projected resuming of the service.

14. Optional access points

14.1. Procedure

Member States shall provide information on the planned timing of the establishment of the optional access points, the number of optional access points that will connect to the platform, and contact details of the person(s) that could be contacted for the purpose of establishing the technical connection.

The Commission shall provide the Member States with the necessary technical details and support for the testing and deployment of the connection of each optional access point to the platform.

14.2. *Technical requirements*

For the connection of optional access points to the platform, Member States shall comply with the relevant technical specifications defined in this Annex, including security requirements for transmission of data via the optional access points.

Where payment is necessary via an optional access point, Member States shall provide the payment methods of their choice and shall handle the related payment operations.

Member States shall carry out appropriate testing before the connection to the platform becomes operational and before any significant changes are made to an existing connection.

After successful connection of the optional access point to the platform, Member States shall inform the Commission of any upcoming significant change of the access point that may affect the functioning of the platform, in particular the closing of the access point. Member States shall provide sufficient technical details in relation to the change, in order to allow for proper integration of any related changes.

Member States shall indicate on each optional access point that the search service is provided via the system of interconnection of registers.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/885**of 9 June 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽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 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 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, 9 June 2015.

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

*Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽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	128,2
	MK	79,9
	TN	138,3
	TR	72,2
	ZZ	104,7
0707 00 05	MK	39,4
	TR	121,3
	ZZ	80,4
0709 93 10	TR	121,6
	ZZ	121,6
0805 50 10	AR	111,5
	BO	147,7
	TR	67,0
	ZA	137,7
	ZZ	116,0
0808 10 80	AR	104,6
	BR	94,4
	CL	154,9
	NZ	140,2
	US	124,3
	ZA	128,9
	ZZ	124,6
	TR	266,2
0809 10 00	ZZ	266,2
	TR	451,2
0809 29 00	US	525,9
	ZZ	488,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION DECISION (EU) 2015/886

of 8 June 2015

amending Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes

(notified under document C(2015) 3782)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel ⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

- (1) Commission Decision 2014/312/EU ⁽²⁾ provides for a transitional period for producers whose products have been awarded the EU Ecolabel for indoor and outdoor paints and varnishes, so that they have sufficient time to adapt their products to comply with the revised criteria and requirements. However, Member States have informed the Commission that they would not be able to verify within the allotted 12 months the Ecolabelled products due to the high number of products and the additional requirements. An additional period is needed in order to ensure a smooth transition.
- (2) Technical experts notified the Commission and some Member States that the current wording of point 14 of Article 2 is not clear. The provided definition allows misinterpretation regarding the reference to 'polar systems'. The term 'polar system' that refers to the analytical system and not to the coating system needs to be clarified. Moreover, it was recommended to specify within the definition an additional technical parameter, the vapour pressure. Any change in the wording of point 14 of Article 2 shall be reflected for the sake of consistency and clarity also in the wording of point 13 of Article 2 regarding VOCs.
- (3) Based on discussions held at the November 2014 European Union Ecolabelling Board and Competent Body Forum meetings it is necessary to clarify that criterion 3(a) and the associated reference in table 2 apply to semi-transparent but do not apply to adhesion primers and any other coatings that are transparent.
- (4) For reasons of consistency in criterion 3 (Efficiency in use), Table 2 — fifth column ('Thick decorative coating indoor and outdoor (I)') in the first line (referring to the spreading rate criteria 3(a)) of Decision 2014/312/EU, the unit of measurement (1 m²/L) should be replaced by the following '1 m²/kg'.
- (5) Criterion 5(a)(i) of Decision 2014/312/EU provides a list of groups of substances which are explicitly indicated as a subject of the assessment and verification of criterion 5(a). However, it was proven that this list of substances is not complete and an additional group of substances needs to be added, namely '8. Substances in binders and polymer dispersions 8a. Binders and cross linking agents, 8b. Reaction products and residues'. Moreover, for reasons of clarity, the list of groups of substances should be moved to the assessment and verification text of the criterion since that list is used for the assessment and verification.

⁽¹⁾ OJ L 27, 30.1.2010, p. 1.

⁽²⁾ Commission Decision 2014/312/EU of 28 May 2014 establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes (OJ L 164, 3.6.2014, p. 45).

- (6) In Appendix of Decision 2014/312/EU, point 7(a) sets concentration limits for the presence of formaldehyde in the final product, but the concentration limits in the table are misplaced. That table should show clearly that the concentration limits for all products are 0,0010 %, unless derogations apply.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010.
- (8) Decision 2014/312/EU should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/312/EU is amended as follows:

- (1) In Article 2, point 13 is replaced by the following:

‘(13) “Volatile organic compounds” (VOC) means any organic compounds having an initial boiling point less than or equal to 250 °C measured at a standard pressure of 101,3 kPa as defined in Directive 2004/42/EC and which, in a capillary column, are eluting up to and including n-Tetradecane (C₁₄H₃₀)’;

- (2) in Article 2, point 14 is replaced by the following:

‘(14) “Semi volatile organic compounds” (SVOCs) means any organic compound having a boiling point greater than 250 °C and less than 370 °C measured at a standard pressure of 101,3 kPa and which, in a capillary column are eluting with a retention range after n-Tetradecane (C₁₄H₃₀) and up to and including n-Docosane (C₂₂H₄₆)’;

- (3) in Article 7, paragraph 2 is replaced by the following:

‘2. EU Ecolabel licences awarded in accordance with the criteria set out in Decision 2009/543/EC or 2009/544/EC may be used for 21 months from the date of adoption of this Decision.’;

- (4) the Annex is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 June 2015.

For the Commission
Karmenu VELLA
Member of the Commission

ANNEX

The Annex to Decision 2014/312/EU is amended as follows:

- (1) in criterion 3 (Efficiency in use), Table 2 the name of criterion 3a is replaced by the following: '3(a) Spreading rate (only for white and light coloured paints, including the white base paints used in tinting systems)) — ISO 6504/1. Not applicable to varnishes, lasures, transparent adhesion primers or any other transparent coatings.'
- (2) in criterion 3 (Efficiency in use), Table 2, in the eighth and ninth columns referring to 'Primer (g)' and 'Undercoat and primer (h)', the text '6 m²/L (without opacity)' is replaced in both columns by the following: '6 m²/L (without opacity or having specific properties'.
- (3) in criterion 3(a), the fifth paragraph is replaced by the following:

'Semi-transparent primers and undercoats shall have a spreading rate of at least 6 m² and those with opacity at least 8 m². Opaque primers with specific blocking/sealing, penetrating/binding properties and primers with special adhesion properties shall have a spreading rate of at least 6 m² per litre of product.'
- (4) criterion 4 is amended as follows:
 - (a) in the fourth paragraph the following sentence 'The markers given in Table 4 shall be used as the basis for delimiting the Gas Chromatography results for SVOCs is replaced by 'The test shall be carried out using the analytical system as identified in the Criteria User Manual.';
 - (b) Table 4 is deleted;
 - (c) in section Assessment and verification, second paragraph, the second sentence is replaced by the following:

'The test shall be carried out with reference to the modifications to ISO 11890-2 provided in the Criteria User Manual.';
- (5) in criterion 5, point (a)(i) is replaced by the following:

'For the purpose of this product group, derogations have been granted for defined groups of substances that may be contained within the final product. These derogations stipulate the hazard classifications that are derogated for each specific substance group and the associated derogation conditions and concentration limits that apply. The derogations are set out in the Appendix.';
- (6) in criterion 5(a)(ii), second paragraph, the second indent is replaced by the following:

— Paint or varnish formula ingredients that fall within the groups of substances listed below:

 - (1) Preservatives added to colorants, binders and the final product
 - (a) In-can preservatives,
 - (b) Tinting machine preservatives,
 - (c) Dry film preservatives,
 - (d) Preservative stabilisers,
 - (2) Drying and anti-skinning agents,
 - (a) Drying agents,
 - (b) Anti-skinning agents,
 - (3) Corrosion inhibitors
 - (a) Corrosion inhibitors,
 - (b) Verdigris prevention,
 - (4) Surfactants
 - (a) General purpose surfactants,
 - (b) Alkylphenolethoxylates (APEOs),
 - (c) Perfluorinated surfactants

(a) Formaldehyde Applicability: All products.	Free formaldehyde shall not be intentionally added to the final product. The final product shall be tested in order to determine its free formaldehyde content. The sampling requirements for testing shall reflect the product range. The following sum total limit value shall apply: The following derogations are made from the requirement set out in the first paragraph:	0,0010 %	Verification: The free formaldehyde content shall be determined for the white base or transparent tinting base predicted to contain the highest theoretical amount of formaldehyde. The content of the colour tint which is predicted to contain the highest theoretical amount of formaldehyde shall also be determined.
	(i) Where preservatives that are formaldehyde donors are required as an in-can preservative to protect a specific type of paint or varnish and where the formaldehyde donor is used in the place of isothiazolinone preservatives.	0,010 %	Test method: 0,0010 % limit value: Determination of the in-can concentration using the Merckoquant method. If the outcome is not definitive according to this method then high-performance liquid chromatography (HPLC) shall be used to confirm the in-can concentration.

	(ii) Where polymer dispersions (binders) provide, through residual levels of formaldehyde, the function of formaldehyde donors instead of in-can preservatives. In both points (i) and (ii) the sum total shall not exceed the following limit value:		0,010 % limit value: (1) All paints: Determination of the in-can formaldehyde concentration by means of analysis using VdL-RL 03 or high-performance liquid chromatography (HPLC) (2) Indoor paints and varnishes: Determination by means of analysis according to ISO 16000-3. Emissions must not exceed 0,25 ppm upon first application and they must be less than 0,05 ppm after 24 hours from the first application.'
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COMMISSION IMPLEMENTING DECISION (EU) 2015/887**of 9 June 2015****on recognition of the ‘Scottish Quality Farm Assured Combinable Crops Limited’ scheme for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council and repealing Commission Implementing Decision 2012/427/EU**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC ⁽¹⁾, and in particular Article 7c(6) thereof,

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽²⁾, and in particular Article 18(6) thereof,

After consulting the Committee on the Sustainability of Biofuels and Bioliquids,

Whereas:

- (1) Directives 98/70/EC and 2009/28/EC both lay down sustainability criteria for biofuels. Provisions of Article 7b, 7c and Annex IV of Directive 98/70/EC are similar to provisions of 17, 18 and Annex V of Directive 2009/28/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c) of Directive 2009/28/EC, Member States should require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuel comply with the sustainability criteria set out in Article 17(3) to (5) of Directive 2009/28/EC or that a voluntary national or international scheme to measure greenhouse gas emission savings contains accurate data for the purposes of Article 17(2) of that Directive.
- (4) When an economic operator provides proof or data obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (5) The ‘Scottish Quality Farm Assured Combinable Crops Limited’ scheme was recognised by Commission Implementing Decision 2012/427/EU ⁽³⁾ for a specified list of crops. On 30 June 2014, that scheme submitted to the Commission the request to recognise it for an extended list of crops. The updated scheme covers all cereals and oilseeds produced in the north of Great Britain up to the first point of delivery of these crops. The recognised scheme should be made available at the transparency platform established under Directive 2009/28/EC.
- (6) Assessment of the ‘Scottish Quality Farm Assured Combinable Crops Limited’ scheme found it to adequately cover the sustainability criteria set out in Article 7b(3), (4) and (5) of Directive 98/70/EC and Article 17(3), (4) and (5) of Directive 2009/28/EC, as well as applying up to the first point of delivery of these crops a mass balance methodology in line with the requirements of Article 7c(1) of Directive 98/70/EC and Article 18(1) of Directive 2009/28/EC. The scheme gives accurate data on two elements necessary for the purposes of Article 7b(2) of Directive 98/70/EC and Article 17(2) of Directive 2009/28/EC, namely, the geographic area the

⁽¹⁾ OJ L 350, 28.12.1998, p. 58.

⁽²⁾ OJ L 140, 5.6.2009, p. 16.

⁽³⁾ Commission Implementing Decision 2012/427/EU of 24 July 2012 on recognition of the ‘Scottish Quality Farm Assured Combinable Crops Limited’ scheme for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council (OJ L 198, 25.7.2012, p. 17).

crops come from and the annualised emissions from carbon stock changes caused by land-use change. A small percentage of members of the scheme do not cover the sustainability criteria for part of their land. The scheme indicates the status of full or partial compliance of the land of its members in its online member checker database and shows compliance of consignments with the sustainability criteria on the Scottish Quality Crops passport.

- (7) The evaluation of the 'Scottish Quality Farm Assured Combinable Crops Limited' scheme found that it meets adequate standards of reliability, transparency and independent auditing.
- (8) Any additional sustainability elements covered by the 'Scottish Quality Farm Assured Combinable Crops Limited' scheme are not part of the consideration of this Decision. These additional sustainability elements are not mandatory to show compliance with sustainability requirements provided for by Directives 98/70/EC and 2009/28/EC.
- (9) Implementing Decision 2012/427/EU recognising the scheme for a more limited scope of crops should therefore be repealed.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels and Bioliquids,

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Scottish Quality Farm Assured Combinable Crops Limited' (hereinafter 'the scheme'), submitted to the Commission on 30 June 2014 for recognition of an extended list of crops demonstrates by means of its Scottish Quality Crops passport that consignments of raw material comply with the sustainability criteria set out in Articles 17(3), 17(4) and 17(5) of Directive 2009/28/EC and Articles 7b(3), 7b(4) and 7b(5) of Directive 98/70/EC.

The scheme contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC in as far as it concerns annualised emissions from carbon stock changes caused by land-use change (e) referred to in point 1 of part C of Annex IV of Directive 98/70/EC and point 1 of part C of Annex V of Directive 2009/28/EC, which it demonstrates to be equal to zero, and the geographic area referred to in point 6 of part C of Annex IV of Directive 98/70/EC and point 6 of part C of Annex V of Directive 2009/28/EC.

The scheme may be used up to the first point of delivery for the consignments concerned for demonstrating compliance with Article 7c(1) of Directive 98/70/EC and Article 18(1) of Directive 2009/28/EC.

Article 2

The Decision is valid for a period of five years after it enters into force. If the scheme, after adoption of this Decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if a severe and structural breach of those elements has taken place, the Commission may repeal this Decision.

Article 3

Implementing Decision 2012/427/EU is repealed.

Article 4

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, 9 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

