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EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1950

of 14 October 2022

renewing the approval of creosote as an active substance for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 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 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular Article 14(4), point (a), thereof,

Whereas:

- (1) The active substance creosote was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ for use in biocidal products of product-type 8 and pursuant to Article 86 of Regulation (EU) No 528/2012 is therefore considered approved under that Regulation subject to the conditions set out in Annex I to that Directive.
- (2) On 27 October 2016, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of creosote for use in biocidal products of product-type 8. That application was evaluated by the competent authority of the United Kingdom as the evaluating competent authority.
- (3) On 16 September 2019, the evaluating competent authority submitted a recommendation on the renewal of the approval of creosote to the European Chemicals Agency ('the Agency'). Due to the withdrawal of the United Kingdom from the Union, the competent authority of Poland has taken over the role of evaluating competent authority regarding the application on 30 January 2020.
- (4) In accordance with Article 14(3) of Regulation (EU) No 528/2012, on 4 December 2020 the Agency adopted an opinion ⁽³⁾ formulated by its Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽³⁾ Biocidal Products Committee (BPC) opinion on the application for renewal of the approval of the active substance: creosote, Product type: 8, ECHA/BPC/274/2020, adopted on 4 December 2020.

- (5) According to that opinion, creosote is classified as carcinogen category 1B in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽⁴⁾ and meets the criteria for being a persistent, bioaccumulative and toxic (PBT) substance and a very persistent and very bioaccumulative (vPvB) substance in accordance with Annex XIII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽⁵⁾. Creosote therefore meets the exclusion criteria set out in Article 5(1), points (a) and (e), of Regulation (EU) No 528/2012.
- (6) Pursuant to Article 12(1) of Regulation (EU) No 528/2012, the approval of active substances meeting the exclusion criteria may only be renewed if the active substance still meets at least one of the conditions set out in Article 5(2) of that Regulation.
- (7) The Commission, with the support of the Agency, carried out a public consultation in order to gather information as to whether the conditions set out in Article 5(2) of Regulation (EU) No 528/2012 were satisfied.
- (8) The opinion of the Agency and the contributions to the public consultation were discussed with Member States in the Standing Committee on Biocidal Products. Member States were also requested to indicate whether they consider that at least one of the conditions set out in Article 5(2) of Regulation (EU) No 528/2012 would be met in their respective territory, and to provide justifications.
- (9) From the information collected and the views expressed by Member States, it appears that creosote and wood treated with creosote are still needed in many Member States for railway sleepers and for utility poles for electricity and telecommunications.
- (10) Wood treated with products containing creosote is used to make wooden railway sleepers for various technical reasons (light weight compared to concrete sleepers and corresponding ease of maintenance, good resilience, high service life expectancy sought for railway infrastructures which are built to last several decades, sustainable material). Wooden railway sleepers have great flexibility in terms of where they can be used (such as inaccessible areas, switching points, tunnels, bridges, small radius curves). Moreover, the railway sleeper use class is a safety-critical application which may be subject to rail infrastructure type approval or certification requirements for reasons related to the safety of people (passengers, train operators, etc.) and railway equipment, namely trains and infrastructures. Good operation of train infrastructures is essential for the proper functioning of society and economic activities. Alternative biocidal products to treat wooden railway sleepers are under development and one product containing a mixture of copper hydroxide, DDA Carbonate and penflufen has recently been authorised in several Member States. However, time is needed to test and have a sufficient return on experience of those alternative products, and to ensure that they can meet the long service life expected of railway sleepers.
- (11) Alternative materials to wood for railway sleepers exist, including concrete, steel or composite materials such as fibre-reinforced foamed urethane, each presenting advantages (for example, similar mechanical properties and durability to creosote-treated wood railway sleepers) and disadvantages (for example, issues of maintenance of certain tracks in inaccessible areas, switching points, tunnels, secondary lines; cost; higher negative environmental footprint than wood; difficulty in track maintenance to mix wooden sleepers with sleepers made from other materials due to the different ballast requirements). A non-renewal of approval of creosote as an active substance for use in biocidal products for the treatment of wood to make railway sleepers would create serious technical and economic impacts on railway infrastructure operators in some Member States where substitution would be technically or economically difficult for the moment.

⁽⁴⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽⁵⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

- (12) Wood treated with products containing creosote is used to make utility poles for electricity and telecommunications for various technical reasons (for example, light weight compared to concrete poles and corresponding ease of maintenance, good resilience, high service life expectancy sought for electricity and telecommunication infrastructures which are built to last several decades, sustainable material). Alternative biocidal products to treat wooden poles are under development and a product containing a mixture of copper hydroxide, DDA Carbonate and penflufen has recently been authorised in several Member States. Some other biocidal products, based on copper compounds or quaternary ammonium compounds as active substances, have reached the final stage of authorisation procedure. However, time is needed to test and have a sufficient return on experience of those alternative products.
- (13) Alternatives to wood as a material for utility poles exist, including steel, concrete, fibreglass, composite materials or composite barrier sleeves installed around treated wooden utility poles. Each of these alternatives presents advantages (for example, rigidity; invariant physical characteristics; fire retardancy) and disadvantages (for example, the need for further testing; possible shorter service life or other technical concerns; more expensive when compared to wooden poles). Another alternative is the laying of transmission cables underground, in particular in urban and city environments, although this option may become more technically challenging depending on the natural terrain across which the network must traverse (for example, remote areas or mountains), and an installation and maintenance may appear more complex, costly and not feasible in all circumstances. A non-renewal of approval of creosote for use in wooden poles might create an economic impact on electricity and telecommunication infrastructure operators, and problems for the maintenance of certain transmission cables (for example, areas not easily accessible, rapid response in case of serious storms) in some Member States where substitution with other materials or underground transmission cables would be technically or economically difficult for the moment.
- (14) The Agency identified risks for human health arising from the use of biocidal products containing creosote for the treatment of railway sleepers and utility poles for the workers responsible for the treatment of wood, for the pole installers and the electricity pole installers, and for the exposure of the general public. Risk mitigation measures should be implemented to limit the exposure to creosote as far as possible, for example the recourse to mechanical or automated processes to avoid manual handling of treated wood, and the wearing of personal protective equipment by workers, and ensuring that treated wood is not accessible to the general public during storage. Risks for the environment have also been identified as creosote is PBT/vPvB, and risk mitigation measures should be implemented to limit the exposure of the environment to creosote as far as possible, for example providing that industrial application is to be conducted within a contained area or on impermeable hard standing with bunding; that freshly treated timber is to be stored after treatment under shelter or on impermeable hard standing, or both, to prevent direct losses to soil, sewer or water; and that any losses from the application of the product are to be collected for reuse or disposal.
- (15) On the basis of the information collected, it is concluded that the non-approval of creosote as an active substance for use in biocidal products would have a disproportionate negative impact on society in comparison to the risks arising from the use of the substance for the treatment of wood used to make railway sleepers and utility poles for electricity and telecommunications. The condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012 is thus satisfied for those uses.
- (16) It is therefore appropriate to renew the approval of creosote for use in biocidal products of product-type 8, subject to compliance with certain conditions.
- (17) Creosote is a candidate for substitution in accordance with Article 10(1), points (a), (d) and (e), of Regulation (EU) No 528/2012 and therefore the period of renewal should not exceed 7 years, pursuant to Article 10(4) of that Regulation.
- (18) To keep exposure to humans and the environment to a minimum, biocidal products should only be authorised for the treatment by vacuum pressure impregnation of wood in industrial installations to make railway sleepers, or utility poles for electricity or telecommunications. Pursuant to point 10 of Annex VI to Regulation (EU) No 528/2012, the product assessment should include an evaluation as to whether the conditions of Article 5(2) of that Regulation are satisfied. It should be provided that products may only be authorised for use in Member States where the condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012 is satisfied.

- (19) To ensure that products are only supplied for use in industrial installations, it should be allowed to place products on the market only in packaging of a capacity equal to or greater than 200 litres, and it should not be allowed to make products available on the market to the general public.
- (20) Furthermore, to ensure a high level of safety for human health, animal health and the environment, the placing on the market of wood treated with creosote should be subject to conditions. In particular, to ensure that wood treated with creosote is placed on the market only in Member States where the use of the biocidal products containing creosote could be authorised as the condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012 is satisfied, lists of Member States where the placing on the market of railway sleepers or utility poles for electricity and telecommunication is allowed should be made publicly available. It should be possible for a Member State to ask to be removed from either of those lists so that wood treated for the concerned use(s) can no longer be placed on the market of that Member State. In addition, the person responsible for the placing on the market of wood treated with creosote should ensure that the label of that treated wood includes specific statements aiming to protect human health and the environment, avoid unauthorised use of the treated wood, and ensure that treated wood is placed on the market only in Member States included in such lists and in the Member States that have been removed from a list for a certain period of time.
- (21) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ('Withdrawal Agreement'), and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, Regulation (EU) No 528/2012 as well as the Commission acts based on it, applies to and in the United Kingdom in respect of Northern Ireland after the end of the transition period provided for in the Withdrawal Agreement. For that reason the lists of states where treated wood may be placed on the market should also include the United Kingdom in respect of Northern Ireland, where necessary.
- (22) In respect of uses of creosote other than for the treatment of wood to make railway sleepers and utility poles for electricity and telecommunications referred to in the application for renewal of approval, it has not been demonstrated that any of the conditions set out in Article 5(2) of Regulation (EU) No 528/2012 is met. In particular, as regards the condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012, it has not been demonstrated that the non-renewal of creosote as an active substance for use in biocidal products for such uses will have a disproportionate negative impact on society compared to the risks of using creosote and wood treated with creosote. Suitable and sufficient alternatives exist and are already implemented in almost all Member States, and can be implemented in the entire Union. In order to allow sufficient time for economic operators to adapt to the requirements set down in this Implementing Regulation, a period of transition should be set after which that wood treated with biocidal products containing creosote is no longer placed on the market other than as railway sleepers and utility poles for electricity and telecommunications. The same period should apply to the placing on the market of railway sleepers and utility poles for electricity and telecommunications treated with creosote in Member States not included in the lists for the concerned uses.
- (23) By Commission Implementing Decision (EU) 2021/1839 ⁽⁹⁾, the expiry date of approval of creosote for use in biocidal products of product-type 8 was postponed to 31 October 2022. As the examination of the application for the renewal of that approval is now finalised, it is appropriate to repeal Implementing Decision (EU) 2021/1839.
- (24) Creosote, its compounds, and wood treated with them, are subject to restrictions laid down in Annex XVII to Regulation (EC) No 1907/2006. This Regulation does not affect the obligation to comply with those restrictions.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽⁹⁾ Commission Implementing Decision (EU) 2021/1839 of 15 October 2021 postponing the expiry date of approval of creosote for use in biocidal products of product-type 8 (OJ L 372, 20.10.2021, p. 27).

HAS ADOPTED THIS REGULATION:

Article 1

The approval of creosote as an active substance for use in biocidal products of product-type 8 is renewed, subject to the specifications and conditions set out in the Annex.

Article 2

Implementing Decision (EU) 2021/1839 is repealed.

Article 3

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, 14 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Expiry date of approval	Product type	Specific conditions
Creosote	IUPAC Name: Creosote EC No: 232-287-5 CAS No: 8001-58-9	100 % (w/w) Creosote shall contain less than: — 0,005 % (w/w) of benzo[a]pyrene — 3 % (w/w) of water extractable phenols	31 October 2029	8	Creosote is considered a candidate for substitution in accordance with Article 10(1), points (a), (d) and (e), of Regulation (EU) No 528/2012. The authorisations of biocidal products are subject to the following conditions: (1) Products may only be authorised for the treatment by vacuum pressure impregnation of wood in industrial installations to make railway sleepers, or utility poles for electricity or telecommunications. (2) Pursuant to point 10 of Annex VI to Regulation (EU) No 528/2012, the product assessment shall include an evaluation as to whether the condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012 is satisfied. (3) Products may only be authorised for use in Member States where the condition set out in Article 5(2), point (c), of Regulation (EU) No 528/2012 is satisfied. (4) Products may be placed on the market only in packaging of a capacity equal to or greater than 200 litres, and shall not be made available on the market to the general public. (5) The assessment of applications for product authorisation shall pay particular attention to: (a) professional users; (b) secondary exposure of the general public; (c) the soil and aquatic compartments; (d) the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance.

				(6) Labels and, where provided, safety data sheets of products authorised, shall indicate that industrial application shall be conducted within a contained area or on impermeable hard standing with bunding; that freshly treated timber shall be stored after treatment under shelter or on impermeable hard standing, or both, to prevent direct losses to soil, sewer or water; and that any losses from the application of the product shall be collected for reuse or disposal. The placing on the market of treated articles is subject to the following conditions: (1) By 31 January 2023, the Agency shall make publicly available on its website, based on the requests made by Member States: (a) a list of Member States where railway sleepers treated with creosote may be placed on the market; (b) a list of Member States where utility poles for electricity and telecommunications treated with creosote may be placed on the market. (2) As from 30 April 2023, only railway sleepers, or utility poles for electricity or telecommunications treated with creosote may be placed on the market in Member States included in the respective list referred to in this paragraph, point (1). A Member State may ask the Agency to be removed from the respective list at any time. When the Agency removes a Member State from either of the lists, the date of removal shall be indicated, and treated articles for the concerned use shall no longer be placed on the market of that Member State 180 days after the date of removal. (3) The person responsible for the placing on the market of a treated article shall ensure that the label of that treated article provides the information listed in Article 58(3), second subparagraph, of Regulation (EU) No 528/2012.
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					(4) The person responsible for the placing on the market of a treated article shall ensure that the label of that treated article includes the statement: 'During storage, treated wood shall not be accessible to the general public. Measures shall be taken to prevent unauthorised access. Treated wood must be stored on impermeable hard standing or on absorptive material to prevent runoff to the environment, and under shelter or covered with a tarpaulin. Any spill or contaminated material must be collected on such sites and disposed as hazardous waste.' (5) As from 30 April 2023, the person responsible for the placing on the market of a treated article shall ensure that the label of that treated article includes the statement: 'Only allowed for use as a railway sleeper' or 'Only allowed for use as utility pole for electricity lines or for telecommunication lines', as appropriate. (6) As from 30 April 2023, the person responsible for the placing on the market of a treated article shall ensure that the label of that treated article includes the statement: 'The placing on the market is restricted to certain Member States of the European Union: verify on the website of the European Chemicals Agency where the placing on the market is allowed.'
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(¹) The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

DECISIONS

COUNCIL DECISION (EU) 2022/1951

of 13 October 2022

appointing the Secretary-General of the Council of the European Union for the period from 1 November 2022 to 31 October 2027

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 240(2), first subparagraph, thereof,

Whereas the Secretary-General of the Council of the European Union should be appointed for the period from 1 November 2022 to 31 October 2027,

HAS ADOPTED THIS DECISION:

Article 1

Ms Thérèse BLANCHET is hereby appointed Secretary-General of the Council of the European Union for the period from 1 November 2022 to 31 October 2027.

Article 2

This Decision shall be notified to Ms Thérèse BLANCHET by the President of the Council.

It shall take effect on the date of its notification.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

COUNCIL DECISION (EU) 2022/1952**of 13 October 2022**

on the position to be taken on behalf of the Union within the Special Committee on Geographical Indications and Trade in Wines and Spirits established by the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part, as regards the adoption of the rules of procedure of the Special Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part ⁽¹⁾ (the 'Agreement') was signed by the Union and its Member States on 10 June 2016. It applies provisionally between the Union and its Member States, of the one part, and Botswana, Eswatini, Lesotho, Namibia and South Africa, of the other part, from 10 October 2016, and between the Union and its Member States, of the one part, and Mozambique, of the other part, from 4 February 2018.
- (2) The Special Committee on Geographical Indications and Trade in Wines and Spirits (the 'Special Committee') was established by the Agreement.
- (3) Pursuant to the Agreement, the Special Committee is to determine its own rules of procedure.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the Special Committee, as the decision on the adoption of its rules of procedure will have legal effects on the Union.
- (5) The position of the Union within the Special Committee as regards the adoption of its rules of procedure should be based on the draft Decision of that Committee attached to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Special Committee on Geographical Indications and Trade in Wines and Spirits, established by Article 13 of Protocol 3 to the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part, as regards the adoption of its rules of procedure shall be based on the draft decision of that Committee attached to this Decision.

Article 2

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

⁽¹⁾ OJ L 250, 16.9.2016, p. 3.

Done at Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

Draft

**DECISION No [...] OF THE SPECIAL COMMITTEE ON GEOGRAPHICAL INDICATIONS AND
TRADE IN WINES AND SPIRITS**

of ...

regarding its Rules of Procedure

THE SPECIAL COMMITTEE ON GEOGRAPHICAL INDICATIONS AND TRADE IN WINES AND SPIRITS,

Having regard to the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part (the 'Agreement'), signed in Kasane on 10 June 2016, and in particular Article 13(5) of Protocol 3 thereto,

HAS ADOPTED THIS DECISION:

The Rules of Procedure of the Special Committee on Geographical Indications and Trade in Wines and Spirits are established as set out in the Annex to this Decision.

This Decision shall enter into force on ...

Done at ...

*ANNEX***RULES OF PROCEDURE OF THE SPECIAL COMMITTEE ON GEOGRAPHICAL INDICATIONS AND TRADE IN WINES AND SPIRITS****Chapter I****Organisation***Article 1***Composition and Chair**

1. The Special Committee on Geographical Indications and Trade in Wine and Spirits ('the Special Committee') established under Article 13 of Protocol 3 of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part ('the Agreement'), shall perform its duties in accordance with Articles 1, 13 and 14 of that Protocol.
2. Reference to 'the Parties' in these rules of procedure shall be made in accordance with the definition provided for in Article 1 of the Protocol 3 of the Agreement.
3. The Special Committee shall be composed of representatives of the Parties.
4. The meetings of the Special Committee shall be chaired alternately by an official of the European Commission and by an official of the SADC EPA States adhering to Protocol 3. In case of South Africa it will be an officer of the Department of Trade, Industry and Competition.
5. The mandate referred to paragraph 4 that corresponds to the first period shall begin on the date of the first meeting of the Special Committee and end on 31 December of the same year.

*Article 2***Meetings**

1. The Special Committee shall meet at regular intervals, at least once a year, and at the request of either Party. The meetings shall be held alternately in Brussels or in the territory of one of the SADC EPA States adhering to Protocol 3 unless the Parties agree otherwise.
2. Unless the Parties agree otherwise, meetings of the Special Committee shall be convened by the Party holding the chair, after consulting the other Party or Parties, as the case may be.
3. The Parties may agree to alternative arrangements to accommodate exchange of documents by electronic means, whereas meetings may be convened by video or phone conference or any other means agreed by the Parties and suitable with the agenda of the meeting.

*Article 3***Observers**

The Special Committee may decide to invite observers to attend its meetings on an ad hoc basis and determine which agenda items will be open to those observers.

*Article 4***Secretariat**

1. The Party hosting the meeting of the Special Committee shall act as the Secretariat of the Special Committee ('the Secretariat').

2. When the meeting takes place under paragraph (3) of Article 2, the Party holding the chair shall act as the Secretariat.

Chapter II

Functioning

Article 5

Documents

1. Where the deliberations of the Special Committee are based on written supporting documents, such documents shall be numbered and circulated by the Secretariat as documents of the Special Committee.
2. The Parties may agree to set up a secure electronic mode to exchange documents and, where signature of documents is required, the use of electronic signature subject to the laws of the respective Parties. Each Party shall inform each other about the domestic rules ensuring the validity of the electronic signature.

Article 6

Notification and agenda for the meetings

1. The Secretariat shall notify the Parties of the convening of a meeting and request inputs for the agenda no later than 30 days before the meeting. In case of an urgent matter or unforeseen circumstances to be considered, the meeting may be convened at short notice.
2. A provisional agenda shall be drawn up by the Secretariat for each meeting. It shall be forwarded by the Secretariat to the Chair and to the members of the Special Committee no later than 14 days before the meeting.
3. The provisional agenda shall include items in respect of which the Secretariat has received a request for inclusion by a Party.
4. The agenda shall be adopted by the Special Committee at the beginning of each meeting. Items other than those on the provisional agenda may be placed on the agenda if the Parties so agree.
5. The Parties may agree to invite experts to attend its meetings in order to provide information on specific subjects.

Article 7

Report of meeting

1. Unless the Parties agree otherwise, the report of each meeting shall be drawn up by the Secretariat at the end of each meeting.
2. The report of the meeting shall include, as a general rule, the final agenda, a summary of the discussions under each agenda point and where applicable the Decisions and Recommendations of the Special Committee.
3. The report shall be finalised and adopted by the Parties as soon as possible but no later than 60 days from the date of the meeting.
4. A copy of the report shall be forwarded to the Secretariat of the Trade and Development Committee, and the Parties shall inform orally the Trade and Development Committee about the result of the meeting when appropriate.

*Article 8***Decisions and recommendations**

1. In accordance with Article 13(3) of Protocol 3 of the Agreement, the Special Committee may make recommendations and adopt decisions by consensus in the cases provided for in the Protocol 3 of the Agreement.
2. Where the Special Committee is empowered to adopt decisions or recommendations, such acts shall be entitled 'Decision' or 'Recommendation' respectively in the report of the meetings referred to in Article 7. The Secretariat shall give any adopted decision or recommendation a serial number, the date of adoption and a description of its subject-matter. Each decision or recommendation shall provide for the date of its entry into force.
3. In the period between meetings, the Special Committee may adopt decisions or recommendations by written procedure or by electronic means if the Parties so agree. A written procedure shall consist of an exchange of notes between representatives of the Parties.
4. Decisions and recommendations adopted by the Special Committee shall be authenticated by two original copies signed by a representative of each Party.

*Article 9***Working Language**

Unless otherwise decided by the Parties, all the correspondence and communication between the Parties relating to the work of the Special Committee, as well as the preparation of and deliberations on decisions and recommendations will be carried out in English.

*Article 10***Public Access**

1. The meetings of the Special Committee shall not be public, unless otherwise decided by the Parties.
2. The Parties shall publish the decisions and recommendations of the Special Committee in any appropriate medium. Each Party may decide to publish the report of each meeting in any appropriate medium.

Chapter III**Final Provisions***Article 11***Expenses**

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Special Committee, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenses in connection with the organisation of a meeting, the provision of interpretation services and the reproduction of documents shall be borne by the Party hosting the meeting.

*Article 12***Amendment of the rules of procedure**

These rules of procedure may be amended in writing by a decision of the Special Committee adopted in accordance with Article 8.

COMMISSION IMPLEMENTING DECISION (EU) 2022/1953**of 7 October 2022****on greenhouse gas emissions covered by Decision No 406/2009/EC of the European Parliament and of the Council for the year 2020 for each Member State**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC ⁽¹⁾, and in particular Article 19(6) thereof,

Whereas:

- (1) Decision No 406/2009/EC of the European Parliament and of the Council ⁽²⁾ lays down annual emission allocations for each Member State for each year of the period 2013 to 2020 and a mechanism to annually assess compliance with those limits. Member States' annual emission allocations expressed in tonnes of CO₂ equivalent are contained in Commission Decision 2013/162/EU ⁽³⁾. The adjustments to the annual emission allocations for each Member State are set in Commission Implementing Decision 2013/634/EU ⁽⁴⁾.
- (2) Article 19 of Regulation (EU) No 525/2013 provides for a procedure for the review of Member States' greenhouse gas emissions inventories for the purpose of assessing compliance with Decision No 406/2009/EC. The annual review referred to in Article 19(2) of Regulation (EU) No 525/2013 was carried out on the basis of the 2020 emissions data reported to the Commission in March 2022 in accordance with the procedures laid down in Chapter III of Commission Implementing Regulation (EU) No 749/2014 ⁽⁵⁾ and Annex XVI to that Regulation.
- (3) The total amount of greenhouse gas emissions covered by Decision No 406/2009/EC for the year 2020 for each Member State should take into consideration the technical corrections and revised estimates calculated during the annual review as contained in the final review reports drawn up pursuant to Article 35(2) of Regulation (EU) No 749/2014.
- (4) This Decision should enter into force on the day of its publication in order to be aligned with the provisions of Article 19(7) of Regulation (EU) No 525/2013 which sets the date of publication of this Decision as the starting point for the four-month period when Member States are allowed to use the flexibility mechanisms under Decision No 406/2009/EC,

HAS ADOPTED THIS DECISION:

Article 1

The total sum of greenhouse gas emissions covered by Decision No 406/2009/EC for each Member State for the year 2020 arising from the corrected inventory data upon completion of the annual review referred to in Article 19(2) of Regulation (EU) No 525/2013 is set out in the Annex to this Decision.

⁽¹⁾ OJ L 165, 18.6.2013, p. 13.

⁽²⁾ Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

⁽³⁾ Commission Decision 2013/162/EU of 26 March 2013 on determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 90, 28.3.2013, p. 106).

⁽⁴⁾ Commission Implementing Decision 2013/634/EU of 31 October 2013 on the adjustments to Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 292, 1.11.2013, p. 19).

⁽⁵⁾ Commission Implementing Regulation (EU) No 749/2014 of 30 June 2014 on structure, format, submission processes and review of information reported by Member States pursuant to Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 203, 11.7.2014, p. 23).

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, 7 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Member State	Greenhouse gas emissions for the year 2020 covered by Decision No 406/2009/EC (tonnes of carbon dioxide equivalent)
Belgium	64 904 157
Bulgaria	25 735 613
Czechia	58 650 330
Denmark	30 835 287
Germany	407 410 808
Estonia	5 934 829
Ireland	44 721 180
Greece	42 893 855
Spain	184 188 341
France	307 767 715
Croatia	16 518 244
Italy	254 001 457
Cyprus	4 243 155
Latvia	8 436 245
Lithuania	14 042 972
Luxembourg	7 687 843
Hungary	43 906 325
Malta	1 311 233
The Netherlands	90 196 821
Austria	46 543 211
Poland	205 093 211
Portugal	38 536 930
Romania	77 123 535
Slovenia	9 754 284
Slovakia	18 877 704
Finland	28 120 096
Sweden	29 384 094
United Kingdom	298 936 220

COMMISSION IMPLEMENTING DECISION (EU) 2022/1954**of 12 October 2022****on harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/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 2013/53/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 presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 4(1) of Directive 2013/53/EU and Annex I to that Directive.
- (2) By Implementing Decision C(2015) 8736 ⁽³⁾, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) for the drafting and revision of harmonised standards in support of Directive 2013/53/EU addressing the stricter essential requirements set out in Article 4(1) of Directive 2013/53/EU and in Annex I to that Directive in comparison with the repealed Directive 94/25/EC of the European Parliament and of the Council ⁽⁴⁾.
- (3) By Implementing Decision C(2015) 8736 CEN and Cenelec were also requested to revise standards the references of which were published by Commission communication 2018/C 209/05 ⁽⁵⁾.
- (4) On the basis of the request set out in Implementing Decision C(2015) 8736, CEN revised harmonised standard EN ISO 10087:2019 on craft identification and coding system for small craft, the reference of which is included in Annex I to Commission Implementing Decision (EU) 2019/919 ⁽⁶⁾. This resulted in the adoption of the harmonised standard EN ISO 10087:2022 on craft identification and coding system for small craft.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC (OJ L 354, 28.12.2013, p. 90).

⁽³⁾ Commission Implementing Decision C(2015) 8736 final of 15 December 2015 on a standardisation request to the European Committee for Standardisation and the European Committee for Electro-technical Standardisation as regards recreational craft and personal watercraft in support of Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC.

⁽⁴⁾ Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (OJ L 164, 30.6.1994, p. 15).

⁽⁵⁾ Commission communication in the framework of the implementation of Directive 2013/53/EU of the European Parliament and of the Council on recreational craft and personal watercraft and repealing Directive 94/25/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) (OJ C 209, 15.6.2018, p. 137).

⁽⁶⁾ Commission Implementing Decision (EU) 2019/919 of 4 June 2019 on the harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU of the European Parliament and of the Council (OJ L 146, 5.6.2019, p. 106).

- (5) The Commission together with CEN has assessed whether this harmonised standard complies with the request set out in Implementing Decision C(2015) 8736.
- (6) The standard EN ISO 10087:2022 satisfies the requirements which it aims to cover and which are set out in Article 4(1) of Directive 2013/53/EU, as well as in Part A of Annex I to that Directive. It is therefore appropriate to publish the reference of this standard in the *Official Journal of the European Union*.
- (7) Standard EN ISO 10087:2022 is to replace standard EN ISO 10087:2019. It is therefore necessary to withdraw the reference of standard EN ISO 10087:2019 from the *Official Journal of the European Union*.
- (8) In order to give manufacturers sufficient time to adapt their products to the revised version of harmonised standard EN ISO 10087:2019, it is necessary to defer the withdrawal of the reference of this standard.
- (9) In the interests of clarity and rationality, a complete list of references of harmonised standards drafted in support of Directive 2013/53/EU and satisfying the requirements they aim to cover should be published in a single act. The references of harmonised standards drafted in support of Directive 2013/53/EU are currently published by Implementing Decision (EU) 2019/919 and Communication 2018/C 209/05.
- (10) Implementing Decision (EU) 2019/919 has been substantially amended several times. In the interests of clarity and rationality, and since further amendment needs to be made to that Implementing Decision, that Implementing Decision should be replaced.
- (11) Many of the references of harmonised standards published by Communication 2018/C 209/05 have been withdrawn. Implementing Decision (EU) 2019/919 provides for withdrawal of the remaining references of harmonised standards that are published by that Communication. In the interests of clarity and rationality Communication 2018/C 209/05 should be repealed. In order to give manufacturers sufficient time to adapt their products to the revised versions of the standards concerned, Communication 2018/C 209/05 should continue to apply until the dates of withdrawal of the references of harmonised standards concerned published by that Communication.

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 of harmonised standards for recreational craft and personal watercraft drafted in support of Directive 2013/53/EU, listed in Annex I to this Decision, are hereby published in the *Official Journal of the European Union*.

Article 2

Implementing Decision (EU) 2019/919 is repealed.

Article 3

Communication 2018/C 209/05 is repealed.

However, it shall continue to apply in respect of the references of harmonised standards listed in Annex II to this Decision until the dates of withdrawal of those references set out in that Annex.

Article 4

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

Done at Brussels, 12 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

No	Reference of the standard
1.	EN ISO 6185-1:2018 Inflatable boats – Part 1: Boats with a maximum motor power rating of 4,5 kW (ISO 6185-1:2001)
2.	EN ISO 6185-2:2018 Inflatable boats – Part 2: Boats with a maximum motor power rating of 4,5 kW to 15 kW inclusive (ISO 6185-2:2001)
3.	EN ISO 6185-3:2018 Inflatable boats – Part 3: Boats with a hull length less than 8 m with a motor rating of 15 kW and greater (ISO 6185-3:2014)
4.	EN ISO 6185-4:2018 Inflatable boats – Part 4: Boats with a hull length of between 8 m and 24 m with a motor power rating of 15 kW and greater (ISO 6185-4:2011, Corrected version 2014-08-01)
5.	EN ISO 7840:2021 Small craft – Fire-resistant fuel hoses (ISO 7840:2021)
6.	EN ISO 8099-1:2018 Small craft – Waste systems – Part 1: Waste water retention (ISO 8099-1:2018)
7.	EN ISO 8099-2:2021 Small craft – Waste systems – Part 2: Sewage treatment systems (ISO 8099-2:2020)
8.	EN ISO 8469:2021 Small craft – Non-fire-resistant fuel hoses (ISO 8469:2021)
9.	EN ISO 8665:2017 Small craft – Marine propulsion reciprocating internal combustion engines – Power measurements and declarations (ISO 8665:2006)
10.	EN ISO 8666:2020 Small craft – Principal data (ISO 8666:2020) EN ISO 8666:2020/A11:2021
11.	EN ISO 8846:2017 Small craft – Electrical devices – Protection against ignition of surrounding flammable gases (ISO 8846:1990)
12.	EN ISO 8847:2021 Small craft – Steering gear – Cable over pulley systems (ISO 8847:2021)
13.	EN ISO 8848:2017 Small craft – Remote steering systems (ISO 8848:1990)
14.	EN ISO 8849:2021 Small craft – Electrically operated bilge pumps (ISO 8849:2020)

No	Reference of the standard
15.	EN ISO 9093:2021 Small craft – Seacocks and through-hull fittings (ISO 9093:2020)
16.	EN ISO 9094:2017 Small craft – Fire protection (ISO 9094:2015)
17.	EN ISO 10087:2022 Small craft – Craft identification – Coding system (ISO 10087:2022)
18.	EN ISO 10088:2017 Small craft – Permanently installed fuel systems (ISO 10088:2013)
19.	EN ISO 10133:2017 Small craft – Electrical systems – Extra-low-voltage d.c. installations (ISO 10133:2012)
20.	EN ISO 10239:2017 Small craft – Liquefied petroleum gas (LPG) systems (ISO 10239:2014)
21.	EN ISO 10592:2017 Small craft – Hydraulic steering systems (ISO 10592:1994)
22.	EN ISO 11105:2020 Small craft – Ventilation of petrol engine and/or petrol tank compartments (ISO 11105:2020)
23.	EN ISO 11192:2018 Small craft – Graphical symbols (ISO 11192:2005)
24.	EN ISO 11547:2018 Small craft – Start-in-gear protection (ISO 11547:1994)
25.	EN ISO 11592-1:2016 Small craft – Determination of maximum propulsion power rating using manoeuvring speed – Part 1: Craft with a length of hull less than 8 m (ISO 11592-1:2016)
26.	EN ISO 11592-2:2021 Small craft – Determination of maximum propulsion power rating using manoeuvring speed – Part 2: Craft with a length of hull between 8 m and 24 m (ISO 11592-2:2021)
27.	EN ISO 11812:2018 Small craft – Watertight cockpits and quick-draining cockpits (ISO 11812:2001)
28.	EN ISO 12215-1:2018 Small craft – Hull construction and scantlings – Part 1: Materials: Thermosetting resins, glass-fibre reinforcement, reference laminate (ISO 12215-1:2000)
29.	EN ISO 12215-2:2018 Small craft – Hull construction and scantlings – Part 2: Materials: Core materials for sandwich construction, embedded materials (ISO 12215-2:2002)

No	Reference of the standard
30.	EN ISO 12215-3:2018 Small craft – Hull construction and scantlings – Part 3: Materials: Steel, aluminium alloys, wood, other materials (ISO 12215-3:2002)
31.	EN ISO 12215-4:2018 Small craft – Hull construction and scantlings – Part 4: Workshop and manufacturing (ISO 12215-4:2002)
32.	EN ISO 12215-5:2019 Small craft – Hull construction and scantlings – Part 5: Design pressures for monohulls, design stresses, scantlings determination (ISO 12215-5:2019)
33.	EN ISO 12215-6:2018 Small craft – Hull construction and scantlings – Part 6: Structural arrangements and details (ISO 12215-6:2008)
34.	EN ISO 12215-8:2018 Small craft – Hull construction and scantlings – Part 8: Rudders (ISO 12215-8:2009, including Cor 1:2010)
35.	EN ISO 12215-9:2018 Small craft – Hull construction and scantlings – Part 9: Sailing craft appendages (ISO 12215-9:2012)
36.	EN ISO 12216:2018 Small craft – Windows, portlights, hatches, deadlights and doors – Strength and watertightness requirements (ISO 12216:2002)
37.	EN ISO 12217-1:2017 Small craft – Stability and buoyancy assessment and categorization – Part 1: Non-sailing boats of hull length greater than or equal to 6 m (ISO 12217-1:2015)
38.	EN ISO 12217-2:2017 Small craft – Stability and buoyancy assessment and categorization – Part 2: Sailing boats of hull length greater than or equal to 6 m (ISO 12217-2:2015)
39.	EN ISO 12217-3:2017 Small craft – Stability and buoyancy assessment and categorization – Part 3: Boats of hull length less than 6 m (ISO 12217-3:2015)
40.	EN ISO 13297:2018 Small craft – Electrical systems – Alternating current installations (ISO 13297:2014)
41.	EN ISO 13590:2018 Small craft – Personal watercraft – Construction and system installation requirements (ISO 13590:2003)
42.	EN ISO 13929:2017 Small craft – Steering gear – Geared link systems (ISO 13929:2001)

No	Reference of the standard
43.	EN ISO 14509-1:2018 Small craft – Airborne sound emitted by powered recreational craft – Part 1: Pass-by measurement procedures (ISO 14509-1:2008)
44.	EN ISO 14509-3:2018 Small craft – Airborne sound emitted by powered recreational craft – Part 3: Sound assessment using calculation and measurement procedures (ISO 14509-3:2009)
45.	EN ISO 14895:2016 Small craft – Liquid-fuelled galley stoves and heating appliances (ISO 14895:2016)
46.	EN ISO 14945:2021 Small craft – Builder's plate (ISO 14945:2021)
47.	EN ISO 14946:2021 Small craft – Maximum load capacity (ISO 14946:2021)
48.	EN ISO 15083:2018 Small craft – Bilge-pumping systems (ISO 15083:2003)
49.	EN ISO 15084:2018 Small craft – Anchoring, mooring and towing – Strong points (ISO 15084:2003)
50.	EN ISO 15085:2003 Small craft – Man-overboard prevention and recovery (ISO 15085:2003) EN ISO 15085:2003/A1:2009 EN ISO 15085:2003/A2:2018
51.	EN ISO 15584:2017 Small craft – Inboard petrol engines – Engine-mounted fuel and electrical components (ISO 15584:2001)
52.	EN 15609:2021 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other watercraft – Installation requirements
53.	EN ISO 16147:2021 Small craft – Inboard diesel engines – Engine-mounted fuel, oil and electrical components (ISO 16147:2020)
54.	EN ISO 16180:2018 Small craft – Navigation lights – Installation, placement and visibility (ISO 16180:2013)
55.	EN ISO 16315:2016 Small craft – Electric propulsion system (ISO 16315:2016)
56.	EN ISO 18854:2015 Small craft – Reciprocating internal combustion engines exhaust emission measurement – Test-bed measurement of gaseous and particulate exhaust emissions (ISO 18854:2015)

No	Reference of the standard
57.	EN ISO 19009:2015 Small craft – Electric navigation lights – Performance of LED lights (ISO 19009:2015)
58.	EN ISO 21487:2018 Small craft – Permanently installed petrol and diesel fuel tanks (ISO 21487:2012, including Amd 1:2014 and Amd 2:2015)
59.	EN ISO 23411:2021 Small craft – Steering wheels (ISO 23411:2020)
60.	EN ISO 25197:2018 Small craft – Electrical/electronic control systems for steering, shift and throttle (ISO 25197:2012, including Amd 1:2014)
61.	EN 60092-507:2015 Electrical installations in ships – Part 507 – Small vessels (IEC 60092-507:2014)

ANNEX II

No	Reference of the standard	Date of withdrawal
1.	EN ISO 7840:2018 Small craft – Fire-resistant fuel hoses (ISO 7840:2013)	27 February 2023
2.	EN ISO 8469:2018 Small craft – Non-fire-resistant fuel hoses (ISO 8469:2013)	27 February 2023
3.	EN ISO 8666:2018 Small craft – Principal data (ISO 8666:2016)	29 December 2023
4.	EN ISO 8847:2017 Small craft – Steering gear – Cable and pulley systems (ISO 8847:2004)	10 September 2023
5.	EN ISO 9093-1:2018 Small craft – Seacocks and through-hull fittings – Part 1: Metallic (ISO 9093-1:1994)	27 February 2023
6.	EN ISO 9093-2:2018 Small craft – Seacocks and through-hull fittings – Part 2: Non-metallic (ISO 9093-2:2002)	27 February 2023
7.	EN ISO 9775:2017 Small craft – Remote steering systems for single outboard motors of 15 kW to 40 kW power (ISO 9775:1990)	27 February 2023
8.	EN ISO 10087:2019 Craft identification and coding system for small craft	17 April 2024
9.	EN 15609:2012 LPG equipment and accessories – LPG propulsion systems for boats, yachts and other craft	29 December 2023
10.	EN ISO 15652:2017 Small craft – Remote steering systems for inboard mini jet boats (ISO 15652:2003)	27 February 2023
11.	EN ISO 16147:2017 Small craft – Inboard diesel engines – Engine-mounted fuel and electrical components (ISO 16147:2002, including Amd 1:2013)	27 February 2023

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