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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2021/373

of 22 February 2021

on the signing, on behalf of the Union, of the Agreement between the European Union and the Kingdom of Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations with the Kingdom of Thailand for an agreement relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) The negotiations have been concluded, and the Agreement between the European Union and the Kingdom of Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('the Agreement') was initialled on 7 January 2021.
- (3) The Agreement should be signed on behalf of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Kingdom of Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 22 February 2021.

For the Council
The President
J. BORRELL FONTELLES

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2021/374

of 27 January 2021

amending Delegated Regulation (EU) 2020/884 derogating in respect of the year 2020 from Delegated Regulation (EU) 2017/891 as regards the fruit and vegetables sector and from Delegated Regulation (EU) 2016/1149 as regards the wine sector in connection with the COVID-19 pandemic, and amending Delegated Regulation (EU) 2016/1149

THE EUROPEAN COMMISSION,

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

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 ⁽¹⁾, and in particular Articles 62(1) and 64(6),

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 ⁽²⁾, and in particular Article 53(b) and (h) in conjunction with Article 227 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2020/884 ⁽³⁾ introduced a number of derogations from existing rules, inter alia, in the wine sector, aimed at providing relief to wine operators to help them cope with the impact of the COVID-19 pandemic. However, despite the usefulness of those measures, the wine market has not managed to regain its balance between supply and demand and is not expected to regain it in the short to medium term due to the ongoing pandemic.
- (2) Furthermore, the measures adopted to address the COVID-19 pandemic are being continued in most Member States and across the world. Those measures include imposing restrictions in relation to the size of social gatherings and celebrations, and in relation to the possibilities to eat and drink outside the home. Lockdowns continue to be imposed in some areas, accompanied by the cancellation of public events and private parties. The knock-on effect of these restrictions has resulted in a further decrease in the consumption of wine in the Union and in a confirmed reduction in the export of wine to third countries. In addition, the uncertainty as to the duration of the crisis, which it is anticipated will likely extend beyond the end of the year 2020, is causing long-term damage to the Union wine sector as wine consumption is unlikely to recover and export markets will be lost. This combination of factors is having a significant negative impact on pricing in the Union wine market. Stocks that were already at a record high at the beginning of the marketing year 2019-2020 have been increased. Finally, the upcoming high yielding 2020 harvest, which is expected to exceed the 2019 harvest by approximately 10 million hectolitres of wine, will only serve to further worsen the situation.
- (3) Consequently, given the lengthy duration of the restrictions imposed by Member States to address the COVID-19 pandemic and the need to keep restrictions in place, the severe economic disruption to the main outlets for wine and the ensuing negative effect on the demand for wine are exacerbated.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ OJ L 347, 20.12.2013, p. 671.

⁽³⁾ Commission Delegated Regulation (EU) 2020/884 of 4 May 2020 derogating in respect of the year 2020 from Delegated Regulation (EU) 2017/891 as regards the fruit and vegetables sector and from Delegated Regulation (EU) 2016/1149 as regards the wine sector in connection with the COVID-19 pandemic (OJ L 205, 29.6.2020, p. 1).

- (4) In light of this exceptionally severe market disturbance and the accumulation of difficult circumstances encountered in the wine sector, which has its origin in the imposition by the United States of tariffs on the imports of Union wines in October 2019 and which continues now with the fall-out from the ongoing restrictive measures due to the worldwide COVID-19 pandemic, exceptional difficulties continue to be encountered by operators in the Union wine sector. Further assistance to the wine sector is therefore warranted.
- (5) The continued implementation of the measures to address the crisis in the Union wine sector which were introduced by Delegated Regulation (EU) 2020/884 is considered essential to provide operators with the necessary flexibilities to implement support programmes in the Union wine sector. In particular, the additional flexibility providing for the implementation of green harvesting on the same parcel for two or more consecutive years, the flexibility to introduce changes to ongoing operations, as well as the possibility to pay for partial implementation of operations supported under Articles 46 and 47 of Regulation (EU) No 1308/2013 whenever full implementation was not possible for reasons due to the COVID-19 pandemic, have ensured that operators in the Union wine sector have suitable instruments to react to the changes brought by the COVID-19 pandemic and the restrictions imposed to control it.
- (6) As the COVID-19 pandemic is expected to continue beyond the end of the year 2020 and thus during a considerable part of the financial year 2021, it is considered necessary to extend the application of the measures laid down in Article 2(1), (3), (4) and (6) of Delegated Regulation (EU) 2020/884 for the duration of the financial year 2021.
- (7) Article 54(1) of Commission Delegated Regulation (EU) 2016/1149 ⁽⁴⁾ provides that support to beneficiaries is only to be paid if checks show that an overall operation or all the individual actions which are part of the overall operation have been implemented in full. However, experience to date has shown that, based upon a strict application of that provision, where individual actions forming part of the operation have not been implemented in full but the objective of the overall operation has nevertheless been attained, to withhold the entire amount of support for the operation in question has proven, in certain situations, to be unjust and inequitable.
- (8) Feedback provided by the Member States to the Commission indicates that the application of the rule provided for in Article 54(1) of Delegated Regulation (EU) 2016/1149 results in disproportional financial cuts for those beneficiaries who have successfully implemented a large share of the approved operation but who fail to complete individual actions which are not indispensable for the successful outcome of the operation. The non-completion of such individual actions does not jeopardise the objectives of the overall operation, which in certain circumstances can be met despite the partial implementation. In such cases, it does not appear justifiable to withhold the payment of support in full or to require that support paid for duly implemented actions be recovered.
- (9) Withholding the entire support in such cases imposes a financial penalty on those beneficiaries who have largely implemented the complete operation and who have thus invested time, means and effort in the completed actions. This potentially inequitable impact is exacerbated by the COVID-19 pandemic and by the cash flow problems linked to it.
- (10) In order to ensure proportionality as regards the payment of operations under the wine support programmes and to avoid penalising the Union wine sector excessively, that is already weakened by the difficult market situation and the COVID-19 pandemic, partial support should be paid for operations which are not fully implemented, as long as the overall objective of the operation is achieved. Therefore, it is appropriate to provide that fully implemented actions, which are part of such an operation, are eligible for Union support.

⁽⁴⁾ Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008 (OJ L 190, 15.7.2016, p. 1).

- (11) In such cases, the support for the operation should be calculated as the sum of the support for the actions which were fully implemented, reduced by 100 % of the amount of support allocated to the actions which have not been implemented in order to ensure that the beneficiary receives an amount which is proportionate to the effort undertaken with regard to the fully implemented actions.
- (12) Delegated Regulations (EU) 2020/884 and (EU) 2016/1149 should therefore be amended accordingly.
- (13) In order to avoid disruption in the implementation of the measures addressing the crisis in the Union wine sector and to ensure a smooth transition between the two financial years, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*, and the amendments to Delegated Regulation (EU) 2020/884 should apply retroactively from 16 October 2020,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2020/884

Article 2 of Delegated Regulation (EU) 2020/884 is amended as follows:

- (1) paragraph 1 is replaced by the following:

‘1. By way of derogation from Article 22 of Delegated Regulation (EU) 2016/1149, during the years 2020 and 2021, green harvesting may be applied on the same parcel for two or more consecutive years.’;

- (2) paragraph 3 is replaced by the following:

‘3. By way of derogation from Article 53(1) of Delegated Regulation (EU) 2016/1149, Member States may, in duly justified cases related to the COVID-19 pandemic, allow changes that occur not later than 15 October 2021, to be implemented without prior approval provided that they do not affect the eligibility of any part of the operation and its overall objectives and provided that the total amount of approved support for the operation is not exceeded. Such changes shall be notified to the competent authority by the beneficiaries within the deadlines set by the Member States.’;

- (3) paragraph 4 is replaced by the following:

‘4. By way of derogation from Article 53(1) of Delegated Regulation (EU) 2016/1149, Member States may, in duly justified cases related to the COVID-19 pandemic, allow beneficiaries to submit changes that occur not later than 15 October 2021 and that modify the objective of the overall operation already approved under the measures referred to in Articles 45, 46, 50 and 51 of Regulation (EU) No 1308/2013, provided that any ongoing individual actions which are part of an overall operation are completed. Such changes shall be notified to the competent authority by the beneficiaries within the deadline set by the Member States, and shall require the prior approval of the competent authority.’;

- (4) paragraph 6 is replaced by the following:

‘6. By way of derogation from the third, fourth, fifth and sixth subparagraphs of Article 54(4) of Delegated Regulation (EU) 2016/1149, for payment claims submitted not later than 15 October 2021, where operations supported under Articles 46 and 47 of Regulation (EU) No 1308/2013 are not implemented on the total surface for which support was requested for reasons related to the COVID-19 pandemic, Member States shall calculate the support to be paid on the basis of the area determined by the on-the-spot checks following implementation.’.

*Article 2***Amendments to Delegated Regulation (EU) 2016/1149**

Article 54 of Delegated Regulation (EU) 2016/1149 is amended as follows:

(1) paragraph 2 is replaced by the following:

‘2. Where support is normally payable after implementation of the overall operation, support shall nevertheless be paid for the individual actions implemented if checks show that the remaining actions could not be carried out due to *force majeure* or exceptional circumstances within the meaning of Article 2(2) of Regulation (EU) No 1306/2013 or if checks show that, even if the remaining actions were not carried out, the overall objective of the operation has nevertheless been achieved.’;

(2) the following paragraph is inserted:

‘2a. If checks show that an overall operation covered by the support application has not been fully implemented but the overall objective of the operation has nevertheless been achieved, Member States shall pay support for the individual actions which have been implemented in accordance with paragraph 2 and apply a penalty amounting to 100 % of the amount initially allocated to those actions in the support application which have not been fully implemented.

In cases where the amount of support which has been paid after implementation of individual actions is higher than the amount determined as due after checks have been carried out, Member States shall recover the support paid unduly.

In such cases, if an advance has been paid, Member States may decide to apply a penalty.’;

(3) in paragraph 3, the first subparagraph is replaced by the following:

‘3. If checks show that an overall operation covered by the support application has not been fully implemented in cases other than the ones laid down in paragraph 2, and where support has been paid after individual actions which are part of the overall operation covered by the support application, Member States shall recover the support paid.’.

*Article 3***Entry into force and application**

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

Article 1 shall apply from 16 October 2020.

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

Done at Brussels, 27 January 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION REGULATION (EU) 2021/375**of 24 February 2021****establishing a fisheries closure for cod in areas 1 and 2b for vessels flying the flag of certain Member States**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2021/92 ⁽²⁾ lays down quotas for 2021.
- (2) According to the information received by the Commission, catches of the stock of cod in areas 1 and 2b by vessels flying the flag of or registered in certain Member States have exhausted the quota allocated to 'other Member States' for 2021.
- (3) It is therefore necessary to prohibit certain fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2021 to Member States fishing under the 'other Member States' quota for the stock of cod in areas 1 and 2b referred to in the Annex shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in Article 1 by vessels flying the flag of or registered in Member States fishing under the 'other Member States' quota shall be prohibited from the date set out in the Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 24 February 2021.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2021/92 of 28 January 2021 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 31, 29.1.2021, p. 31).

ANNEX

No	01/TQ/92
Member State	Member States fishing under 'Other Member States' quota
Stock	COD/1/2B_AMS
Species	Cod (<i>Gadus morhua</i>)
Zone	1 and 2b
Closing date	21.1.2021 at 00.00 UTC

COMMISSION REGULATION (EU) 2021/376**of 24 February 2021****establishing a temporary fisheries closure for redfishes in NAFO 3M area for vessels flying the flag of a Member State of the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2021/92 ⁽²⁾ lays down quotas for 2021.
- (2) According to the information received by the Commission, catches of the stock of redfishes in NAFO 3M area by vessels flying the flag of or registered in a Member State of the European Union have exhausted the mid-term quota allocated for the period before 1 July 2021.
- (3) It is therefore necessary to prohibit directed fishing activities for that stock until 30 June 2021,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to Member States of the European Union for the stock of redfishes in NAFO 3M area for the period from 1 January 2021 until 30 June 2021 included shall be deemed to be exhausted from the date set out in the Annex to this Regulation.

*Article 2***Prohibitions**

Directed fishing activities for the stock referred to in Article 1 by vessels flying the flag of or registered in a Member State of the European Union shall be prohibited from the date set out in the Annex to this Regulation until 30 June 2021 included.

*Article 3***Entry into force**

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2021/92 of 28 January 2021 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 31, 29.1.2021, p. 31).

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

Done at Brussels, 24 February 2021.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

ANNEX

No	02/TQ92
Member State	European Union (All Member States)
Stock	RED/N3M.
Species	Redfishes (<i>Sebastes</i> spp.)
Zone	NAFO 3M
Closing period	10 February 2021 at 24.00 UTC until 30 June 2021

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/377

of 2 March 2021

amending Implementing Decision (EU) 2019/436 on harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽²⁾, and in particular Article 7(3) thereof,

Whereas:

- (1) In accordance with Article 7 of Directive 2006/42/EC machinery manufactured in conformity with a harmonised standard, the reference to which has been published in the *Official Journal of the European Union*, is to be presumed to comply with the essential health and safety requirements covered by such a harmonised standard.
- (2) By letter M/396 of 19 December 2006, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) ('the Request') for the drafting, the revision and the completion of the work on harmonised standards in support of Directive 2006/42/EC to take account of changes introduced by that Directive in comparison with Directive 98/37/EC of the European Parliament and of the Council ⁽³⁾.
- (3) On the basis of the Request, CEN drafted new harmonised standards EN ISO 3743-2:2019 on methods for special reverberation test rooms for small, movable sources in reverberant fields, EN 62841-2-11:2016/A1:2020 concerning particular requirements for hand-held reciprocating saws and EN 62745:2017 on requirements for cableless control systems of machinery.

Furthermore, on the basis of the Request, CEN and Cenelec revised the following existing harmonised standards, the references of which have been published by Commission Communication 2018/C 092/01 ⁽⁴⁾ to adapt them to technological progress: EN 574:1996+A1:2008; EN 349:1993+A1:2008; EN ISO 13857:2008; EN 1612-1:1997+A1:2008; EN 12643:2014; EN ISO 7096:2008; EN 12301:2000+A1:2008; EN 12965:2003+A2:2009; EN 13525:2005+A2:2009; EN 1870-19:2013; EN 940:2009+A1:2012; EN 1870-4:2012; EN ISO 19432:2012; EN ISO 15012-4:2016; and EN 60745-2-14:2009/A1:2010. This resulted in the adoption of, respectively, the

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ OJ L 157, 9.6.2006, p. 24.

⁽³⁾ Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery (OJ L 207, 23.7.1998, p. 1).

⁽⁴⁾ Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 92, 9.3.2018, p. 1).

following harmonised standards: EN ISO 13851:2019 on principles for design and selection of two-hand control devices; EN ISO 13854:2019 on minimum gaps to avoid crushing of parts of the human body; EN ISO 13857:2019 on safety distances to prevent hazard zones being reached by upper and lower limbs; EN 1612:2019 on safety requirements for reaction moulding machines and plants; EN ISO 5010:2019 on steering requirements for wheeled earth-moving machinery; EN ISO 7096:2020 on laboratory evaluation of operator seat vibration of earth-moving machinery; EN 12301:2019 on safety requirements for calenders plastics and rubber machinery; EN 12965:2019 on power take-off drive shafts and their guards for tractors and machinery for agriculture and forestry; EN 13525:2020 on safety requirements for wood chippers; EN ISO 19085-9:2020 on circular saw benches (with and without sliding tables); EN ISO 19085-11:2020 on combined woodworking machines; EN ISO 19085-13:2020 on multi-blade rip sawing machines with manual loading and/or unloading; EN ISO 19432-1:2020 on safety requirements for cut-off machines for centre-mounted rotating abrasive wheels; EN ISO 21904-1:2020 on equipment for capture and separation of welding fume; and EN 62841-4-1:2020 on particular requirements for chain saws.

- (4) In addition, on the basis of the Request, CEN and Cenelec amended the following standards, the references of which are included in Annex I to Commission Implementing Decision (EU) 2019/436 ^(*): EN ISO 19225:2017 on shearer loaders and plough systems for mobile extracting machines, EN ISO 3691-5:2015 on pedestrian-propelled industrial trucks and EN 62841-3-4:2016 on transportable bench grinders. This resulted in the adoption of, respectively, the amending harmonised standards EN ISO 19225:2017/A1:2019 and EN ISO 3691-5:2015/A1:2020 and EN 62841-3-4:2016/A12:2020.
- (5) CEN and Cenelec also amended the following harmonised standards, the references of which have been published by Communication 2018/C 092/01: EN ISO 11203:2009 on the determination of emission sound pressure levels for noise emitted by machinery and equipment; EN ISO 3691-1:2015 on variable-reach trucks and burden-carrier trucks; EN ISO 4254-11:2010 on pick-up balers; EN ISO 20361:2015 on liquid pumps and pump units; EN 50636-2-107:2015 on robotic battery powered electrical lawnmowers and EN 62841-3-9:2015 on transportable mitre saws. This resulted in the adoption of, respectively, the following amending harmonised standards: EN ISO 11203:2009/A1:2020; EN ISO 3691-1:2015/A1:2020; EN ISO 4254-11:2010/A1:2020; EN ISO 20361:2019/A11:2020; EN 62745:2017/A11:2020; EN 50636-2-107:2015/A2:2020; and EN IEC 62841-3-9:2020/A11:2020.
- (6) The Commission together with CEN and Cenelec has assessed whether the standards drafted, revised and amended by CEN and Cenelec comply with the Request.
- (7) The harmonised standards drafted, revised and amended by CEN and Cenelec on the basis of the Request satisfy the safety requirements which they aim to cover and which are set out in Directive 2006/42/EC. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*, together with references of any relevant amending or correcting standards thereto.
- (8) Implementing Decision (EU) 2019/436 provides in its Annex I the references of harmonised standards conferring a presumption of conformity with Directive 2006/42/EC and in its Annex II it provides the references of harmonised standards conferring a presumption of conformity with restrictions. In order to ensure that the references of harmonised standards drafted in support of Directive 2006/42/EC are listed in one act, the references of those standards should be included in Implementing Decision (EU) 2019/436.
- (9) Annex III to Implementing Decision (EU) 2019/436 lists the references of harmonised standards drafted in support of Directive 2006/42/EC that are withdrawn from the C series of the *Official Journal of the European Union* as from the dates set out in that Annex.
- (10) As the result of the work by CEN and Cenelec on the basis of the Request, the following harmonised standards the references of which are published by Communication 2018/C 092/01 have been replaced, revised or amended: EN 12301:2000+A1:2008; EN 574:1996+A1:2008; EN ISO 15012-4:2016; EN 12643:2014; EN 12965:2003+A2:2009; EN 13525:2005+A2:2009; EN 1612-1:1997+A1:2008; EN 1870-19:2013; EN 1870-4:2012; EN 349:1993+A1:2008; EN 50636-2-107:2015 as amended by EN 50636-2-107:2015/A1:2018; EN 60745-

(*) Commission Implementing Decision (EU) 2019/436 of 18 March 2019 on the harmonised standards for machinery drafted in support of Directive 2006/42/EC of the European Parliament and of the Council (OJ L 75, 19.3.2019, p. 108).

2-13:2009 as amended by EN 60745-2-13:2009/A1:2010; EN 62841-2-11:2016; EN 62841-3-9:2015 as amended by EN 62841-3-9:2015/A11:2017 and corrected by EN 62841-3-9:2015/AC:2016-09; EN 940:2009+A1:2012; EN ISO 11203:2009; EN ISO 13857:2008; EN ISO 19432:2012; EN ISO 20361:2015; EN ISO 3691-1:2015 as corrected by EN ISO 3691-1:2015/AC:2016; EN ISO 4254-11:2010; and EN ISO 7096:2008 as corrected by EN ISO 7096:2008/AC:2009. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union* by including those references in Annex III to Implementing Decision (EU) 2019/436.

- (11) It is also necessary to withdraw the references of harmonised standards EN ISO 19225:2017 and EN ISO 3691-5:2015 published by Implementing Decision (EU) 2019/436, given that they have been corrected or amended. It is therefore appropriate to delete those references from Annex I to that Implementing Decision.
- (12) In order to give manufacturers sufficient time to prepare for the application of the new standards, revised standards or amendments to standards, it is necessary to defer the withdrawal of the references of those harmonised standards.
- (13) Implementing Decision (EU) 2019/436 should therefore be amended accordingly.
- (14) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/436 is amended in accordance with Annex I to this Decision.

Article 2

Annex III to Implementing Decision (EU) 2019/436 is amended in accordance with Annex II to this Decision.

Article 3

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

Points (1) and (3) of Annex I shall apply from 3 September 2022.

Done at Brussels, 2 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Decision (EU) 2019/436 is amended as follows:

(1) row 26 is deleted;

(2) the following row 26a is inserted:

'26a.	EN ISO 19225:2017 Underground mining machines - Mobile extracting machines at the face - Safety requirements for shearer loaders and plough systems (ISO 19225:2017) EN ISO 19225:2017/A1:2019	C'
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(3) row 47 is deleted;

(4) the following row 47a is inserted:

'47a.	EN ISO 3691-5:2015 Industrial trucks - Safety requirements and verification - Part 5: Pedestrian-propelled trucks (ISO 3691-5:2014) EN ISO 3691-5:2015/A1:2020	C'
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(5) the following rows are added:

'70.	EN ISO 3743-2:2019 Acoustics - Determination of sound power levels of noise sources using sound pressure - Engineering methods for small, movable sources in reverberant fields - Part 2: Methods for special reverberation test rooms (ISO 3743-2:2018)	B
71.	EN ISO 11203:2009 Acoustics - Noise emitted by machinery and equipment - Determination of emission sound pressure levels at a work station and at other specified positions from the sound power level (ISO 11203:1995) EN ISO 11203:2009/A1:2020	B
72.	EN ISO 13851:2019 Safety of machinery - Two-hand control devices - Principles for design and selection (ISO 13851:2019)	B
73.	EN ISO 13854:2019 Safety of machinery - Minimum gaps to avoid crushing of parts of the human body (ISO 13854:2017)	B
74.	EN ISO 13857:2019 Safety of machinery - Safety distances to prevent hazard zones being reached by upper and lower limbs (ISO 13857:2019)	B
75.	EN 1612:2019 Plastics and rubber machines - Reaction moulding machines and plants - Safety requirements	C
76.	EN ISO 3691-1:2015 Industrial trucks - Safety requirements and verification - Part 1: Self-propelled industrial trucks, other than driverless trucks, variable-reach trucks and burden-carrier trucks (ISO 3691-1:2011, including Cor 1:2013) EN ISO 3691-1:2015/AC:2016 EN ISO 3691-1:2015/A1:2020	C

77.	EN ISO 4254-11:2010 Agricultural machinery - Safety - Part 11: Pick-up balers (ISO 4254-11:2010) EN ISO 4254-11:2010/A1:2020	C
78.	EN ISO 5010:2019 Earth-moving machinery - Wheeled machines - Steering requirements (ISO 5010:2019)	C
79.	EN ISO 7096:2020 Earth-moving machinery - Laboratory evaluation of operator seat vibration (ISO 7096:2020)	C
80.	EN 12301:2019 Plastics and rubber machines - Calenders - Safety requirements	C
81.	EN 12965:2019 Tractors and machinery for agriculture and forestry - Power take-off (PTO) drive shafts and their guards - Safety	C
82.	EN 13525:2020 Forestry machinery - Wood chippers - Safety	C
83.	EN ISO 19085-9:2020 Woodworking machines - Safety - Part 9: Circular saw benches (with and without sliding table) (ISO 19085-9:2019)	C
84.	EN ISO 19085-11:2020 Woodworking machines - Safety - Part 11: Combined machines (ISO 19085-11:2020)	C
85.	EN ISO 19085-13:2020 Woodworking machines - Safety - Part 13: Multi-blade rip sawing machines with manual loading and/or unloading (ISO 19085-13:2020)	C
86.	EN ISO 19432-1:2020 Building construction machinery and equipment - Portable, hand-held, internal combustion engine-driven abrasive cutting machines - Part 1: Safety requirements for cut-off machines for centre-mounted rotating abrasive wheels (ISO 19432-1:2020)	C
87.	EN ISO 20361:2019 Liquid pumps and pumps units - Noise test code - Grades 2 and 3 of accuracy (ISO 20361:2019) EN ISO 20361:2019/A11:2020	C
88.	EN ISO 21904-1:2020 Health and safety in welding and allied processes - Equipment for capture and separation of welding fume - Part 1: General requirements (ISO 21904-1:2020)	C
89.	EN 62745:2017 Safety of machinery - Requirements for cableless control systems of machinery (IEC 62745:2017) EN 62745:2017/A11:2020	B

90.	EN 50636-2-107:2015 Safety of household and similar appliances - Part 2-107: Particular requirements for robotic battery powered electrical lawnmowers (IEC 60335-2-107:2012, Modified) EN 50636-2-107:2015/A1:2018 EN 50636-2-107:2015/A2:2020	C
91.	EN 62841-2-11:2016 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 2-11: Particular requirements for hand-held reciprocating saws (IEC 62841-2-11:2015, Modified) EN 62841-2-11:2016/A1:2020	C
92.	EN 62841-3-4:2016 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 3-4: Particular requirements for transportable bench grinders (IEC 62841-3-4:2016, Modified) EN 62841-3-4:2016/A11:2017 EN 62841-3-4:2016/A12:2020 EN 62841-3-4:2016/A1:2020	C
93.	EN IEC 62841-3-9:2020 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 3-9: Particular requirements for transportable mitre saws (IEC 62841-3-9:2020) EN IEC 62841-3-9:2020/A11:2020	C
94.	EN 62841-4-1:2020 Electric Motor-Operated Hand-Held Tools, Transportable Tools and Lawn and Garden Machinery - Safety - Part 4-1: Particular requirements for chain saws (IEC 62841-4-1:2017, Modified)	C'

ANNEX II

In Annex III to Implementing Decision (EU) 2019/436, the following rows are added:

64.	EN 12301:2000+A1:2008 Plastics and rubber machines - Calenders - Safety requirements	3 September 2022	C
65.	EN 12643:2014 Earth-moving machinery - Rubber-tyred machines - Steering requirements (ISO 5010:1992, Modified)	3 September 2022	C
66.	EN 12965:2003+A2:2009 Tractors and machinery for agriculture and forestry - Power take-off (PTO) drive shafts and their guards - Safety	3 September 2022	C
67.	EN 1612-1:1997+A1:2008 Plastics and rubber machines - Reaction moulding machines - Part 1: Safety requirements for metering and mixing units	3 September 2022	C
68.	EN 1870-19:2013 Safety of woodworking machines - Circular sawing machines - Part 19: Circular saw benches (with and without sliding table) and building site saws	3 September 2022	C
69.	EN 1870-4:2012 Safety of woodworking machines - Circular sawing machines - Part 4: Multiblade rip sawing machines with manual loading and/or unloading	3 September 2022	C
70.	EN 349:1993+A1:2008 Safety of machinery - Minimum gaps to avoid crushing of parts of the human body	3 September 2022	B
71.	EN 574:1996+A1:2008 Safety of machinery - Two-hand control devices - Functional aspects - Principles for design	3 September 2022	B
72.	EN 50636-2-107:2015 Safety of household and similar appliances - Part 2-107: Particular requirements for robotic battery powered electrical lawnmowers (IEC 60335-2-107:2012, Modified) EN 50636-2-107:2015/A1:2018	3 September 2022	C
73.	EN 60745-2-13:2009 Hand-held motor-operated electric tools - Safety - Part 2-13: Particular requirements for chain saws (IEC 60745-2-13:2006, Modified) EN 60745-2-13:2009/A1:2010	3 September 2022	C
74.	EN 62841-2-11:2016 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 2-11: Particular requirements for hand-held reciprocating saws (IEC 62841-2-11:2015, Modified)	3 September 2022	C

75.	EN 62841-3-4:2016 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 3-4: Particular requirements for transportable bench grinders (IEC 62841-3-4:2016, Modified) EN 62841-3-4:2016/A11:2017	3 September 2022	C
76.	EN 62841-3-9:2015 Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery - Safety - Part 3-9: Particular requirements for transportable mitre saws (IEC 62841-3-9:2014, Modified) EN 62841-3-9:2015/AC:2016-09 EN 62841-3-9:2015/A11:2017	3 September 2022	C
77.	EN 940:2009+A1:2012 Safety of woodworking machines - Combined woodworking machines	3 September 2022	C
78.	EN ISO 11203:2009 Acoustics - Noise emitted by machinery and equipment - Determination of emission sound pressure levels at a work station and at other specified positions from the sound power level (ISO 11203:1995)	3 September 2022	B
79.	EN ISO 13857:2008 Safety of machinery - Safety distances to prevent hazard zones being reached by upper and lower limbs (ISO 13857:2008)	3 September 2022	B
80.	EN ISO 19432:2012 Building construction machinery and equipment - Portable, hand-held, internal combustion engine driven cut-off machines - Safety requirements (ISO 19432:2012)	3 September 2022	C
81.	EN ISO 20361:2015 Liquid pumps and pump units - Noise test code - Grades 2 and 3 of accuracy (ISO 20361:2015)	3 September 2022	C
82.	EN ISO 3691-1:2015 Industrial trucks - Safety requirements and verification - Part 1: Self-propelled industrial trucks, other than driverless trucks, variable-reach trucks and burden-carrier trucks (ISO 3691-1:2011, including Cor 1:2013) EN ISO 3691-1:2015/AC:2016	3 September 2022	C
83.	EN ISO 4254-11:2010 Agricultural machinery - Safety - Part 11: Pick-up balers (ISO 4254-11:2010)	3 September 2022	C
84.	EN ISO 7096:2008 Earth-moving machinery - Laboratory evaluation of operator seat vibration (ISO 7096:2000) EN ISO 7096:2008/AC:2009	3 September 2022	C
85.	EN ISO 15012-4:2016 Health and safety in welding and allied processes - Equipment for capture and separation of welding fume - Part 4: General requirements (ISO 15012-4:2016)	3 September 2022	C'

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