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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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- ★ **Commission Implementing Decision (EU) 2017/259 of 13 February 2017 concerning certain revised performance targets and appropriate measures included in the national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council that are not adequate in respect to the Union-wide performance targets for the second reference period and setting out obligations for corrective measures** (*notified under document C(2017) 729*) ⁽¹⁾ 76

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2017/254**of 30 November 2016****amending Delegated Regulations (EU) No 1059/2010, (EU) No 1060/2010, (EU) No 1061/2010, (EU) No 1062/2010, (EU) No 626/2011, (EU) No 392/2012, (EU) No 874/2012, (EU) No 665/2013, (EU) No 811/2013, (EU) No 812/2013, (EU) No 65/2014, (EU) No 1254/2014, (EU) 2015/1094, (EU) 2015/1186 and (EU) 2015/1187 with regard to the use of tolerances in verification procedures****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products ⁽¹⁾, and in particular Article 10(1) thereof,

Whereas:

- (1) Experience gained in implementing Commission Delegated Regulations adopted on the basis of Directive 2010/30/EU has revealed that the verification tolerances laid down in the delegated acts, and intended for use only by market surveillance authorities, have been used by some suppliers to establish the values required to be provided in the technical documentation or to interpret those values with a view to achieving a better energy labelling classification or to suggest, in other ways, better performance of their products.
- (2) The verification tolerances are designed to allow for variations that emerge in the measurements taken during verification tests, which are due to the differences in the measurement equipment used by suppliers and surveillance authorities across the Union. Verification tolerances should not be used by the supplier for establishing the values in the technical documentation or for interpreting those values in order to achieve a better energy labelling classification or to suggest better performance than has actually been measured and calculated. The parameters declared or published by the supplier should not be more favourable for the supplier than the values contained in the technical documentation.
- (3) To ensure fair competition, to realise the energy savings that the Regulations were designed to achieve, and to provide consumers with accurate information about the energy efficiency and functional performance of products, it should be clarified that the verification tolerances set out in the delegated acts may only be used by Member State authorities, for the purpose of verifying compliance.

⁽¹⁾ OJ L 153, 18.6.2010, p. 1.

- (4) Commission Delegated Regulations (EU) No 1059/2010 ⁽¹⁾, (EU) No 1060/2010 ⁽²⁾, (EU) No 1061/2010 ⁽³⁾, (EU) No 1062/2010 ⁽⁴⁾, (EU) No 626/2011 ⁽⁵⁾, (EU) No 392/2012 ⁽⁶⁾, (EU) No 874/2012 ⁽⁷⁾, (EU) No 665/2013 ⁽⁸⁾, (EU) No 811/2013 ⁽⁹⁾, (EU) No 812/2013 ⁽¹⁰⁾, (EU) No 65/2014 ⁽¹¹⁾, (EU) No 1254/2014 ⁽¹²⁾, (EU) 2015/1094 ⁽¹³⁾, (EU) 2015/1186 ⁽¹⁴⁾ and (EU) 2015/1187 ⁽¹⁵⁾ should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) No 1059/2010

Annex V to Delegated Regulation (EU) No 1059/2010 is amended in accordance with Annex I to this Delegated Regulation.

Article 2

Amendments to Delegated Regulation (EU) No 1060/2010

Annex VII to Delegated Regulation (EU) No 1060/2010 is amended in accordance with Annex II to this Delegated Regulation.

- ⁽¹⁾ Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers (OJ L 314, 30.11.2010, p. 1).
- ⁽²⁾ Commission Delegated Regulation (EU) No 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances (OJ L 314, 30.11.2010, p. 17).
- ⁽³⁾ Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines (OJ L 314, 30.11.2010, p. 47).
- ⁽⁴⁾ Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions (OJ L 314, 30.11.2010, p. 64).
- ⁽⁵⁾ Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners (OJ L 178, 6.7.2011, p. 1).
- ⁽⁶⁾ Commission Delegated Regulation (EU) No 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers (OJ L 123, 9.5.2012, p. 1).
- ⁽⁷⁾ Commission Delegated Regulation (EU) No 874/2012 of 12 July 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of electrical lamps and luminaires (OJ L 258, 26.9.2012, p. 1).
- ⁽⁸⁾ Commission Delegated Regulation (EU) No 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners (OJ L 192, 13.7.2013, p. 1).
- ⁽⁹⁾ Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device (OJ L 239, 6.9.2013, p. 1).
- ⁽¹⁰⁾ Commission Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device (OJ L 239, 6.9.2013, p. 83).
- ⁽¹¹⁾ Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of domestic ovens and range hoods (OJ L 29, 31.1.2014, p. 1).
- ⁽¹²⁾ Commission Delegated Regulation (EU) No 1254/2014 of 11 July 2014 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of residential ventilation (OJ L 337, 25.11.2014, p. 27).
- ⁽¹³⁾ Commission Delegated Regulation (EU) 2015/1094 of 5 May 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of professional refrigerated storage cabinets (OJ L 177, 8.7.2015, p. 2).
- ⁽¹⁴⁾ Commission Delegated Regulation (EU) 2015/1186 of 24 April 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of local space heaters (OJ L 193, 21.7.2015, p. 20).
- ⁽¹⁵⁾ Commission Delegated Regulation (EU) 2015/1187 of 27 April 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of solid fuel boilers and packages of a solid fuel boiler, supplementary heaters, temperature controls and solar devices (OJ L 193, 21.7.2015, p. 43).

*Article 3***Amendments to Delegated Regulation (EU) No 1061/2010**

Annex V to Delegated Regulation (EU) No 1061/2010 is amended in accordance with Annex III to this Delegated Regulation.

*Article 4***Amendments to Delegated Regulation (EU) No 1062/2010**

Annexes VII and VIII to Delegated Regulation (EU) No 1062/2010 are amended in accordance with Annex IV to this Delegated Regulation.

*Article 5***Amendments to Delegated Regulation (EU) No 626/2011**

Annex VIII to Delegated Regulation (EU) No 626/2011 is amended in accordance with Annex V to this Delegated Regulation.

*Article 6***Amendments to Delegated Regulation (EU) No 392/2012**

Annex V to Delegated Regulation (EU) No 392/2012 is amended in accordance with Annex VI to this Delegated Regulation.

*Article 7***Amendments to Delegated Regulation (EU) No 874/2012**

Annex V to Delegated Regulation (EU) No 874/2012 is amended in accordance with Annex VII to this Delegated Regulation.

*Article 8***Amendments to Delegated Regulation (EU) No 665/2013**

Annex VII to Delegated Regulation (EU) No 665/2013 is amended in accordance with Annex VIII to this Delegated Regulation.

*Article 9***Amendments to Delegated Regulation (EU) No 811/2013**

Annex VIII to Delegated Regulation (EU) No 811/2013 is amended in accordance with Annex IX to this Delegated Regulation.

*Article 10***Amendments to Delegated Regulation (EU) No 812/2013**

Annex IX to Delegated Regulation (EU) No 812/2013 is amended in accordance with Annex X to this Delegated Regulation.

*Article 11***Amendments to Delegated Regulation (EU) No 65/2014**

Annex VIII to Delegated Regulation (EU) No 65/2014 is amended in accordance with Annex XI to this Delegated Regulation.

*Article 12***Amendments to Delegated Regulation (EU) No 1254/2014**

Annex IX to Delegated Regulation (EU) No 1254/2014 is amended in accordance with Annex XII to this Delegated Regulation.

*Article 13***Amendments to Delegated Regulation (EU) 2015/1094**

Annex X to Delegated Regulation (EU) 2015/1094 is amended in accordance with Annex XIII to this Delegated Regulation.

*Article 14***Amendments to Delegated Regulation (EU) 2015/1186**

Annex IX to Delegated Regulation (EU) 2015/1186 is amended in accordance with Annex XIV to this Delegated Regulation.

*Article 15***Amendments to Delegated Regulation (EU) 2015/1187**

Annex X to Delegated Regulation (EU) 2015/1187 is amended in accordance with Annex XV to this Delegated Regulation.

*Article 16***Entry into force**

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, 30 November 2016.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Amendments to Annex V to Delegated Regulation (EU) No 1059/2010

Annex V is replaced by the following:

‘ANNEX V

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent household dishwasher models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if, for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent household dishwasher models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

Member States' authorities shall use measurement procedures which take into account the generally recognised, state-of-the-art, reliable, accurate and reproducible measurement methods, including methods set out in documents whose reference numbers have been published for that purpose in the *Official Journal of the European Union*. The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
Annual energy consumption (AE_C)	The determined value shall not exceed the declared value of AE_C by more than 10 %.
Water consumption (W_t)	The determined value shall not exceed the declared value of W_t by more than 10 %.
Drying efficiency index (I_D)	The determined value shall not be less than the declared value of I_D by more than 19 %.
Energy consumption (E_t)	The determined value shall not exceed the declared value of E_t by more than 10 %. Where three additional units need to be selected, the arithmetic mean of the determined values of these three units shall not exceed the declared value of E_t by more than 6 %.
Programme time (T_t)	The determined value shall not exceed the declared values T_t by more than 10 %.
Power consumption in off mode and left-on mode (P_o and P_l)	The determined value of power consumption P_o and P_l of more than 1,00 W shall not exceed the declared values of P_o and P_l by more than 10 %. The determined value of power consumption P_o and P_l of less than or equal to 1,00 W shall not exceed the declared value of P_o and P_l by more than 0,10 W.
Duration of left-on mode (T_l)	The determined value shall not exceed the declared value of T_l by more than 10 %.
Airborne acoustical noise emissions	The determined value shall meet the declared value.'

ANNEX II

Amendments to Annex VII to Delegated Regulation (EU) No 1060/2010

Annex VII is replaced by the following:

‘ANNEX VII

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent household refrigerating appliance models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent household refrigerating appliance models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annexes VI and VIII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
Gross volume	The determined value shall not be less than the declared value by more than 3 % or 1 litre, whichever is the greater value.
Storage volume	The determined value shall not be less than the declared value by more than 3 % or 1 litre, whichever is the greater value. Where the volumes of the cellar compartment and the fresh food storage compartment can be adjusted, relative to one another, by the user, the volume shall be tested when the cellar compartment is adjusted to its minimum volume.
Freezing capacity	The determined value shall not be less than the declared value by more than 10 %.
Energy consumption	The determined value shall not exceed the declared value (E_{24h}) by more than 10 %.
Humidity of wine storage appliances	The determined value for the relative humidity observed in testing shall not exceed the declared range by more than 10 % in any direction.
Airborne acoustical noise emissions	The determined value shall meet the declared value.'

ANNEX III

Amendments to Annex V to Delegated Regulation (EU) No 1061/2010

Annex V is replaced by the following:

‘ANNEX V

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent household washing machine models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent household washing machine models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

Member States' authorities shall use measurement procedures which take into account the generally recognised, state-of-the-art, reliable, accurate and reproducible measurement methods, including methods set out in documents whose reference numbers have been published for that purpose in the *Official Journal of the European Union*. The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
Annual energy consumption (AE_c)	The determined value shall not exceed the declared value of AE_c by more than 10 %.
Energy consumption (E_t)	The determined value shall not exceed the declared value of E_t by more than 10 %. Where three additional units need to be selected, the arithmetic mean of the determined values of these three units shall not exceed the declared value of E_t by more than 6 %.
Programme time (T_t)	The determined value shall not exceed the declared values T_t by more than 10 %.
Water consumption (W_t)	The determined value shall not exceed the declared value of W_t by more than 10 %.
Remaining moisture content (D)	The determined value shall not exceed the declared value of D by more than 10 %.
Spin speed	The determined value shall not be less than the declared value by more than 10 %.
Power consumption in off mode and left-on mode (P_o and P_l)	Determined values of power consumption P_o and P_l of more than 1,00 W shall not exceed the declared values of P_o and P_l by more than 10 %. The determined values of power consumption P_o and P_l of less than or equal to 1,00 W shall not exceed the declared values of P_o and P_l by more than 0,10 W.
Duration of the left-on mode (T_l)	The determined value shall not exceed the declared value of T_l by more than 10 %.
Airborne acoustical noise emissions	The determined value shall meet the declared value.'

ANNEX IV

Amendments to Annexes VII and VIII to Delegated Regulation (EU) No 1062/2010

(1) Annex VII is amended as follows:

(a) In part 2, subparagraph (iv) of paragraph (a) is deleted.

(b) Part 3 is deleted.

(c) In part 4, the title is replaced by the following:

‘4. Measurements of peak luminance ratio referred to in Table 2 of Annex VIII’.

(2) Annex VIII is replaced by the following:

‘ANNEX VIII**Product compliance verification by market surveillance authorities**

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

(1) The Member State authorities shall verify one single unit of the model.

(2) The model shall be considered to comply with the applicable requirements if:

(a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and

(b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and

(c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 2.

(3) If the result referred to in points 2(a) or (b) are not achieved, the model shall be considered not to comply with this Delegated Regulation.

(4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing.

(5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 2.

- (6) If the result referred to in point 5 is not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 2 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 2

Verification tolerances

Parameters	Verification tolerances
On-mode power consumption	The determined value shall not exceed the declared value by more than 7 %.
Off-mode/standby power consumption	The determined value shall not exceed the declared value by more than 0,10 W.
Peak luminance ratio	The determined value shall not be lower than 60 % of the peak luminance of the brightest on-mode condition provided by the television.'

ANNEX V

Amendments to Annex VIII to Delegated Regulation (EU) No 626/2011

Annex VIII is replaced by the following:

*'ANNEX VIII***Product compliance verification by market surveillance authorities**

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
Seasonal energy efficiency ratio (SEER)	The determined value shall not be lower than the declared value by more than 8 %.
Seasonal coefficient of performance (SCOP)	The determined value shall not be lower than the declared value by more than 8 %.
Power consumption in off mode	The determined value shall not exceed the declared value by more than 10 %.
Power consumption in standby mode	The determined value shall not exceed the declared value by more than 10 %.
Energy efficiency ratio (EER_{rated})	The determined value shall not be lower than the declared value by more than 10 %.
Coefficient of performance (COP_{rated})	The determined value shall not be lower than the declared value by more than 10 %.
Sound power level	The determined value shall not exceed the declared value by more than 2 dB(A).'

ANNEX VI

Amendments to Annex V to Delegated Regulation (EU) No 392/2012

Annex V is replaced by the following:

‘ANNEX V

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent household tumble drier models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent household tumble drier models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

Member States' authorities shall use measurement procedures which take into account the generally recognised, state-of-the-art, reliable, accurate and reproducible measurement methods, including methods set out in documents whose reference numbers have been published for that purpose in the *Official Journal of the European Union*. The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
Weighted annual energy consumption (AE_C)	The determined value shall not exceed the declared value of AE_C by more than 6 %.
Weighted energy consumption (E_i)	The determined value shall not exceed the declared value of E_i by more than 6 %.
Weighted condensation efficiency (C_i)	The determined value shall not be less than the declared value of C_i by more than 6 %.
Weighted programme time (T_i)	The determined value shall not exceed the declared value of T_i by more than 6 %.
Power consumption in off mode and left-on mode (P_o and P_i)	The determined values of power consumption P_o and P_i of more than 1,00 W shall not exceed the declared values of P_o and P_i by more than 6 %. The determined value of power consumption P_o and P_i of less than or equal to 1,00 W shall not exceed the declared values of P_o and P_i by more than 0,10 W.
Duration of the left-on mode (T_l)	The determined value shall not exceed the declared value of T_l by more than 6 %.
Sound power level, L_{WA}	The determined value shall not exceed the declared value of L_{WA} .

ANNEX VII

Amendments to Annex V to Delegated Regulation (EU) No 874/2012

Annex V is replaced by the following:

‘ANNEX V

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

1. VERIFICATION PROCEDURE FOR ELECTRICAL LAMPS AND LED MODULES MARKETED AS INDIVIDUAL PRODUCTS

- (1) The Member State authorities shall verify a sample batch of a minimum of 20 lamps of the same model from the same supplier, where possible obtained in equal proportions from four randomly selected sources.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when testing the units of model, the arithmetical mean of the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) is within the respective tolerance of 10 %.
- (3) If the results referred to in points 2(a), (b) or (c) are not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (4) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to point 3.

The Member State authorities shall use measurement procedures that reflect generally recognised, current best practice and are reliable, accurate and reproducible, including methods set out in documents whose reference numbers have been published for that purpose in the *Official Journal of the European Union*. The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerance of 10 % and shall only use the procedure described in points 1 to 4 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

2. VERIFICATION PROCEDURE FOR LUMINAIRES INTENDED TO BE MARKETING OR MARKETING TO THE END-USER

The luminaire shall be considered to comply with the requirements laid down in this Regulation if it is accompanied by the required product information, if it is claimed to be compatible with all the lamp energy efficiency classes it is compatible with, and if, when applying state-of-the-art methods and criteria for assessing compatibility, it is found to be compatible with the lamp energy efficiency classes with which it is claimed to be compatible pursuant to points (2)(IV)(a) and (b) of part 2 of Annex I.'

ANNEX VIII

Amendments to Annex VII to Delegated Regulation (EU) No 665/2013

Annex VII is replaced by the following:

‘ANNEX VII

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 4.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent vacuum cleaner models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent vacuum cleaner in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 4.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent vacuum cleaner models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VI.

The Member State authorities shall only apply the verification tolerances that are set out in Table 4 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

*Table 4***Verification tolerances**

Parameters	Verification tolerances
Annual energy consumption	The determined value shall not exceed the declared value by more than 10 %.
Dust pick-up on carpet	The determined value shall not be lower than the declared value by more than 0,03.
Dust pick-up on hard floor	The determined value shall not be lower than the declared value by more than 0,03.
Dust re-emission	The determined value shall not exceed the declared value by more than 15 %.
Sound power level	The determined value shall not exceed the declared value.'

ANNEX IX

Amendments to Annex VIII to Delegated Regulation (EU) No 811/2013

Annex VIII is replaced by the following:

*'ANNEX VIII***Product compliance verification by market surveillance authorities**

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 16.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 16.
- (6) If the result referred to in point 5 is not achieved, the model shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 16 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 16

Verification tolerances

Parameters	Verification tolerances
Space-heating energy efficiency, η_s	The determined value shall not be lower than the declared value by more than 8 %.
Water-heating energy efficiency, η_{wh}	The determined value shall not be lower than the declared value by more than 8 %.
Sound power level	The determined value shall not exceed the declared value by more than 2 dB(A).
Class of the temperature control	The class of the temperature controls corresponds to the declared class of the unit.
Collector efficiency, η_{col}	The determined value shall not be lower than the declared value by more than 5 %.
Standing loss, S	The determined value shall not exceed the declared value by more than 5 %.
Auxiliary electricity consumption, Q_{aux}	The determined value shall not exceed the declared value by more than 5 %.

ANNEX X

Amendments to Annex IX to Delegated Regulation (EU) No 812/2013

Annex IX is replaced by the following:

‘ANNEX IX

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 9.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all other equivalent water heater models, hot water storage tanks models, solar device models or package of water heater and solar device models shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different equivalent models.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 9.
- (6) If the result referred to in point 5 is not achieved, the model and all other equivalent water heater models, hot water storage tanks models, solar device models or package of water heater and solar device models shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VII and Annex VIII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 9 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 9

Verification tolerances

Parameters	Verification tolerances
Daily electricity consumption, Q_{elec}	The determined value shall not exceed the declared value by more than 5 %.
Sound power level, L_{WA} , indoors and/or outdoors	The determined value shall not exceed the declared value by more than 2 dB.
Daily fuel consumption, Q_{fuel}	The determined value shall not exceed the declared value by more than 5 %.
Weekly fuel consumption with smart controls, $Q_{fuel,week,smart}$	The determined value shall not exceed the declared value by more than 5 %.
Weekly electricity consumption with smart controls, $Q_{elec,week,smart}$	The determined value shall not exceed the declared value by more than 5 %.
Weekly fuel consumption without smart controls, $Q_{fuel,week}$	The determined value shall not exceed the declared value by more than 5 %.
Weekly electricity consumption without smart controls, $Q_{elec,week}$	The determined value shall not exceed the declared value by more than 5 %.
Storage volume, V	The determined value shall not be lower than the declared value by more than 2 %.
Collector aperture area, A_{sol}	The determined value shall not be lower than the declared value by more than 2 %.
Pump power consumption, sol_{pump}	The determined value shall not exceed the declared value by more than 3 %.
Standby power consumption, $sol_{standby}$	The determined value shall not exceed the declared value by more than 5 %.
Standing loss, S	The determined value shall not exceed the declared value by more than 5 %.

ANNEX XI

Amendments to Annex VIII to Delegated Regulation (EU) No 65/2014

Annex VIII is replaced by the following:

*'ANNEX VIII***Product compliance verification by market surveillance authorities**

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 6.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 6.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex II.

The Member State authorities shall only apply the verification tolerances that are set out in Table 6 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 6

Verification tolerances

Parameters	Verification tolerances
Mass of the oven, M	The determined value shall not exceed the declared value of M by more than 5 %.
Volume of the cavity of the oven, V	The determined value shall not be lower than the declared value of V by more than 5 %.
$EC_{\text{electric cavity}}$, $EC_{\text{gas cavity}}$	The determined values shall not exceed the declared values of $EC_{\text{electric cavity}}$ and $EC_{\text{gas cavity}}$ by more than 5 %.
W_{BEP} , W_L	The determined values shall not exceed the declared values of W_{BEP} and W_L by more than 5 %.
Q_{BEP} , P_{BEP}	The determined values shall not be lower than the declared values of Q_{BEP} and P_{BEP} by more than 5 %.
Q_{max}	The determined value shall not exceed the declared value of Q_{max} by more than 8 %.
E_{middle}	The determined value shall not be lower than the declared value of E_{middle} by more than 5 %.
GFE_{hood}	The determined value shall not be lower than the declared value of GFE_{hood} by more than 5 %.
P_o , P_s	The determined values of power consumption P_o and P_s shall not exceed the declared values of P_o and P_s by more than 10 %. The determined values of power consumption P_o and P_s of less than or equal to 1,00 W shall not exceed the declared values of P_o and P_s by more than 0,10 W.
Sound power level, L_{WA}	The determined value shall not exceed the declared value of L_{WA} .

ANNEX XII

Amendments to Annex IX to Delegated Regulation (EU) No 1254/2014

Annex IX is replaced by the following:

‘ANNEX IX

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 1.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all other equivalent models shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different equivalent models.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 1.
- (6) If the result referred to in point 5 is not achieved, the model and all other equivalent models shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VIII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 1 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

Table 1

Verification tolerances

Parameters	Verification tolerances
SPI	The determined value shall be no more than 1,07 times the declared value.
Thermal efficiency RVU	The determined value shall be no less than 0,93 times the declared value.
Sound power level	The determined value shall be no more than the declared value plus 2 dB.'

ANNEX XIII

Amendments to Annex X to Delegated Regulation (EU) 2015/1094

Annex X is replaced by the following:

‘ANNEX X

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 4.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all equivalent professional refrigerated storage cabinets that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 4.
- (6) If the result referred to in point 5 is not achieved, the model and all equivalent professional refrigerated storage cabinets that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annexes VIII and IX.

The Member State authorities shall only apply the verification tolerances that are set out in Table 4 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

*Table 4***Verification tolerances**

Parameters	Verification tolerances
Net volume	The determined value shall not be lower than the declared value by more than 3 %.
Energy consumption (E_{24h})	The determined value shall not exceed the declared value by more than 10 %.

ANNEX XIV

Amendments to Annex IX to Delegated Regulation (EU) 2015/1186

Annex IX is replaced by the following:

‘ANNEX IX

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 6. The unit shall be tested with a fuel with characteristics in the same range as the fuel that was used by the supplier to perform the measurements described in Annex VIII.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective tolerances given in Table 6.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VIII.

The Member State authorities shall only apply the verification tolerances that are set out in Table 6 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

*Table 6***Verification tolerances**

Parameter	Verification tolerance
Energy efficiency index	The determined value shall not be lower than the declared value by more than 8 %.

ANNEX XV

Amendments to Annex X to Delegated Regulation (EU) 2015/1187

Annex X is replaced by the following:

‘ANNEX X

Product compliance verification by market surveillance authorities

The verification tolerances set out in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation. The values and classes on the label or in the product fiche shall not be more favourable for the supplier than the values reported in the technical documentation.

When verifying the compliance of a product model with the requirements laid down in this Delegated Regulation, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to Article 5(b) of Directive 2010/30/EU (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the supplier than the corresponding values given in the test reports pursuant to point (iii) of the abovementioned Article; and
 - (b) the values published on the label and in the product fiche are not more favourable for the supplier than the declared values, and the indicated energy efficiency class is not more favourable for the supplier than the class determined by the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in Table 5. The unit shall be tested with a fuel with characteristics in the same range as the fuel that was used by the supplier to perform measurements according to Annex VIII.
- (3) If the results referred to in points 2(a) or (b) are not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing. As an alternative, the three additional units selected may be of one or more different models that have been listed as equivalent models in the supplier's technical documentation.
- (5) The model shall be considered to comply with the applicable requirements if for these three units, the arithmetical mean of the determined values complies with the respective verification tolerances given in Table 5.
- (6) If the result referred to in point 5 is not achieved, the model and all models that have been listed as equivalent models in the supplier's technical documentation shall be considered not to comply with this Delegated Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in Annex VIII and IX.

The Member State authorities shall only apply the verification tolerances that are set out in Table 5 and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

*Table 5***Verification tolerances**

Parameter	Verification tolerance
Energy efficiency index	The determined value shall not be lower than the declared value by more than 6 %.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/255**of 8 February 2017****entering a name in the register of protected designations of origin and protected geographical indications (Lucques du Languedoc (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Lucques du Languedoc' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Lucques du Languedoc' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Lucques du Languedoc' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. Fruit, vegetables and cereals, fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

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 February 2017.

For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 374, 13.10.2016, p. 7.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/256**of 14 February 2017****amending Implementing Regulation (EU) 2016/1150 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector**

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⁾, and in particular points (a), (c) and (e) of Article 54 thereof,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽²⁾, and in particular point (a) of Article 62(2) thereof,

Whereas:

- (1) Article 1(1) of Commission Implementing Regulation (EU) 2016/1150 ⁽³⁾ provides that the draft support programme referred to in Article 41(1) of Regulation (EU) No 1308/2013 has to refer to the five financial years 2014 to 2018. In order to ensure continuity between support programmes, a new five-year draft support programme for the financial years 2019 to 2023 should be established. Having regard to the fact that the current Multiannual Financial Framework provides for the financing of the Common Agricultural Policy until 2020, it is necessary to provide for a reservation on the availability of funds as of 2021. For the sake of consistency, it is necessary to set out models as regards the submission of national support programmes for the period 2019 to 2023.
- (2) In Articles 4(3) and 5(3) of Implementing Regulation (EU) 2016/1150, it is appropriate to replace the term 'beneficiary' with the term 'applicant' since these provisions refer to the application procedure. Furthermore, the latter term should be added in Article 30(1) and (2)(a) since these provisions concern, among others, administrative checks on applications for support.
- (3) Furthermore, it is appropriate to amend Annexes I to V to Implementing Regulation (EU) 2016/1150 to align the names of the measures to the wording used in the enacting terms of that Regulation and, on the promotion measure, to further detail the information requested to the Member States also for the programming period 2014 to 2018.
- (4) Implementing Regulation (EU) 2016/1150 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2016/1150 is amended as follows:

- (1) in Article 1, paragraph 1 is replaced by the following:

'1. The draft support programme as referred to in Article 41(1) of Regulation (EU) No 1308/2013 shall refer to the following five year periods:

- (a) the financial years 2014 to 2018;

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 347, 20.12.2013, p. 549.

⁽³⁾ Commission Implementing Regulation (EU) 2016/1150 of 15 April 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector (OJ L 190, 15.7.2016, p. 23).

(b) the financial years 2019 to 2023.

1a. Member States shall submit their draft support programme for the financial years 2019 to 2023 to the Commission by 1 March 2018. If the national envelopes provided for the financial year 2021 onwards are modified after that date, the Member States shall adapt the support programmes accordingly.

Member States shall make their draft support programme for the financial years 2019 to 2023 available to the Commission by electronic means using the model set out in Annex Ia.

Member States shall make the financial allocation of the draft support programme for the financial years 2019 to 2023 available to the Commission by electronic means using the model set out in Annex IIa.;

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

‘2. The changes referred to in paragraph 1 shall be indicated in the support programme that shall be submitted to the Commission using the model set out in Annex I or Annex Ia and shall comprise:

- (a) the reasons for the proposed changes;
- (b) an updated version of the financial table by using the model set out in Annex II or Annex IIa where the changes to the support programme entail a revision of the financial allocation.;

(3) in Article 3, point (f) is replaced by the following:

‘(f) a general financing table as set out in Annex II or Annex IIa to this Regulation.;

(4) in Article 4, paragraph 3 is replaced by the following:

‘3. The applicants who intend to produce certificates on the financial statements to accompany their payment claims in accordance with Article 41 shall communicate their intention to the competent authority at the moment of the submission of their application.;

(5) in Article 5, paragraph 3 is replaced by the following:

‘3. The applicants who intend to produce certificates on the financial statements to accompany their payment claims in accordance with Article 41 shall communicate their intention to the competent authority at the moment of the submission of their application.;

(6) in Article 18(2), the first subparagraph is replaced by the following:

‘Member States shall fix the amount of support and the amount of compensation for the collection costs referred to in Article 52(3) of Regulation (EU) No 1308/2013 within the limits provided for in paragraph 1 of this Article and on the basis of objective and non-discriminatory criteria. They shall indicate both amounts in the relevant points when using the models set out in Annexes I, Ia, III, IV and IVa to this Regulation.;

(7) Article 19 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. At the same time as the report referred to in paragraph 1, Member States shall notify the Commission of the financial and technical data related to the implementation of the measures provided for in their support programme, using the model set out in Annex IV or Annex IVa.

Those data shall for each financial year and in respect of each measure refer to the following:

- (a) for the financial years of the five-year period for which expenditure was already incurred: actual technical data and a statement of expenditure, which shall in no case overshoot the budgetary limit for the Member State as laid down in Annex VI to Regulation (EU) No 1308/2013;
- (b) for subsequent financial years until the end of the planned period of implementation of the support programme: foreseen technical data and forecast of expenditure, up to the budgetary limit for the Member State as laid down in Annex VI to Regulation (EU) No 1308/2013 and in coherence with the most recent version of the financial table submitted using the model set out in Annex II or Annex IIa to this Regulation in accordance with Article 2 of this Regulation.’

(b) paragraph 4 is replaced by the following:

‘4. By 1 March 2017, 1 March 2019, 1 March 2022 and 1 March 2024, Member States shall notify the Commission of an evaluation of the cost effectiveness and benefits of their support programme as well as an indication of how to increase its efficiency.

Those evaluations shall be submitted using the model set out in Annex III, be accompanied by the financial and technical information in accordance with the model set out in Annex IV or Annex IVa and concern all the previous years of the relevant five-year period. In addition, the following items shall be inserted in the conclusions:

(a) C1: Evaluation of the cost-effectiveness and benefits of the support programme;

(b) C2: Ways to increase the efficiency of the support programme.’;

(8) in Article 20, paragraph 3 is replaced by the following:

‘3. Member States shall indicate whether State aid will be granted and the corresponding amount in the relevant points when using the models set out in Annexes I, Ia, III, IV, IVa and V.’;

(9) Article 30 is amended as follows:

(a) in paragraph 1, the first subparagraph is replaced by the following:

‘Administrative checks shall be carried out on all applications for support, payment claims or other declarations and requests of modification submitted by an applicant or a beneficiary or a third party, and shall cover all elements that can be checked and are appropriate to be checked by means of administrative checks.’

(b) in paragraph 2, point (a) is replaced by the following:

‘(a) the eligibility of the applicant’;

(10) Annexes I to V are replaced by the text set out in the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the third 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, 14 February 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

‘ANNEX I

National support programme 2014-2018**Financial years 2014-2018****Member State ⁽¹⁾:****Date of notification ⁽²⁾:****Revision number:****Reason: modification requested by the Commission/modification requested by the Member State ⁽³⁾****A. Description of the measures proposed as well as their quantified objectives****(1) (a) Information in the Member States in accordance with point (a) of Article 45(1) of Regulation (EU) No 1308/2013:***Introduced in the support programme: yes/no — if yes:**Description of the measures proposed:**(i) Proposed strategy and quantified objectives:**(ii) Beneficiaries:**(iii) Application procedure:**(iv) Eligibility criteria:**(v) Eligible/non eligible costs:**(vi) Application of standard scales of unit costs: yes/no**— if yes: information on the method of calculation and annual adaptation:**(vii) Priority criteria and respective weighting:**(viii) Selection procedure:**(ix) Deadlines for the payments to beneficiaries:**(x) Advances: yes/no, if yes: maximum rate and conditions:**(xi) Demarcation with other Union or national schemes and verification system implemented to avoid double funding:**(xii) State aid: yes/no, if yes: maximum rate and conditions:***(b) Promotion in third countries in accordance with point (b) of Article 45(1) of Regulation (EU) No 1308/2013:***Introduced in the support programme: yes/no — if yes:**Description of the measures proposed:**(i) Proposed strategy and quantified objectives:**(ii) Beneficiaries:**(iii) Application procedure:**(iv) Eligibility criteria:**(v) Eligible/non eligible costs:*⁽¹⁾ Publications Office acronym to be used.⁽²⁾ Notification deadline: 1 March and 30 June.⁽³⁾ Strike through the element that is not applicable.

- (vi) *Application of standard scales of unit costs: yes/no*
 - *if yes: information on the method of calculation and annual adaptation:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*
- (xii) *State aid: yes/no, if yes: maximum rate and conditions:*

(2) (a) **Restructuring and conversion of vineyards in accordance with points (a), (b) and (d) of Article 46(3) of Regulation (EU) No 1308/2013:**

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
 - *if yes: information on the method of calculation and annual adaptation:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(b) **Replanting of vineyards for health or phytosanitary reasons in accordance with point (c) of Article 46(3) of Regulation (EU) No 1308/2013:**

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
 - *if yes: information on the method of calculation and annual adaptation:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*

- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(3) Green harvesting in accordance with Article 47 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
— if yes: information on the method of calculation and annual adaptation:
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*

(4) Mutual funds in accordance with Article 48 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(5) Harvest insurance in accordance with Article 49 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*

- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*
- (xii) *State aid: yes/no, if yes: maximum rate and conditions:*

(6) Investments in accordance with Article 50 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*
- (xii) *State aid: yes/no, if yes: maximum rate and conditions:*

(7) Innovation in the wine sector in accordance with Article 51 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(8) By-product distillation in accordance with Article 52 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed (including level of the support):

- (i) *Proposed strategy and quantified objectives:*

- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*

B. Results of consultations held:

C. Overall strategy:

D. Appraisal showing the expected technical, economic, environmental and social impact:

E. Schedule for implementing the measures:

F. General financing table given in the format of Annex II (revision number to be specified):

G. Strategic objectives, indicators and quantified targets to be used for monitoring and evaluation:

H. Steps taken to ensure that the programme is implemented appropriately and effectively:

I. Designation of competent authorities and bodies responsible for implementing the programme:

J. Internet site where the national legislation related to the support programme is publicly available:

ANNEX Ia

National support programme 2019-2023

Financial years 2019-2023

Member State ⁽¹⁾:

Date of notification ⁽²⁾:

Revision number:

Reason: modification requested by the Commission/modification requested by the Member State ⁽³⁾

A. Description of the measures proposed as well as their quantified objectives

- (1) (a) **Information in the Member States in accordance with point (a) of Article 45(1) of Regulation (EU) No 1308/2013:**

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs: yes/no*
— if yes: information on the method of calculation and annual adaptation:

⁽¹⁾ Publications Office acronym to be used.

⁽²⁾ Notification deadline: 1 March and 30 June.

⁽³⁾ Strike through the element that is not applicable.

- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*
- (xii) *State aid: yes/no, if yes: maximum rate and conditions:*

(b) **Promotion in third countries in accordance with point (b) of Article 45(1) of Regulation (EU) No 1308/2013:**

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs: yes/no*
 - *if yes: information on the method of calculation and annual adaptation:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*
- (xii) *State aid: yes/no, if yes: maximum rate and conditions:*

(2) (a) **Restructuring and conversion of vineyards in accordance with points (a), (b) and (d) of Article 46(3) of Regulation (EU) No 1308/2013:**

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
 - *if yes: information on the method of calculation and annual adaptation:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*

- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(b) Replanting of vineyards for health or phytosanitary reasons in accordance with point (c) of Article 46(3) of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
— if yes: information on the method of calculation and annual adaptation:
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(3) Green harvesting in accordance with Article 47 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vi) *Application of standard scales of unit costs/contributions in kind: yes/no*
— if yes: information on the method of calculation and annual adaptation:
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*

(4) Mutual funds in accordance with Article 48 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*

- (iii) Application procedure:
- (iv) Eligibility criteria:
- (v) Eligible/non eligible costs:
- (vii) Priority criteria and respective weighting:
- (viii) Selection procedure:
- (ix) Deadlines for the payments to beneficiaries:
- (xi) Demarcation with other Union or national schemes and verification system implemented to avoid double funding:

(5) Harvest insurance in accordance with Article 49 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) Proposed strategy and quantified objectives:
- (ii) Beneficiaries:
- (iii) Application procedure:
- (iv) Eligibility criteria:
- (v) Eligible/non eligible costs:
- (vii) Priority criteria and respective weighting:
- (viii) Selection procedure:
- (ix) Deadlines for the payments to beneficiaries:
- (xi) Demarcation with other Union or national schemes and verification system implemented to avoid double funding:
- (xii) State aid: yes/no, if yes: maximum rate and conditions:

(6) Investments in accordance with Article 50 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) Proposed strategy and quantified objectives:
- (ii) Beneficiaries:
- (iii) Application procedure:
- (iv) Eligibility criteria:
- (v) Eligible/non eligible costs:
- (vii) Priority criteria and respective weighting:
- (viii) Selection procedure:
- (ix) Deadlines for the payments to beneficiaries:
- (x) Advances: yes/no, if yes: maximum rate and conditions:
- (xi) Demarcation with other Union or national schemes and verification system implemented to avoid double funding:
- (xii) State aid: yes/no, if yes: maximum rate and conditions:

(7) Innovation in the wine sector in accordance with Article 51 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed:

- (i) Proposed strategy and quantified objectives:
- (ii) Beneficiaries:

- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (vii) *Priority criteria and respective weighting:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*
- (xi) *Demarcation with other Union or national schemes and verification system implemented to avoid double funding:*

(8) By-product distillation in accordance with Article 52 of Regulation (EU) No 1308/2013:

Introduced in the support programme: yes/no — if yes:

Description of the measures proposed (including level of the support):

- (i) *Proposed strategy and quantified objectives:*
- (ii) *Beneficiaries:*
- (iii) *Application procedure:*
- (iv) *Eligibility criteria:*
- (v) *Eligible/non eligible costs:*
- (viii) *Selection procedure:*
- (ix) *Deadlines for the payments to beneficiaries:*
- (x) *Advances: yes/no, if yes: maximum rate and conditions:*

B. Results of consultations held:

C. Overall strategy:

D. Appraisal showing the expected technical, economic, environmental and social impact:

E. Schedule for implementing the measures:

F. General financing table given in the format of Annex II (revision number to be specified):

G. Strategic objectives, indicators and quantified targets to be used for monitoring and evaluation:

H. Steps taken to ensure that the programme is implemented appropriately and effectively:

I. Designation of competent authorities and bodies responsible for implementing the programme:

J. Internet site where the national legislation related to the support programme is publicly available:

ANNEX II

Financial allocation of the national support programme 2014-2018 ⁽¹⁾

(in 1 000 EUR)

Member State (*):**Date of notification (**):****Date of previous notification:****Number of this amended table:****Reason: modification requested by the Commission/modification requested by the Member State (***)**

			Financial year					
Measures	Regulation (EU) No 1308/2013		2014	2015	2016	2017	2018	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.a. — Information in the Member States	Article 45(1)(a)	Previous notification						
		Amended amount						
1.b. — Promotion in third countries	Article 45(1)(b)	Previous notification						
		Amended amount						
2.a. — Restructuring and conversion of vineyards	Article 46(3)(a),(b), (d)	Previous notification						
		Amended amount						
2.b. — Replanting of vineyards for health or phytosanitary reasons	Article 46(3)(c)	Previous notification						
		Amended amount						
3. — Green harvesting	Article 47	Previous notification						
		Amended amount						
4. — Mutual funds	Article 48	Previous notification						
		Amended amount						
5. — Harvest insurance	Article 49	Previous notification						
		Amended amount						
6. — Investments	Article 50	Previous notification						
		Amended amount						
7. — Innovation in the wine sector	Article 51	Previous notification						
		Amended amount						
8. — By-product distillation	Article 52	Previous notification						
		Amended amount						
TOTAL		Previous notification						
		Amended amount						

(*) Publications Office acronym to be used.

(**) Notification deadline: 30 June.

(***) Strike through the element that is not applicable.

⁽¹⁾ The amounts also include the expenses of operations launched in the framework of the previous five-year programme 2009-2013 and for which payment is done in the third five-year programme 2014-2018.

ANNEX IIa

Financial allocation of the national support programme 2019-2023 ⁽¹⁾

(in 1 000 EUR)

Member State (*):**Date of notification (**):****Date of previous notification:****Number of this amended table:****Reason: modification requested by the Commission/modification requested by the Member State (***)**

			Financial year					
Measures	Regulation (EU) No 1308/2013		2019	2020	2021	2022	2023	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.a. — Information in the Member States	Article 45(1)(a)	Previous notification						
		Amended amount						
1.b. — Promotion in third countries	Article 45(1)(b)	Previous notification						
		Amended amount						
2.a. — Restructuring and conversion of vineyards	Article 46(3)(a),(b), (d)	Previous notification						
		Amended amount						
2.b. — Replanting of vineyards for health or phytosanitary reasons	Article 46(3)(c)	Previous notification						
		Amended amount						
3. — Green harvesting	Article 47	Previous notification						
		Amended amount						
4. — Mutual funds	Article 48	Previous notification						
		Amended amount						
5. — Harvest insurance	Article 49	Previous notification						
		Amended amount						
6. — Investments	Article 50	Previous notification						
		Amended amount						
7. — Innovation in the wine sector	Article 51	Previous notification						
		Amended amount						
8. — By-product distillation	Article 52	Previous notification						
		Amended amount						
TOTAL		Previous notification						
		Amended amount						

(*) Publications Office acronym to be used.

(**) Notification deadline: 30 June.

(***) Strike through the element that is not applicable.

⁽¹⁾ The amounts also include the expenses of operations launched in the framework of the previous five-year programme 2014-2018 and for which payment is done in the third five-year programme 2019-2023.

ANNEX III

Reporting on the implementation of the national support programme**Financial year:****Date of notification:****Revision number:****Member State ⁽¹⁾:****A. Global assessment:****B. Conditions and results of the implementation of measures proposed ⁽²⁾****(1) (a) Information in the Member States in accordance with point (a) of Article 45(1) of Regulation (EU) No 1308/2013:***Conditions of the implementation:**Results ⁽³⁾**Realisation of the objectives set in the support programme:**State aid:***(b) Promotion in third countries in accordance with point (b) of Article 45(1) of Regulation (EU) No 1308/2013:***Conditions of the implementation:**Results ⁽³⁾**Volume of exports per destination in hl:**Evolution of the part of MS wines on the foreign markets per target market:**Volume of exports per destination in hl**Value of exports per destination in EUR**Realisation of the objectives set in the support programme:**State aid:***(2) (a) Restructuring and conversion of vineyards in accordance with points (a), (b) and (d) of Article 46(3) of Regulation (EU) No 1308/2013:***Conditions of the implementation:**Results:**Realisation of the objectives set in the support programme:***(b) Replanting of vineyards for health or phytosanitary reasons in accordance with point (c) of Article 46(3) of Regulation (EU) No 1308/2013:***Conditions of the implementation:**Results:**Realisation of the objectives set in the support programme:***(3) Green harvesting in accordance with Article 47 of Regulation (EU) No 1308/2013:***Conditions of the implementation:**Results, including evolution of stocks:**Realisation of the objectives set in the support programme:*⁽¹⁾ Publications Office acronym to be used.⁽²⁾ Only points concerning the measures which were introduced in the support programme must be filled in.⁽³⁾ Appraisal of the technical, economic, environmental and social impact based on criteria and quantitative indicators defined for monitoring and evaluation in the notified programme.

(4) Mutual funds in accordance with Article 48 of Regulation (EU) No 1308/2013:

Conditions of the implementation:

Results:

Realisation of the objectives set in the support programme:

(5) Harvest insurance in accordance with Article 49 of Regulation (EU) No 1308/2013:

Conditions of the implementation:

Results:

Number of hectares insured in the wine sector compared to other agricultural lands:

Type of insurance financed:

Expenditure by type of insurance:

Number of beneficiaries by type of insurance:

Realisation of the objectives set in the support programme:

State aid:

(6) Investments in accordance with Article 50 of Regulation (EU) No 1308/2013:

Conditions of the implementation:

Results:

Realisation of the objectives set in the support programme:

State aid:

(7) Innovation in the wine sector in accordance with Article 51 of Regulation (EU) No 1308/2013:

Conditions of the implementation:

Results:

Realisation of the objectives set in the support programme:

(8) By-product distillation in accordance with Article 52 of Regulation (EU) No 1308/2013:

Conditions of the implementation (including level of support):

Results:

Realisation of the objectives set in the support programme:

C. Conclusions (and, if needed, envisaged modifications)

Technical data concerning the national support programme 2014-2018 ⁽¹⁾

(financial amounts in 1 000 EUR)

Member State (*):

Date of notification (**):

Date of previous notification:

Number of this amended table:

			Financial Year					
Measures	Regulation (EU) No 1308/2013		2014	2015	2016	2017	2018	2014-2018
			Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Total Execu- tion + Forecast
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.a. — Information in the Member States	Article 45(1)(a)	Total Union expenditure						
		Total expenditure of ben- eficiaries						
		Number of beneficiaries						
		Average Union contribu- tion per beneficiary						
		Number of operations						
		Average Union contribu- tion per operation						
		Total amount of State aid						

⁽¹⁾ Insert execution data for financial years already incurred and forecast data for the current financial year and those to come.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.b. — Promotion in third countries	Article 45(1)(b)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
2. — Restructuring and conversion of vineyards	Article 46	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
2.a. — Replanting of vineyards for health or phytosanitary reasons	Article 46(3)(c)	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						
3. — Green harvesting	Article 47	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operations						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						

(1)	(2)	(3)	(4)	(5)	6)	(7)	(8)	(9)
4. — Mutual funds	Article 48	Total Union Expenditure						
		Number of new Funds						
		Average Union contribution per Fund						
5. — Harvest insurance	Article 49	Total Union Expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of financed insurance policies						
		Average Union contribution per insurance policy						
		Total amount of State aid						
6.a. — Investments	Article 50	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6.b. — Investments in convergence regions	Article 50(4)(a)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
6.c. — Investments in other than convergence regions	Article 50(4)(b)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6.d. — Investments in outermost regions	Article 50(4)(c)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
6.e. — Investments in small Aegean Islands	Article 50(4)(d)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7. — Innovation in the wine sector	Article 51	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
8. — By-product distillation	Article 52	Total Union expenditure						
		Number of beneficiaries (distilleries)						
		Average Union contribution per beneficiary						
		Lees: Range of max support (EUR/%vol/hl)						
		Marc: Range of max support (EUR/%vol/Ton)						
		Hl of Lees distilled						
		Ton of marc distilled						
		Mio hl alcohol obtained						
		Average Union contribution/Hl alc. obtained						

(*) Publications Office acronym to be used.

(**) Notification deadline: 1 March.

Technical data concerning the national support programme 2019-2023 ⁽¹⁾

(financial amounts in 1 000 EUR)

Member State (*):

Date of notification (**):

Date of previous notification:

Number of this amended table:

			Financial Year					
Measures	Regulation (EU) No 1308/2013		2019	2020	2021	2022	2023	2019-2023
			Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Execution/ Forecast	Total Execu- tion + Forecast
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.a. — Information in the Member States	Article 45(1)(a)	Total Union expenditure						
		Total expenditure of ben- eficiaries						
		Number of beneficiaries						
		Average Union contribu- tion per beneficiary						
		Number of operations						
		Average Union contribu- tion per operation						
		Total amount of State aid						

⁽¹⁾ Insert execution data for financial years already incurred and forecast data for the current financial year and those to come.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.b. — Promotion in third countries	Article 45(1)(b)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
2. — Restructuring and conversion of vineyards	Article 46	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						

(1)	(2)	(3)	(4)	(5)	6)	(7)	(8)	(9)
2.a. — Replanting of vineyards for health or phytosanitary reasons	Article 46(3)(c)	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						
3. — Green harvesting	Article 47	Total Union expenditure						
		Total expenditure of beneficiaries, where applicable						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operations						
		Total area covered (ha)						
		Average Union contribution (EUR/ha)						

(1)	(2)	(3)	(4)	(5)	6)	(7)	(8)	(9)
4. — Mutual funds	Article 48	Total Union Expenditure						
		Number of new Funds						
		Average Union contribution per Fund						
5. — Harvest insurance	Article 49	Total Union Expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of financed insurance policies						
		Average Union contribution per insurance policy						
		Total amount of State aid						
6.a. — Investments	Article 50	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6.b. — Investments in convergence regions	Article 50(4)(a)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
6.c. — Investments in other than convergence regions	Article 50(4)(b)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6.d. — Investments in outermost regions	Article 50(4)(c)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						
6.e. — Investments in small Aegean Islands	Article 50(4)(d)	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
		Total amount of State aid						

(1)	(2)	(3)	(4)	(5)	6)	(7)	(8)	(9)
7. — Innovation in the wine sector	Article 51	Total Union expenditure						
		Total expenditure of beneficiaries						
		Number of beneficiaries						
		Average Union contribution per beneficiary						
		Number of operations						
		Average Union contribution per operation						
8. — By-product distillation	Article 52	Total Union expenditure						
		Number of beneficiaries (distilleries)						
		Average Union contribution per beneficiary						
		Lees: Range of max support (EUR/%vol/hl)						
		Marc: Range of max support (EUR/%vol/Ton)						
		Hl of Lees distilled						
		Ton of marc distilled						
		Mio hl alcohol obtained						
		Average Union contribution/Hl alc. obtained						

(*) Publications Office acronym to be used.

(**) Notification deadline: 1 March.

Notification on the promotion measure

Financial year:

1. Information in the Member States

Member State:

Forecasts/execution (*)

Date of notification (**):

Date of previous notification:

Number of this amended table:

Beneficiaries	Eligible measure (Article 45(1)(a) of Regulation (EU) No 1308/2013)	Description (***)	Targeted market	Period	Eligible expenditure (EUR)	of which Union contribution (EUR)	of which other public support if any (EUR)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
...							

(*) Strike through the element that is not applicable.

(**) Notification deadline: every 1 March.

(***) Including if the promotion measure is organised in cooperation with one or more other Member States.

2. Promotion in third countries

Member State:

Forecasts/execution (*)

Date of notification (**): Date of previous notification:

Number of this amended table:

Beneficiaries	Eligible measure (Article 45(1)(b) of Regulation (EU) No 1308/2013)	Description (***)	Targeted market	Period	Eligible expenditure (EUR)	of which Union contribution (EUR)	of which other public support if any (EUR)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
...							

(*) Strike through the element that is not applicable.
(**) Notification deadline: every 1 March.
(***) Including if the promotion measure is organised in cooperation with one or more other Member States.'

COMMISSION IMPLEMENTING REGULATION (EU) 2017/257**of 14 February 2017****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, 14 February 2017.

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

Jerzy PLEWA

Director-General

Directorate-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	IL	337,2
	MA	116,9
	SN	359,5
	TR	133,0
	ZZ	236,7
0707 00 05	MA	79,2
	TR	177,0
	ZZ	128,1
0709 91 00	EG	128,6
	ZZ	128,6
0709 93 10	MA	61,8
	TR	176,3
	ZZ	119,1
0805 10 22, 0805 10 24, 0805 10 28	EG	41,0
	IL	74,9
	MA	47,5
	TN	56,5
	TR	78,0
	ZZ	59,6
	ZZ	59,6
0805 21 10, 0805 21 90, 0805 29 00	EG	93,2
	IL	139,3
	MA	91,0
	TR	89,8
	ZZ	103,3
0805 22 00	IL	121,9
	MA	103,3
	TR	60,4
	ZZ	95,2
0805 50 10	EG	82,4
	TR	79,4
	ZZ	80,9
0808 30 90	CL	225,1
	CN	112,8
	ZA	107,5
	ZZ	148,5

⁽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 IMPLEMENTING DECISION (EU) 2017/258

of 13 February 2017

concerning revised performance targets and appropriate measures included in the national or functional airspace block plan submitted by Switzerland pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council that are not adequate in respect to the Union-wide performance targets for the second reference period and setting out obligations for corrective measures

(notified under document C(2017) 728)

(Only the French, German and Italian texts are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Agreement between the European Community and the Swiss Confederation on Air Transport ('the Agreement') ⁽¹⁾,

Having regard to Regulation (EC) No 549/2004 of the European Parliament and the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽²⁾, and in particular Article 11(3)(c) thereof,

Having regard to Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions ⁽³⁾, and in particular Article 15(3) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 549/2004, as incorporated into the Agreement, the Member States and Switzerland are to adopt national or functional airspace block ('FAB') plans, including binding national targets or targets at the level of FABs, ensuring consistency with the Union-wide performance targets. That Regulation also provides that the Commission is to assess the consistency of those targets on the basis of the assessment criteria referred to in point (d) of its Article 11(6). Detailed rules in this regard have been set out in Implementing Regulation (EU) No 390/2013.
- (2) Union-wide performance targets in the key performance areas of safety, environment, capacity and cost-efficiency for the second reference period (2015-2019) were adopted by Commission Implementing Decision 2014/132/EU ⁽⁴⁾.
- (3) On 30 June 2015, the Commission adopted Implementing Decision (EU) 2015/1056 ⁽⁵⁾ concerning the inconsistency of certain performance targets submitted by Switzerland with the Union-wide performance targets as well as setting out recommendations to revise those targets in the key performance areas of capacity and cost-efficiency.
- (4) Switzerland submitted on 2 July 2015 a revised national or functional airspace block plan including revised performance targets.

⁽¹⁾ OJ L 114, 30.4.2002, p. 73.

⁽²⁾ OJ L 96, 31.3.2004, p. 1.

⁽³⁾ OJ L 128, 9.5.2013, p. 1.

⁽⁴⁾ Commission Implementing Decision 2014/132/EU of 11 March 2014 setting the Union-wide performance targets for the air traffic management network and alert thresholds for the second reference period 2015-19 (OJ L 71, 12.3.2014, p. 20).

⁽⁵⁾ Commission Implementing Decision (EU) 2015/1056 of 30 June 2015 concerning the inconsistency of certain targets included in the national or functional airspace block plan submitted by Switzerland pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the second reference period and setting out recommendations for the revision of those targets (OJ L 171, 2.7.2015, p. 18).

- (5) The Performance Review Body, which is charged with assisting the Commission in the implementation of the performance scheme pursuant to Article 3 of Implementing Regulation (EU) No 390/2013, submitted its assessment report to the Commission on 15 October 2015.
- (6) The assessment of the revised performance targets regarding their consistency with the Union-wide performance targets has been done by using the same assessment criteria and methodologies that were used in the assessment of the initially submitted performance targets and by considering the appropriate measures taken by Switzerland to ensure consistency of performance targets with the Union-wide performance targets.
- (7) Concerning the key performance area of capacity, the consistency of the revised targets submitted by Switzerland, as laid down in the FABEC performance plan, for en route Air Traffic Flow Management (ATFM) delay has been assessed, in accordance with the principle laid down in point 4 of Annex IV to Implementing Regulation (EU) No 390/2013, by using the respective FAB reference values for capacity that, when applied, ensure at Union level that the Union-wide performance target is met, calculated by the Network Manager and set out in the Network Operations Plan (2014-2018/2019) in its most recent version ('Network Operations Plan'). That assessment has demonstrated that those targets are not in conformity with the respective reference values and therefore not consistent with the relevant Union-wide performance target. In addition, the appropriate measures taken by Switzerland are insufficient since they lack concrete timelines with specific milestones and, thus, not adequate in respect to the revision of the targets to be achieved.
- (8) Concerning the key performance area of cost-efficiency, the targets expressed in en route determined unit costs submitted by Switzerland, as laid down in the FABEC performance plan, have been assessed, in accordance with the principles laid down in point 5, in conjunction with point 1, of Annex IV to Implementing Regulation (EU) No 390/2013, by taking account of the trend of en route determined unit costs over the second reference period and the combined period of the first and the second reference period (2012-2019), the number of service units (traffic forecast) and the level of en route determined unit costs in comparison to Member States having a similar operational and economic environment. That assessment has demonstrated that those revised targets are still not consistent with the relevant Union-wide performance target, for the below reasons. In addition, the appropriate measures taken by Switzerland are insufficient since they lack concrete timelines with specific milestones and, thus, not adequate in respect to the revision of the targets to be achieved.
- (9) As regard Switzerland, its revised targets are based on a planned reduction of its en route determined unit costs over the second reference period by 1,4 % per year on average. This is significantly below the targeted reduction of the average Union-wide en route determined unit costs over the second reference period (– 3,3 % per year). Also over the combined period of the first and the second reference period the planned en route determined unit costs do not decrease in line with the Union-wide trend (– 0,8 %, compared to – 1,7 %). The target for 2019 is based on planned en route determined unit costs in 2019 that are substantially above (+ 28,1 %) the average en route determined unit costs of the Member States having a similar operational and economic environment to the one of Switzerland and around 38 % above the Union-wide performance target in 2019. Furthermore, the planned en route determined unit costs in 2015 are 4,1 % above the actual costs in 2014. In addition, in revising its targets, Switzerland did not revise downwards its en route determined costs and only revised upwards the forecasted traffic expressed in service units.
- (10) It is therefore appropriate for the Commission to issue a Decision concerning the need for corrective measures to be adopted by the Member States concerned to ensure that their national supervisory authorities propose revised performance targets, which address the remaining inconsistencies identified in this Decision. With respect to the area of cost-efficiency a suggestion for such corrective measures should be specified, in accordance with Article 15(4) of Implementing Regulation (EU) No 390/2013, in light of the reasons for the shortcomings identified and the relevant Union-wide performance targets. Pursuant to Regulation (EC) No 549/2004, as incorporated in the Agreement, and Implementing Regulation (EU) No 390/2013, Switzerland should, in addition to adopting corrective measures, communicate to the Commission the elements demonstrating its consistency with this Decision. Both should be communicated to the Commission within two months of the notification of this Decision.
- (11) In order to address the inconsistencies in relation to the key performance area of capacity, it should be ensured that the corrective measures lead to revised performance targets that are in line with the FAB reference values for capacity set out in the Network Operations Plan.
- (12) In order to address the inconsistencies in relation to the key performance area of cost-efficiency, it should be ensured that the corrective measures lead to revised performance targets.

- (13) The Commission has consulted Switzerland on this Decision, in accordance with Article 19(2) of the Agreement.
- (14) The Single Sky Committee did not deliver an opinion. An implementing act was deemed to be necessary and the chair submitted the draft implementing act to the appeal committee for further deliberation. The appeal committee did not deliver an opinion,

HAS ADOPTED THIS DECISION:

Article 1

The performance targets concerning the key performance areas of capacity and cost-efficiency, listed in Annex I, and the appropriate measures included in the revised FABEC performance plan submitted by Switzerland pursuant to Regulation (EC) No 549/2004, as incorporated into the Agreement, are not adequate in respect to the Union-wide performance targets for the second reference period set out in Implementing Decision 2014/132/EU.

Article 2

Switzerland, as regards FABEC, shall take corrective measures regarding its performance targets in the key performance areas of capacity and cost-efficiency, taking account of the suggestion set out in Annex II.

Article 3

This Decision is addressed to the Swiss Confederation.

Done at Brussels, 13 February 2017.

For the Commission
Violeta BULC
Member of the Commission

ANNEX I

Performance targets in the key performance areas of capacity and cost-efficiency included in the revised national or functional airspace block plans submitted by Switzerland pursuant to Regulation (EC) No 549/2004 that are not adequate in respect to the Union-wide performance targets for the second reference period

KEY PERFORMANCE AREA OF CAPACITY

En route Air Traffic Flow Management (ATFM) delay in min/flight

MEMBER STATE	FAB	FAB TARGET EN-ROUTE CAPACITY				
		2015	2016	2017	2018	2019
[Belgium/Lux]	FAB EC	0,48	0,49	0,48	0,47	Consistent (0,43)
[France]						
[Germany]						
[The Netherlands]						
Switzerland						

KEY PERFORMANCE AREA OF COST-EFFICIENCY

Legend

Key	Item	Units
(A)	Total En-route Determined Costs	(in nominal terms and in national currency)
(B)	Inflation rate	(%)
(C)	Inflation index	(100 = 2009)
(D)	Total En-route Determined Costs	(in real 2009 prices and in national currency)
(E)	Total En-route Services Units	(TSUs)
(F)	En-route Determined Unit Cost (DUC)	(in real 2009 prices and in national currency)

FAB EC

Charging Zone: Switzerland — Currency: CHF

	2015	2016	2017	2018	2019
(A)	158 188 309	156 222 383	157 901 505	157 939 446	159 353 943
(B)	– 1,00 %	0,00 %	0,50 %	1,00 %	1,00 %
(C)	99,1	99,1	99,6	100,6	101,6
(D)	159 633 416	157 649 529	158 551 235	157 019 140	156 856 827
(E)	1 452 683	1 470 066	1 490 591	1 512 889	1 537 031
(F)	109,89	107,24	106,37	103,79	102,05

ANNEX II

SUGGESTION FOR CORRECTIVE MEASURES

The following suggestion for corrective actions in the area of cost-efficiency can be implemented in the short run, taking into account the interdependencies with the remaining key performance areas as well as investment capabilities.

Suggestion for corrective measures:

Traffic: In July 2015, compared to the information provided in the initial performance plan, Switzerland already revised upwards the traffic planned over RP2 (by + 3,5 % on average) bringing the planned traffic forecast between the low and the base-case STATFOR February 2015 scenario. However, based on actual 2015 traffic and the latest forecast provided by STATFOR (February 2016), it is suggested that the planned traffic be further revised upwards so as to reflect the latest available information.

Adjusting the planned traffic for 2018 and 2019 would result, for example, in an *en route* determined unit cost trend over the second reference period of – 2,3 % per year which is closer to the Union-wide trend (– 3,3 % per year) and an *en route* determined unit cost trend over the combined period of the first and the second reference period of – 1,4 % per year which is closer to the Union-wide target (– 1,7 % per year).

COMMISSION IMPLEMENTING DECISION (EU) 2017/259**of 13 February 2017**

concerning certain revised performance targets and appropriate measures included in the national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council that are not adequate in respect to the Union-wide performance targets for the second reference period and setting out obligations for corrective measures

(notified under document C(2017) 729)

(Only the Dutch, English, French, German, Greek, Italian and Maltese texts are authentic)

(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 549/2004 of the European Parliament and the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽¹⁾, and in particular Article 11(3)(c) thereof,

Having regard to Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions ⁽²⁾, and in particular Article 15(3) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 549/2004, the Member States are to adopt national or functional airspace block ('FAB') plans, including binding national targets or targets at the level of FABs, ensuring consistency with the Union-wide performance targets. That Regulation also provides that the Commission is to assess the consistency of those targets on the basis of the assessment criteria referred to in point (d) of its Article 11(6). Detailed rules in this regard have been set out in Implementing Regulation (EU) No 390/2013.
- (2) Union-wide performance targets in the key performance areas of safety, environment, capacity and cost-efficiency for the second reference period (2015-2019) were adopted by Commission Implementing Decision 2014/132/EU ⁽³⁾.
- (3) On 2 March 2015, the Commission adopted Implementing Decision (EU) 2015/347 ⁽⁴⁾ concerning the inconsistency of certain targets included in the initial performance plans with the Union-wide performance targets as well as setting out recommendations to revise those targets. This Decision was addressed to Belgium, Bulgaria, Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Hungary, Malta, the Netherlands, Austria, Portugal, Romania, Slovenia and the Slovak Republic and required revisions of targets in the key performance areas of capacity and/or cost-efficiency.
- (4) Belgium, Bulgaria, Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Hungary, Malta, the Netherlands, Austria, Portugal, Romania, Slovenia and the Slovak Republic all submitted by 2 July 2015 revised national or functional airspace block plans including revised performance targets. Spain and Portugal submitted an amendment to the functional airspace block plan with further revised performance targets on 4 February 2016.

⁽¹⁾ OJ L 96, 31.3.2004, p. 1.

⁽²⁾ OJ L 128, 9.5.2013, p. 1.

⁽³⁾ Commission Implementing Decision 2014/132/EU of 11 March 2014 setting the Union-wide performance targets for the air traffic management network and alert thresholds for the second reference period 2015-19 (OJ L 71, 12.3.2014, p. 20).

⁽⁴⁾ Commission Implementing Decision (EU) 2015/347 of 2 March 2015 concerning the inconsistency of certain targets included in the national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the second reference period and setting out recommendations for the revision of those targets (OJ L 60, 4.3.2015, p. 48).

- (5) The Performance Review Body, which is charged with assisting the Commission in the implementation of the performance scheme pursuant to Article 3 of Implementing Regulation (EU) No 390/2013, submitted its assessment report to the Commission on 15 October 2015.
- (6) The assessment of the revised performance targets regarding their consistency with the Union-wide performance targets has been done by using the same assessment criteria and methodologies that were used in the assessment of the initially submitted performance targets and by considering the appropriate measures, if any, taken by Member States concerned to ensure consistency of performance targets with the Union-wide performance targets.
- (7) Concerning the key performance area of capacity, the consistency of the revised targets submitted by the Member States for *en route* air traffic flow management (ATFM) delay has been assessed, in accordance with the principle laid down in point 4 of Annex IV to Implementing Regulation (EU) No 390/2013, by using the respective FAB reference values for capacity that, when applied, ensure at Union level that the Union-wide performance target is met, calculated by the Network Manager and set out in the Network Operations Plan (2014-2018/2019) in its most recent version ('Network Operations Plan'). That assessment has demonstrated that the targets submitted by Belgium, Luxembourg, France, Germany and the Netherlands as regards FABEC and by Cyprus, Greece, Italy and Malta as regards Blue Med FAB have not been revised and are not in conformity with the respective reference values and therefore not consistent with the relevant Union-wide performance target. In addition, the appropriate measures taken by Member States listed in this recital are insufficient since they lack concrete timelines with specific milestones and, thus, not adequate in respect to the revision of the targets to be achieved.
- (8) Concerning the key performance area of cost-efficiency, the targets expressed in *en route* determined unit costs submitted by the Member States have been assessed, in accordance with the principles laid down in point 5, in conjunction with point 1, of Annex IV to Implementing Regulation (EU) No 390/2013, by taking account of the trend of *en route* determined unit costs over the second reference period and the combined period of the first and the second reference period (2012-2019), the number of service units (traffic forecast) and the level of *en route* determined unit costs in comparison to Member States having a similar operational and economic environment. That assessment has demonstrated that the revised targets submitted by France, Germany and the Netherlands as regards FABEC are still not consistent with the relevant Union-wide performance target, for the below reasons. In addition, the appropriate measures taken by Member States listed in this recital are insufficient since they lack concrete timelines with specific milestones and, thus, not adequate in respect to the revision of the targets to be achieved.
- (9) As regard France, its revised targets are based on a planned reduction of its *en route* determined unit costs over the second reference period by 1,1 % per year on average. This is significantly below the targeted reduction of the average Union-wide *en route* determined unit costs over the second reference period (– 3,3 % per year). Also over the combined period of the first and the second reference period the planned *en route* determined unit costs do not decrease in line with the Union-wide trend (– 0,4 %, compared to – 1,7 %). The revised target for 2019 is based on planned *en route* determined unit costs that are equal to the average *en route* determined unit costs of the Member States having a similar operational and economic environment to the one of France but around 22 % above the Union-wide performance target in 2019. Furthermore, the planned *en route* determined unit costs in 2015 are 7,9 % above the actual costs in 2014. In addition, in revising its targets, France did not revise downwards its *en route* determined costs and only revised upwards the forecasted traffic expressed in service units.
- (10) As regard Germany, its revised targets are based on a planned reduction of its *en route* determined unit costs over the second reference period by 3,5 % per year on average. This is slightly above the targeted reduction of the average Union-wide *en route* determined unit costs over the second reference period (– 3,3 % per year). However, over the combined period of the first and the second reference period the *en route* determined unit costs do not decrease in line with the Union-wide trend (– 0,8 %, compared to – 1,7 %). The target for 2019 is based on planned *en route* determined unit costs in 2019 that are substantially above (+ 12,6 %) the average *en route* determined unit costs of the Member States having a similar operational and economic environment to the one of Germany and around 34 % above the Union-wide performance target in 2019. Furthermore, the planned *en route* determined unit costs in 2015 are 3,9 % above the actual costs in 2014.
- (11) As regard the Netherlands, its revised targets are based on a planned reduction of its *en route* determined unit costs over the second reference period by only 0,4 % per year on average. This is significantly below the targeted reduction of the average Union-wide *en route* determined unit costs over the second reference period (– 3,3 % per year). Also over the combined period of the first and the second reference period the planned *en route* determined

unit costs do not decrease in line with the Union-wide trend (– 0,2 %, compared to – 1,7 %). The revised target for 2019 is based on planned *en route* determined unit costs that are slightly above (+ 1,3 %) the average *en route* determined unit costs of the Member States having a similar operational and economic environment to the one of the Netherlands and around 19 % above the Union-wide performance target in 2019. Furthermore, the planned *en route* determined unit costs in 2015 are 3,4 % above the actual costs in 2014. In addition, in revising its targets, the Netherlands did not revise downwards its *en route* determined costs, nor did it revise the forecasted traffic expressed in service units.

- (12) It is therefore appropriate for the Commission to issue a Decision concerning the need for corrective measures to be adopted by the Member States concerned to ensure that their national supervisory authorities propose revised performance targets, which address the remaining inconsistencies identified in this Decision. Suggestions for such corrective measures should be specified, in accordance with Article 15(4) of Implementing Regulation (EU) No 390/2013, in light of the reasons for the shortcomings identified and the relevant Union-wide performance targets. Pursuant to Regulation (EC) No 549/2004 and Implementing Regulation (EU) No 390/2013, the Member States concerned should, in addition to adopting corrective measures, communicate to the Commission the elements demonstrating their consistency with this Decision. Both should be communicated to the Commission within two months of the notification of this Decision.
- (13) In order to address the inconsistencies in relation to the key performance area of capacity, it should be ensured that the corrective measures lead to revised performance targets that are in line with the FAB reference values for capacity set out in the Network Operations Plan. In particular, this concerns the following area control centres (ACC): Maastricht UAC (Germany, Belgium, Luxembourg, the Netherlands), Bordeaux, Brest, Marseille and Reims (France) as regards FABEC; Nicosia (Cyprus), Athens and Makedonia (Greece) as regards Blue Med FAB.
- (14) In order to address the inconsistencies in relation to the key performance area of cost-efficiency, it should be ensured that the corrective measures lead to revised performance targets.
- (15) The Single Sky Committee did not deliver an opinion. An implementing act was deemed to be necessary and the chair submitted the draft implementing act to the appeal committee for further deliberation. The appeal committee did not deliver an opinion,

HAS ADOPTED THIS DECISION:

Article 1

The performance targets concerning the key performance areas of capacity and cost-efficiency, listed in Annex I, and the appropriate measures included in the revised performance plans submitted pursuant to Regulation (EC) No 549/2004 are not adequate in respect to the Union-wide performance targets for the second reference period set out in Implementing Decision 2014/132/EU.

Article 2

Belgium, Luxembourg, France, Germany and the Netherlands as regards FABEC; Cyprus, Italy, Greece and Malta as regards Blue Med FAB shall take corrective measures regarding their performance targets in the key performance area of capacity, taking account of the suggestions set out in Part A of Annex II.

Article 3

France, Germany and the Netherlands as regards FABEC shall take corrective measures regarding their performance targets in the key performance area of cost-efficiency, taking account of the suggestions set out in Part B of Annex II.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the French Republic, the Italian Republic, the Republic of Cyprus, the Grand Duchy of Luxembourg, the Republic of Malta and the Kingdom of the Netherlands.

Done at Brussels, 13 February 2017.

For the Commission
Violeta BULC
Member of the Commission

ANNEX I

Performance targets in the key performance areas of capacity and cost-efficiency included in the revised national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 that are not adequate in respect to the Union-wide performance targets for the second reference period

Key performance area of capacity

En route air traffic flow management (ATFM) delay in min/flight

Member State	FAB	FAB target <i>en route</i> capacity				
		2015	2016	2017	2018	2019
Belgium/Luxembourg	FABEC	0,48	0,49	0,48	0,47	Consistent (0,43)
France						
Germany						
The Netherlands						
[Switzerland]						
Cyprus	Blue Med	0,35	0,36	0,37	0,37	0,38
Greece						
Italy						
Malta						

Key performance area of cost-efficiency

Legend:

Key	Item	Units
(A)	Total <i>en route</i> Determined Costs	(in nominal terms and in national currency)
(B)	Inflation rate	(%)
(C)	Inflation index	(100 = 2009)
(D)	Total <i>en route</i> Determined Costs	(in real 2009 prices and in national currency)
(E)	Total <i>en route</i> Services Units	(TSUs)
(F)	<i>En route</i> Determined Unit Cost (DUC)	(in real 2009 prices and in national currency)

FABEC

Charging Zone: France — Currency: EUR					
	2015	2016	2017	2018	2019
(A)	1 290 640 175	1 296 576 851	1 328 676 964	1 340 098 296	1 343 820 915
(B)	0,1 %	0,8 %	1,1 %	1,2 %	1,5 %
(C)	108,2	109,1	110,3	111,7	113,3

Charging Zone: France — Currency: EUR

	2015	2016	2017	2018	2019
(D)	1 192 625 922	1 188 249 284	1 204 538 004	1 200 012 085	1 186 146 439
(E)	18 662 000	19 177 000	19 300 000	19 526 000	19 759 000
(F)	63,91	61,96	62,41	61,46	60,03

Charging Zone: Germany — Currency: EUR

	2015	2016	2017	2018	2019
(A)	1 069 142 223	1 039 589 465	1 036 418 901	1 036 540 416	1 035 149 924
(B)	1,4 %	1,6 %	1,7 %	1,7 %	1,7 %
(C)	109,9	111,7	113,6	115,5	117,5
(D)	972 517 385	930 743 590	912 394 284	897 248 041	881 066 280
(E)	12 801 000	13 057 000	13 122 000	13 242 000	13 365 000
(F)	75,97	71,28	69,53	67,76	65,92

Charging Zone: Netherlands — Currency: EUR

	2015	2016	2017	2018	2019
(A)	184 921 748	184 103 594	187 392 113	194 163 267	198 569 117
(B)	1,00 %	1,24 %	1,44 %	1,49 %	1,51 %
(C)	110,6	112,0	113,6	115,3	117,0
(D)	167 178 324	164 400 112	164 961 239	168 412 538	169 672 018
(E)	2 806 192	2 825 835	2 845 616	2 874 072	2 902 813
(F)	59,57	58,18	57,97	58,60	58,45

ANNEX II

Suggestions for corrective measures**A. Key performance area of capacity**

The following are suggestions for corrective measures in the key performance area of capacity at the level of an Area Control Centre (ACC) to address the underlying reasons for lack of capacity.

*BlueMed FAB***Cyprus (ACC Nicosia)**

Reasons for lack of capacity: Inflexible use of staff, low sector capacities, lack of flexibility in sector configurations, lack of flexibility in opening scheme, failure to fully implement capacity enhancement measures planned in the capacity plan.

Suggestions for corrective measures:

1. Expediting the implementation of a new air navigation services provider (ANSP) organisation;
2. Re-planning performance to provide the required capacity by considering:
 - (a) implementation of re-sectorisation proposals;
 - (b) sector capacities re-evaluations;
3. Implementation of:
 - (a) flexible rostering allowing better alignment between traffic demand and sector opening times;
 - (b) flexible configurations opening, according to the traffic flows;
4. Improved air traffic flow and capacity management (ATFCM) techniques.

In its performance plan Cyprus indicated that improvements in overall performance would not occur until the institutional changes needed for the establishment of a new air navigation services provider ANSP organisation were in place and therefore it is suggested that Cyprus establishes these changes as quickly as possible.

Greece (ACCs Athens and Makedonia)

Reasons for lack of capacity: Lack of investments in air traffic control (ATC), lack of ATCO recruitment.

Suggestion for corrective measures:

1. Implementing measures to improve performance by considering separation of the ANSP entity from the government;
2. Re-organisation of the ANSP to allow timely development and implementation of operational plans and staff recruitment;
3. Building a comprehensive restructuring plan to implement new techniques to improve flexibility, seasonal configuration changes and flexible rostering.

*FABEC***Germany, Belgium, Luxembourg, the Netherlands (ACC Maastricht UAC)**

Reasons for lack of capacity: Lack of capacity at sector group level following unexpected changes in the traffic patterns in 2015, capacity gains deriving from FABEC airspace projects are unlikely to be delivered during the planning period.

Suggestions for corrective measures:

1. Enhanced ATCO cross-training allowing better alignment between traffic demand and sector opening times at sector group level;
2. Development and implementation of re-sectorisation proposals;
3. Implementation of planned ATM system enhancements.

France (ACC Bordeaux)

Reasons for lack of capacity: Training and implementation of a new ATM system — ERATO.

Suggestions for corrective measures:

1. Improved ATFCM techniques;
2. Flexible transition plan for the new ATM system, coordinated with Network Manager, to include appropriate mitigation measures to reduce disruption.

France (ACC Brest)

Reasons for lack of capacity: Training and implementation of a new ATM system — ERATO, sectorisation and sector opening schemes could be better adapted to traffic demand.

Suggestions for corrective measures:

1. Implementation of re-sectorisation proposals;
2. Flexible rostering allowing better alignment between traffic demand and sector opening times;
3. Flexible configurations opening, according to the traffic flows;
4. Improved ATFCM techniques.

France (ACC Marseille)

Reasons for lack of capacity: Lack of capacity on weekends due to non-adapted sector opening schemes, training and implementation of a new ATM system — 4Flight (2017-2019).

Suggestions for corrective measures:

1. Flexible rostering allowing better alignment between traffic demand and sector opening times, especially at weekends;
2. Flexible configurations opening, according to the traffic flows;
3. Improved ATFCM techniques;
4. Actions for route design and sectorisation, with focus at the interface with Barcelona ACC;
5. Flexible transition plan for the new ATM system, coordinated with Network Manager, to include appropriate mitigation measures.

France (ACC Reims)

Reasons for lack of capacity: Training and implementation of a new ATM system — 4Flight (2017-2019), traffic distribution with higher traffic demand on shortest routes, lack of predictability of traffic demand in certain sectors.

Suggestions for corrective measures:

1. Actions for route design and sectorisation;
2. Flexible rostering allowing better alignment between traffic demand and sector opening times;

3. Flexible configurations opening, according to the traffic flows;
4. Improved ATFCM techniques;
5. Flexible transition plan for the new ATM system, coordinated with Network Manager, to include appropriate mitigation measures.

The ATM system upgrades in France are required for long-term improvements and it is therefore suggested that France improves performance by better planning of phased implementation of the new system.

B. Key performance area of cost-efficiency

The following are suggestions for corrective measures in the key performance area of cost-efficiency that can be implemented in the short run, taking into account the interdependencies with the remaining key performance areas as well as essential system level investment capabilities. The suggestions are focused on three improvement considerations, namely the traffic forecast, rate of return on equity and interest rate on debt.

France

Suggestions for corrective measures:

1. Traffic: In July 2015, compared to the information provided in the initial performance plan, France already revised upwards the traffic planned over RP2 (by + 2,9 % on average), bringing the planned traffic forecast in line with the low-case Statfor February 2015 scenario. However, based on the actual 2015 traffic and the latest February 2016 forecast provided by Statfor, it is suggested that the planned traffic be further revised upwards to reflect the latest available information.
2. Interest rate on debt: France assumed an interest rate on debts of 2,7 % for its ANSP (DSNA) over RP2. However, the monetary conditions have significantly evolved. Currently, long-term 'risk-free' government bond interest rates for France are historically low and based on the European Central Bank data, the harmonised long-term rate is below 1 %. Moreover, DSNA is not a corporatised entity and its debt (and associated risk premium) can be more closely assimilated to the long-term government benchmark rate. It is therefore suggested that France uses a lower interest rate to compute DSNA cost of capital.

Adjusting the planned traffic for 2018 and 2019 and capping the interest rate on debt, for example, at 1,5 % for the years 2018 and 2019 would result in an *en route* determined unit cost trend over the second reference period of – 2,2 % per year which is closer to the Union-wide trend (– 3,3 % per year) and an *en route* determined unit cost trend over the combined period of the first and the second reference period of – 1,1 % per year which is closer to the Union-wide target (– 1,7 % per year).

Germany

Suggestions for corrective measures:

Traffic: In July 2015, compared to the information provided in the initial performance plan, Germany already revised upwards the traffic planned over RP2 (by + 2,7 % on average) bringing the planned traffic forecast in line with the low Statfor February 2015 scenario. However, based on actual 2015 traffic and the latest forecast provided by Statfor (February 2016), it is suggested that the planned traffic be further revised upwards to reflect the latest available information.

Apart from this short-term measure, it is recognised that Germany has significantly reinvested in its ANSP for the second reference period. However, there is a risk of significant cost increases at the end of the second reference period and it is therefore suggested that Germany considers long-term measures to address the underlying cost base issues that would result, for example, in an *en route* determined unit cost trend over the combined period of the first and the second reference period of – 1,5 % per year which is closer to the Union-wide target (– 1,7 % per year).

The Netherlands

Suggestions for corrective measures:

1. Traffic: In July 2015, compared to the information provided in the initial performance plan, the Netherlands did not revise the traffic growth planned over RP2, which was based on the Statfor February 2015 low scenario. Based on the actual 2015 traffic and the latest forecast provided by Statfor (February 2016), it is suggested that the planned traffic be revised upwards to reflect the latest available information.

2. Interest rate on debt: The Netherlands assumed an interest rate on debts of 3,2 % for 2019 for its ANSP (LVNL). However, the monetary conditions have significantly evolved. Currently, long term interest rates for the Netherlands are historically low and, based on the European Central Bank data, the harmonised long-term rate is well below 1 %. It is therefore suggested that the Netherlands use a marginally lower interest rate to compute LVNL cost of capital.

Adjusting the planned traffic for 2018 and 2019 and capping the interest rate on debt, for example, at 3,0 % for the year 2019 would result in an *en route* determined unit cost trend over the second reference period of – 2,5 % per year which is closer to the Union-wide trend (– 3,3 % per year) and an *en route* determined unit cost trend over the combined period of the first and the second reference period of – 1,5 % per year which is closer to the Union-wide target (– 1,7 % per year).

