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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2021/1401 of 25 August 2021 amending Implementing Regulations (EU) 2020/761 and (EU) 2020/1988 as regards the quantities that may be imported under certain tariff quotas** 1

DECISIONS

- ★ **Commission Implementing Decision (EU) 2021/1402 of 25 August 2021 on harmonised standards for gas meters and other measuring instruments drafted in support of Directive 2014/32/EU of the European Parliament and of the Council ⁽¹⁾** 11
- ★ **Commission Implementing Decision (EU) 2021/1403 of 25 August 2021 amending Implementing Decision (EU) 2019/1202 as regards harmonised standards for light offshore cranes** 17

⁽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.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1401

of 25 August 2021

amending Implementing Regulations (EU) 2020/761 and (EU) 2020/1988 as regards the quantities that may be imported under certain tariff quotas

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 Article 187 and Article 223(3) 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 Article 66(4) thereof,

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽³⁾, and in particular Article 9, first paragraph, points (a) to (d), and Article 16(1) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2020/761 ⁽⁴⁾ lays down the rules for the management of import and export tariff quotas for agricultural products managed by a system of import and export licences and provides for specific rules.
- (2) Commission Implementing Regulation (EU) 2020/1988 ⁽⁵⁾ lays down the rules for the administration of import tariff quotas designed to be used following the chronological order of dates of acceptance of customs declarations ("first come, first served" principle).

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 347, 20.12.2013, p. 549.

⁽³⁾ OJ L 150, 20.5.2014, p. 1.

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/761 of 17 December 2019 laying down rules for the application of Regulations (EU) No 1306/2013, (EU) No 1308/2013 and (EU) No 510/2014 of the European Parliament and of the Council as regards the management system of tariff quotas with licences (OJ L 185, 12.6.2020, p. 24).

⁽⁵⁾ Commission Implementing Regulation (EU) 2020/1988 of 11 November 2020 laying down rules for the application of Regulations (EU) No 1308/2013 and (EU) No 510/2014 of the European Parliament and of the Council as regards the administration of import tariff quotas in accordance with the 'first come, first served' principle (OJ L 422, 14.12.2020, p. 4).

- (3) The Agreement between the European Union and the Kingdom of Thailand 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, concluded by Council Decision (EU) 2021/1234 ⁽⁶⁾ amends some tariff quotas with regard to the quantities of products to be imported from Thailand.
- (4) The Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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, concluded by Council Decision (EU) 2021/1213 ⁽⁷⁾, amends some tariff quotas with regard to the quantities of products to be imported from Argentina. It also amends the management system of tariff quotas under order numbers 09.4099 and 09.4104, and creates two new tariff quotas for poultry originating from Argentina.
- (5) The amendments made by those Agreements should be reflected in Implementing Regulations (EU) 2020/761 and (EU) 2020/1988.
- (6) Implementing Regulations (EU) 2020/761 and (EU) 2020/1988 should therefore be amended accordingly.
- (7) Due to the urgent need to implement those Agreements, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*. This means that the amendments made by this Regulation to Implementing Regulation (EU) 2020/1988 also apply to tariff quota periods that are ongoing on the day of entry into force of this Regulation. The amendments to Implementing Regulation (EU) 2020/761 should apply as from the first licence application period following the entry into force of this Regulation. However, the amendments to the quantities of the tariff quotas under order numbers 09.4412 and 09.4213, as well as those relating to the creation of tariff quotas under order numbers 09.4288, 09.4289 and 09.4290, should apply as of the beginning of the tariff quota periods starting after the entry into force of this Regulation.
- (8) It is necessary to set certain transitional provisions on the continued application of Articles 38 and 40 of Implementing Regulation (EU) 2020/761 in respect of the ongoing tariff quota periods for the tariff quotas under order numbers 09.4099 and 09.4104, pending the beginning of the first tariff quota period of the tariff quota under order number 09.4288, and on the adaptation of ongoing tariff quota periods to the quantities available following the amendments made by this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2020/761

Implementing Regulation (EU) 2020/761 is amended as follows:

- (1) Articles 38 and 40 are deleted;
- (2) Annexes I, II, III, VI and XII are amended in accordance with Annex I to this Regulation.

⁽⁶⁾ Council Decision (EU) 2021/1234 of 13 July 2021 on the conclusion 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 (OJ L 274, 30.7.2021, p. 55).

⁽⁷⁾ Council Decision (EU) 2021/1213 of 13 July 2021 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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 (OJ L 264, 26.7.2021, p. 1).

*Article 2***Amendments to Implementing Regulation (EU) 2020/1988**

Implementing Regulation (EU) 2020/1988 is amended as follows:

(1) Article 7 is amended as follows:

(a) the heading is replaced by the following:

“Definitions for tariff quotas under order numbers 09.0124, 09.0131, 09.0126, 09.0127, 09.0128, 09.0129 and 09.0130”;

(b) paragraph 2 is replaced by the following:

“2. For tariff quotas under order numbers 09.0126, 09.0127, 09.0128 and 09.0129, the products falling within CN code ex 0714 10 00 shall mean products other than pellets obtained from flours and meals falling within CN code 0714 10 00.”;

(2) Annex I is amended in accordance with Annex II to this Regulation.

*Article 3***Transitional provisions**

1. Articles 38 and 40 of Implementing Regulation (EU) 2020/761 shall continue to apply to the ongoing tariff quota periods for the tariff quotas under order numbers 09.4099 and 09.4104.

2. Unless otherwise provided in Annexes II to XII to Implementing Regulation (EU) 2020/761, where the tariff quota period of a given tariff quota has already started on the day of entry into force of this Regulation, the difference between the new quantity and the quantities already allocated shall be made available to applications lodged after the entry into force of this Regulation.

In case of tariff quota periods divided in sub-periods, the difference between the new quantity and the quantities already allocated shall be distributed equally between the remaining sub-periods.

3. For the purposes of Implementing Regulation (EU) 2020/1988, the quantity available for the remainder of the tariff quota period that is ongoing on the day of entry into force of this Regulation shall be the difference between the new quantity and the quantities already allocated before the entry into force of this Regulation.

In case of an increase of the quantities set out in Annex I to Implementing Regulation (EU) 2020/1988, if on the day of entry into force of this Regulation the relevant tariff quota period has already started and the quantity previously available is exhausted, the difference between the new quantity and the previous quantity shall be allocated to operators following the chronological order of the acceptance date of the customs declaration for release for free circulation. Operators who imported their goods out of quota before the entry into force of this Regulation shall be reimbursed the difference in duty already paid.

In case of a decrease of the quantities set out in Annex I to Implementing Regulation (EU) 2020/1988, if on the day of entry into force of this Regulation the relevant tariff quota period has already started and a quantity higher than the quantity as amended by this Regulation has already been released for free circulation, operators shall not be required to pay the full duty for the in-quota quantities imported exceeding the new available volumes.

*Article 4***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*.

Point (2) of Article 1 shall apply to the tariff quotas concerned as from the first licence application period following the entry into force of this Regulation, with the exception of points (1), (4) and (5)(b), (g) and (h) of Annex I, which shall apply to the tariff quota periods starting after the entry into force of this Regulation.

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

Done at Brussels, 25 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annexes I, II, III, VI and XII to Implementing Regulation (EU) 2020/761 are amended as follows;

(1) Annex I is amended as follows:

- (a) the rows relating to the tariff quotas with order numbers 09.4099 and 09.4104 are deleted;
- (b) the following row is inserted after the row for the tariff quota with order number 09.4286:

'09.4288	Fruits and vegetables	Import	EU: simultaneous examination	No	Yes		No'
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(c) the following rows are inserted after the row for the tariff quota with order number 09.4283:

'09.4289	Poultry meat	Import	EU: simultaneous examination	Yes	Only when Article 9(9) of Delegated Regulation (EU) 2020/760 applies	Till end of TRQ period	Yes
09.4290	Poultry meat	Import	EU: simultaneous examination	Yes	Only when Article 9(9) of Delegated Regulation (EU) 2020/760 applies	Till end of TRQ period	Yes'

- (2) in Annex II, in the table relating to the tariff quota with order number 09.4131, in the row "Quantity in kilograms", the quantity "269 214 000 kg" is replaced by "276 440 000 kg";
- (3) in Annex III, in the table relating to the tariff quota with order number 09.4168, in the row "Quantity in kilograms", the quantity "26 581 000 kg" is replaced by "28 360 000 kg";
- (4) Annex VI is amended as follows:
 - (a) the tables relating to the tariff quotas with order numbers 09.4099 and 09.4104 are deleted;
 - (b) the following table relating to the tariff quota with order number 09.4288 is added:

'Order number	09.4288
International agreement or other act	Council Decision (EU) 2021/1213 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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
Tariff quota period	1 June to 31 May
Tariff quota sub-periods	1 June to 31 August 1 September to 30 November 1 December to 28 February or 29 February, as the case may be 1 March to 31 May

Licence application	In accordance with Articles 6, 7 and 8 of this Regulation
Product description	Fresh or chilled garlic falling within CN code 0703 20 00
Origin	Argentina
Proof of origin at licence application. If yes, body authorised to issue it	No
Proof of origin for release into free circulation	No
Quantity in kilograms	19 147 000 kg, divided as follows: 0 kg for sub-period 1 June to 31 August 0 kg for sub-period 1 September to 30 November 11 700 000 kg for sub-period 1 December to 28/29 February 7 447 000 kg for sub-period 1 March to 31 May
CN codes	0703 20 00
In-quota customs duty	9,6 % <i>ad valorem</i>
Proof of trade	Yes. 25 tonnes
Security for import licence	EUR 60 per 1 000 kg
Specific entries to be made on the licence application and on the licence	Section 8 of the import licence application and of the import licence shall indicate the country of origin; box 'yes' in that section shall be crossed.
Period of validity of a licence	In accordance with Article 13 of this Regulation
Transferability of licence	Yes
Reference quantity	No
Operator registered in LORI database	No
Specific conditions	No'

(5) Annex XII is amended as follows:

- (a) in the table relating to the tariff quota with order number 09.4212, in the row "Quantity in kilograms", the quantity "68 385 000 kg" is replaced by "81 968 000 kg";
- (b) the table relating to the tariff quota with order number 09.4213 is amended as follows:
 - (i) the row "Origin" is replaced by the following:

'Origin	All third countries except Brazil, Thailand, Argentina and United Kingdom'
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- (ii) in the row "Quantity in kilograms", the quantity "824 000 kg" is replaced by "368 000 kg";
- (c) in the table relating to the tariff quota with order number 09.4215, in the row "Quantity in kilograms", the quantity "109 441 000 kg" is replaced by "53 866 000 kg";
- (d) in the table relating to the tariff quota with order number 09.4254, in the row "Quantity in kilograms", the quantity "8 019 000 kg" is replaced by "2 435 000 kg";
- (e) in the table relating to the tariff quota with order number 09.4255, in the row "Quantity in kilograms", the quantity "1 162 000 kg" is replaced by "1 940 000 kg";

- (f) in the table relating to the tariff quota with order number 09.4257, in the row “Quantity in kilograms”, the quantity “0 kg” is replaced by “10 000 kg”;
- (g) the table relating to the tariff quota with order number 09.4412 is amended as follows:
- (i) the row “Origin” is replaced by the following:

‘Origin	All third countries except Brazil, Thailand, Argentina and United Kingdom’
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- (ii) in the row “Quantity in kilograms”, the quantity “2 868 000 kg” is replaced by “788 000 kg”;
- (h) the following tables relating to the tariff quotas with order numbers 09.4289 and 09.4290 are added:

‘Order number	09.4289
International agreement or other act	Council Decision (EU) 2021/1213 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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
Tariff quota period	1 January to 31 December
Tariff quota sub-periods	1 January to 31 March 1 April to 30 June 1 July to 30 September 1 October to 31 December
Licence application	In accordance with Articles 6, 7 and 8 of this Regulation
Product description	Chicken
Origin	Argentina
Proof of origin at licence application. If yes, body authorised to issue it	No
Proof of origin for release into free circulation	Yes. In accordance with Articles 57, 58 and 59 of Regulation (EU) 2015/2447
Quantity in kilograms	2 080 000 kg, divided as follows: 25 % for each subperiods
CN codes	0207 14 10 0207 14 50 0207 14 70
In-quota customs duty	EUR 0
Proof of trade	Yes. Proof of trade required only when Article 9(9) of Delegated Regulation (EU) 2020/760 applies. 25 tonnes
Security for import licence	EUR 50 per 100 kg
Specific entries to be made on the licence application and on the licence	Section 8 of the import licence application and of the import licence shall indicate the country of origin; box ‘yes’ in that section shall be crossed

Period of validity of a licence	In accordance with Article 13 of this Regulation
Transferability of licence	Yes
Reference quantity	Yes
Operator registered in LORI database	Yes
Specific conditions	No
Order number	09.4290
International agreement or other act	Council Decision (EU) 2021/1213 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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
Tariff quota period	1 July to 30 June
Tariff quota sub-periods	No
Licence application	In accordance with Articles 6, 7 and 8 of this Regulation
Product description	Poultry meat, salted or in brine
Origin	Argentina
Proof of origin at licence application. If yes, body authorised to issue it	No
Proof of origin for release into free circulation	Yes. In accordance with Articles 57, 58 and 59 of Regulation (EU) 2015/2447
Quantity in kilograms	456 000 kg
CN codes	Ex02 10 99 39
In-quota customs duty	15,4 %
Proof of trade	Yes. Proof of trade required only when Article 9(9) of Delegated Regulation (EU) 2020/760 applies. 25 tonnes
Security for import licence	EUR 50 per 100 kg
Specific entries to be made on the licence application and on the licence	Section 8 of the import licence application and of the import licence shall indicate the country of origin; box 'yes' in that section shall be crossed
Period of validity of a licence	In accordance with Article 13 of this Regulation
Transferability of licence	Yes
Reference quantity	Yes
Operator registered in LORI database	Yes
Specific conditions	No

ANNEX II

Annex I to Implementing Regulation (EU) 2020/1988 is amended as follows:

- (1) in the section under the heading “Tariff quotas in the sector of cereals”, in the table relating to the tariff quota with order number 09.0138, in the row “Quantity”, the quantity “306 812 000 kg” is replaced by “307 105 000 kg”;
- (2) the section under the heading “Tariff quota in the sector of processed fruits and vegetables and wine” is amended as follows:
 - (a) the heading is replaced by “Tariff quotas in the sector of processed fruits and vegetables and wine”;
 - (b) before the table relating to the tariff quota with order number 09.6715, the following table relating to tariff quota with order number 09.0067 is inserted:

Order number	09.0067
Specific legal basis	Council Decision (EU) 2021/1213 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic 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
Product description and CN codes	Grape juice and must for the production of grape juice and/or non-wine sector products such as non-alcoholic drinks, jams and sauces: ex 2009 61 90 (see TARIC codes) ex 2009 69 11 (see TARIC codes) ex 2009 69 19 (see TARIC codes) ex 2009 69 51 (see TARIC codes) ex 2009 69 90 (see TARIC codes)
TARIC codes	2009 61 90 10 2009 69 11 11 2009 69 11 19 2009 69 19 10 2009 69 51 10 2009 69 90 20
Origin	All third countries except the United Kingdom
Quantity	2 525 000 kg net weight
Tariff quota period	1 September to 31 August
Tariff quota sub-periods	Not applicable
Proof of origin	Not applicable
In-quota customs duty	The ad valorem duties indicated for each CN code and, in respect of the products falling within CN code 2009 69 11, the specific duty expressed in euro/kg provided for in the Common Customs Tariff of the European Union:

	For CN code ex 2009 61 90: 22,4 % ad valorem For CN code ex 2009 69 11: 40 % ad valorem + EUR 20.6 per 100 kg net weight For CN code ex 2009 69 19: 40 % ad valorem For CN code ex 2009 69 51: 22,4 % ad valorem For CN code ex 2009 69 90: 22,4 % ad valorem
Security to be lodged in accordance with Article 2 of Delegated Regulation (EU) 2020/1987	Difference between the in-quota customs duty and the <i>erga omnes</i> third-country duty rate.
Specific conditions	The transformation of this grape juice and must shall take place within six months following the release for free circulation of the products concerned'

- (3) the section under the heading "Tariff quotas in the sector of beef and veal" is amended as follows:
- (a) in the table relating to the tariff quotas with order numbers 09.0161 and 09.0162, in the row "In-quota customs duty", the words "20 % *ad valorem*" are replaced by "15 % *ad valorem*";
 - (b) in the table relating to the tariff quotas with order numbers 09.0163 and 09.0164, in the row "In-quota customs duty", the percentage "20 %" is replaced by "15 %";
- (4) in the section under the heading "Tariff quotas in the sector of sheepmeat and goatmeat", in the table relating to the tariff quotas with order numbers 09.2101, 09.2102, 09.2011, in the row "Quantity", the quantity "17 006 000 kg" is replaced by "19 090 000 kg".

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/1402

of 25 August 2021

on harmonised standards for gas meters and other measuring instruments drafted in support of Directive 2014/32/EU 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,

Whereas:

- (1) In accordance with Article 14 of Directive 2014/32/EU of the European Parliament and of the Council ⁽²⁾, measuring instruments which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, are to be presumed to be in conformity with the essential requirements set out in Annex I and in the relevant instrument-specific Annexes covered by those harmonised standards or parts thereof.
- (2) By Commission Implementing Decision C(2015) 8558 ⁽³⁾ of 15 December 2015, the Commission made a request to the European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (Cenelec), and the European Telecommunications Standards Institute (ETSI) for the drafting, the revision and the completion of the work on harmonised standards in support of Directive 2014/32/EU for certain measuring instruments.
- (3) On the basis of the request set out in Implementing Decision C(2015) 8558, CEN and Cenelec revised harmonised standards EN 1359, EN 12261, EN 12405-1 and EN 14236. This resulted in the adoption of respective harmonised standards EN 1359:2017 on diaphragm gas meters; EN 12261:2018 on turbine gas meters; EN 12405-1:2018 on gas volume conversion devices; and EN 14236:2018 on ultrasonic domestic gas meters.
- (4) The Commission, together with CEN and Cenelec, has assessed whether the standards EN 1359:2017, EN 12261:2018, EN 12405-1:2018, and EN 14236:2018 comply with the request set out in Implementing Decision C(2015) 8558.
- (5) The standards EN 1359:2017, EN 12261:2018, EN 12405-1:2018, and EN 14236:2018 satisfy the requirements which they aim to cover and which are set out in Directive 2014/32/EU. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instrument (OJ L 96, 29.3.2014, p. 149).

⁽³⁾ Commission Implementing Decision C(2015) 8558 final of 15 December 2015 on a standardisation request to the European Committee for Standardisation, to the European Committee for Electrotechnical Standardisation and to the European Telecommunications Standards Institute pursuant to Regulation (EU) No 1025/2012 of the European Parliament and of the Council as regards certain measuring instruments.

- (6) However, it is necessary to clarify which versions of international and European standards referred to in Clause 2 'Normative references' of standards EN 1359:2017, EN 12261:2018, EN 12405-1:2018, EN 14236:2018 are to be applied for the purposes of presumption of conformity.
- (7) As the result of the work by CEN and Cenelec on the basis of the request of the Commission, the following harmonised standards published in the C series of the *Official Journal of the European Union* ⁽⁴⁾ have been revised: EN 1359:1998/A1:2006; EN 12261:2002/A1:2006; EN 12405-1:2005+A2:2010; and EN 14236:2007. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union*. In order to give manufacturers sufficient time to prepare for application of the revised standards or amendments to standards, it is necessary to defer the withdrawal of the references to those harmonised standards.
- (8) Harmonised standards EN 14154-1:2005+A2:2011, EN 14154-2:2005+A2:2011, and EN 14154-3:2005+A2:2011 for water meters were withdrawn by CEN and Cenelec. Those standards no longer represent the state-of-the-art and should be considered obsolete. It is therefore necessary to withdraw the references to those standards from the *Official Journal of the European Union* ⁽⁵⁾. In order to provide manufacturers the necessary time to adapt, it is necessary to defer the withdrawal of the references to those standards for a period of 6 months.
- (9) For reasons of clarity and legal certainty, a complete list of references of harmonised standards drafted in support of Directive 2014/32/EU and satisfying the essential requirements they aim to cover should be published in one act. The other references of standards originally published in Commission Communication 2012/C 218/08 ⁽⁶⁾ should therefore also be included in this Decision either by confirming their validity or setting a date for their withdrawal from the *Official Journal of the European Union*. That Communication should therefore be repealed from the date of entry into force of this Decision. However, it should continue to apply in respect of the references of the standards that are withdrawn by this Decision, given that it is necessary to defer the withdrawal of those references.
- (10) 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

The references to harmonised standards for measuring instruments in support of Directive 2014/32/EU listed in Annex I to this Decision, are hereby published in the *Official Journal of the European Union*.

Article 2

Commission communication 2012/C 218/08 is repealed. It shall continue to apply in respect of the references of the standards listed in Annex II to this Decision until the dates set out in that Annex.

Article 3

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

⁽⁴⁾ Commission communication in the framework of the implementation of the Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments (OJ C 218, 24.7.2012, p. 7).

⁽⁵⁾ OJ C 218, 24.7.2012, p. 7.

⁽⁶⁾ OJ C 218, 24.7.2012, p. 7.

Done at Brussels, 25 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

No	Reference of the standard
1.	EN 1359:2017 Gas meters – Diaphragm gas meters Restrictions: (a) for the purposes of clause ‘2 Normative references’ the following versions of standards apply: (i) EN ISO 4892-3:2016; (ii) ISO 7724-3:1984
2.	EN 12261:2018 Gas meters – Turbine gas meters Restrictions: for the purposes of clause ‘2 Normative references’ the following versions of standards apply: (i) EN 10204:2004 (ii) EN 60079-0:2018 as corrected by EN 60079-0:2018/AC:2020-02 (iii) EN 60079-11:2012 (iv) EN 60529:1991 as amended and corrected by EN 60529:1991/A2:2013/AC:2019-02 (v) EN 60947-5-6:2000 (vi) EN 62246-1:2015
3.	EN 12405-1:2018 Gas meters – Conversion devices – Part 1: Volume conversion Restrictions: for the purposes of clause ‘2 Normative references’ the following versions of standards apply: (i) EN 437:2021 (ii) EN 1776:2015 (iii) EN 55011:2016 as amended by EN 55011:2016/A2:2021 (iv) EN 60068-2-1:2007 (v) EN 60068-2-2:2007 (vi) EN 60068-2-30:2005 (vii) EN 60068-2-31:2008 (viii) EN 60068-2-64:2008 as amended by EN 60068-2-64:2008/A1:2019 (ix) EN 60068-2-78:2013 (x) EN 60068-3-1:2011 (xi) EN 60079-0:2018/AC:2020-02 (xii) EN 60079-1:2014/AC:2018-09 (xiii) EN 60079-2:2014/AC:2015 (xiv) EN 60079-5:2015 (xv) EN 60079-6:2015 (xvi) EN 60079-7:2015/A1:2018 (xvii) EN 60079-11:2012 (xviii) EN 60079-25:2010/AC:2013 (xix) EN 60529:1991/A2:2013/AC:2019-02 (xx) EN 60751:2008 (xxi) EN 60950-1:2006/A2:2013 (xxii) EN 61000-4-2:2009 (xxiii) EN 61000-4-3:2006/A2:2010 (xxiv) EN 61000-4-4:2012 (xxv) EN 61000-4-5:2014/A1:2017 (xxvi) EN 61000-4-6:2014/AC:2015 (xxvii) EN 61000-4-8:2010 (xxviii) EN 61000-4-11:2020/AC:2020-06 (xxix) EN 61000-4-29:2000

4.	EN 14236:2018 Ultrasonic domestic gas meters Restrictions: (a) for the purposes of clause '2 Normative references' the following versions of standards apply: (i) EN 55032:2015/A11:2020 (ii) EN 60068-2-5:2018 (iii) EN 60068-2-30:2005 (iv) EN IEC 60079-0:2018/AC:2020-02 (v) EN 60079-10-1:2021 (vi) EN 60079-10-2:2015 (vii) EN 60079-11:2012 (viii) EN IEC 60079-15:2019 (ix) EN IEC 60086-1:2021 (x) EN IEC 60086-4:2019/AC:2020-05 (xi) EN 60529:1991/A2:2013/AC:2019-02 (xii) EN 60695-11-5:2017 (xiii) EN 60695-11-10:2013/AC:2014 (xiv) EN 61000-4-2:2009 (xv) EN IEC 61000-4-3:2020 (xvi) EN 61000-4-8:2010 (xvii) EN 61000-4-9:2016 (xviii) EN IEC 61000-6-1:2019 (xix) EN IEC 61000-6-2:2019 (xx) EN ISO 1518-1:2019 (xxi) EN ISO 1518-2:2019 (xxii) EN ISO 2409:2020 (xxiii) EN ISO 4892-3:2016 (xxiv) EN ISO 6270-1:2018 (xxv) EN ISO 6272-1:2011 (xxvi) EN ISO 9227:2017 (xxvii) ISO 834-1:1999/AMD 1:2012 (xxviii) ISO 7724-3:1984
5.	EN 62058-11:2010 Electricity metering equipment (a.c.) – Acceptance inspection – Part 11: General acceptance inspection methods
6.	EN 62058-21:2010 Electricity metering equipment (a.c.) – Acceptance inspection – Part 21: Particular requirements for electromechanical meters for active energy (classes 0.5, 1 and 2 and class indexes A and B)
7.	EN 62058-31:2010 Electricity metering equipment (a.c.) – Acceptance inspection – Part 31: Particular requirements for static meters for active energy (classes 0.2 S, 0.5 S, 1 and 2, and class indexes A, B and C)
8.	EN 62059-32-1:2012 Electricity metering equipment – Dependability – Part 32-1: Durability – Testing of the stability of metrological characteristics by applying elevated temperature

ANNEX II

No	Reference of the standard	Date of withdrawal
1.	EN 1359:1998 Gas meters – Diaphragm gas meters EN 1359:1998/A1:2006	26 February 2023
2.	EN 1434-1:2007 Heat meters – Part 1: General requirements	26 February 2023
3.	EN 1434-2:2007 Heat meters – Part 2: Constructional requirements EN 1434-2:2007/AC:2007	26 February 2023
4.	EN 1434-4:2007 Heat meters – Part 4: Pattern approval tests EN 1434-4:2007/AC:2007	26 February 2023
5.	EN 1434-5:2007 Heat meters – Part 5: Initial verification tests	26 February 2023
6.	EN 12261:2002 Gas meters – Turbine gas meters EN 12261:2002/AC:2003 EN 12261:2002/A1:2006	26 February 2023
7.	EN 12405-1:2005+A2:2010 Gas meters – Conversion devices – Part 1: Volume conversion	26 February 2023
8.	EN 12480:2002 Gas meters – Rotary displacement gas meters EN 12480:2002/A1:2006	26 February 2023
9.	EN 14154-1:2005+A2:2011 Water meters – Part 1: General requirements	26 February 2022
10.	EN 14154-2:2005+A2:2011 Water meters – Part 2: Installation and conditions of use	26 February 2022
11.	EN 14154-3:2005+A2:2011 Water meters – Part 3: Test methods and equipment	26 February 2022
12.	EN 14236:2007 Ultrasonic domestic gas meters	26 February 2023
13.	EN 50470-1:2006 Electricity metering equipment (a.c.) – Part 1: General requirements, tests and test conditions – Metering equipment (class indexes A, B and C)	26 February 2023
14.	EN 50470-2:2006 Electricity metering equipment (a.c.) – Part 2: Particular requirements – Electromechanical meters for active energy (class indexes A and B)	26 February 2023
15.	EN 50470-3:2006 Electricity metering equipment (a.c.) – Part 3: Particular requirements – Static meters for active energy (class indexes A, B and C)	26 February 2023

COMMISSION IMPLEMENTING DECISION (EU) 2021/1403**of 25 August 2021****amending Implementing Decision (EU) 2019/1202 as regards harmonised standards for light offshore cranes**

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,

Whereas:

- (1) In accordance with Article 12 of Directive 2014/34/EU of the European Parliament and of the Council ⁽²⁾, products which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, are to be presumed to be in conformity with the essential health and safety requirements set out in Annex II to that Directive covered by those standards or parts thereof.
- (2) By letter BC/CEN/46-92 – BC/CLC/05-92 of 12 December 1994, the Commission made a request to the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (Cenelec) for the drafting and revision of harmonised standards in support of Directive 94/9/EC of the European Parliament and of the Council ⁽³⁾. That Directive was replaced by Directive 2014/34/EU without changing the essential health and safety requirements set out in Annex II to Directive 94/9/EC.
- (3) In particular, CEN and Cenelec were requested to draft a standard on the design and testing of equipment for use in potentially explosive atmospheres as indicated in Chapter I of the standardisation programme agreed between CEN and Cenelec and the Commission and attached to request BC/CEN/46-92 – BC/CLC/05-92. CEN and Cenelec were also requested to revise the existing standards with a view to aligning them to the essential health and safety requirements of Directive 94/9/EC.
- (4) On the basis of the request BC/CEN/46-92 – BC/CLC/05-92, CEN drafted the harmonised standard EN 13852-3:2021 on light offshore cranes.
- (5) The Commission together with CEN has assessed whether the standard EN 13852-3:2021 drafted by CEN complies with the request BC/CEN/46-92 – BC/CLC/05-92.
- (6) It is necessary to clarify which versions of standards referred to in clause 2 ‘Normative references’ of standard EN 13852-3:2021 are to be applied for the purposes of presumption of conformity.
- (7) The column ‘Remarks/Notes’ of Table ZB.1 in standard EN 13852-3:2021 for the purposes of Implementing Decision (EU) 2019/1202 should be excluded from publication due to inconsistency of that column with requirements in the main normative body of the standard and due to legal uncertainty resulting from the interpretation of the legal effect of presumption of conformity included in the title of this column.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres (OJ L 96, 29.3.2014, p. 309).

⁽³⁾ Directive 94/9/EC of the European Parliament and the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (OJ L 100, 19.4.1994, p. 1).

- (8) The standard EN 13852-3:2021 satisfies the requirements which it aims to cover and which are set out in Annex II to Directive 2014/34/EU. It is therefore appropriate to publish the reference of that standard in the *Official Journal of the European Union* with restriction.
- (9) Annex I to Commission Implementing Decision (EU) 2019/1202 ⁽⁴⁾ lists the references of harmonised standards drafted in support of Directive 2014/34/EU. The reference of harmonised standard EN 13852-3:2021 should be included in that Annex.
- (10) Implementing Decision (EU) 2019/1202 should therefore be amended accordingly.
- (11) 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 day of its publication,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/1202 is amended in accordance with the annex to this Decision.

Article 2

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

Done at Brussels, 25 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ Commission Implementing Decision (EU) 2019/1202 of 12 July 2019 on the harmonised standards for equipment and protective systems intended for use in potentially explosive atmospheres drafted in support of Directive 2014/34/EU of the European Parliament and of the Council (OJ L 189, 15.7.2019, p. 71).

ANNEX

In Annex I to Implementing Decision (EU) 2019/1202, the following entry is added:

No	Reference of the standard
‘4.	EN 13852-3:2021 Offshore cranes – Part 3: Light offshore cranes Notice1: The normative references referred to in clause 2 of harmonised standard EN IEC 60079-0:2018 shall be read as EN IEC 60079-0:2018 corrected by EN IEC 60079-0:2018/AC:2020-02 Notice2: The normative references referred to in clause 2 of harmonised standard EN ISO 80079-36:2016 shall be read as EN ISO 80079-36:2016 corrected by EN ISO 80079-36:2016/AC:2019 Restriction: this publication does not cover the following part of the standard: column “Remarks/Notes” of Table ZB.1’

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