Commission Implementing Decision (EU) 2020/660 of 15 May 2020 amending Implementing Decision (EU) 2019/1326 as regards the electromagnetic compatibility of electromechanical contactors and motor-starters, arc quenching devices, distribution boards intended to be operated by ordinary persons and industrial trucks

COMMISSION IMPLEMENTING DECISION (EU) 2020/660

of 15 May 2020

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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 13 of Directive 2014/30/EU of the European Parliament and of the Council[(2)], electrical equipment which is 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 covered by those standards or parts thereof set out in Annex I to that Directive.

(2) By Commission Implementing Decision C(2016) 7641[(3)], 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 and revision of harmonised standards for electromagnetic compatibility in support of Directive 2014/30/EU.

(3) On the basis of the request set out in Implementing Decision C(2016) 7641, CEN and Cenelec drafted harmonised standards EN IEC 60947-4-1:2019 for electromechanical contactors and motor-starters and EN IEC 60947-9-1:2019 for arc quenching devices.

(4) On the basis of the request set out in Implementing Decision C(2016) 7641, CEN and Cenelec revised harmonised standard EN 12895:2015, the reference of which is published in the C series of the *Official Journal of the European Union*[(4)]. This resulted in adoption of harmonised standard EN 12895:2015+A1:2019 for industrial trucks.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/660. (See end of Document for details)*

(5) The Commission, together with CEN and Cenelec, has assessed whether harmonised standards EN IEC 60947-4-1:2019, EN IEC 60947-9-1:2019 and EN 12895:2015+A1:2019 comply with the request set out in Implementing Decision C(2016) 7641.

(6) The standards EN IEC 60947-4-1:2019, EN IEC 60947-9-1:2019 and EN 12895:2015+A1:2019 satisfy the essential requirements which they aim to cover and which are set out in Directive 2014/30/EU. It is therefore appropriate to publish the reference of those standards in the *Official Journal of the European Union.*

(7) The technical specifications for the electromagnetic immunity of products covered by harmonised standard EN 55103-2:2009, the reference of which is published in the C series of the *Official Journal of the European Union*[(5)]*,* are also covered by a more recent harmonised standard, EN 55035:2017, the reference of which is published in the *Official Journal of the European Union* by Commission Implementing Decision (EU) 2019/1326[(6)]. Harmonised standard EN 55103-2:2009 should therefore be withdrawn.

(8) CEN and Cenelec drafted corrigendum EN 61439-3:2012/AC:2019-04 correcting harmonised standard EN 61439-3:2012, the reference of which is published in the C series of the *Official Journal of the European Union*[(7)]. Due to the fact that the corrigendum introduces technical corrections and in order to ensure correct and consistent application of harmonised standard EN 61439-3:2012, it is appropriate to publish the reference of the harmonised standard together with the reference of the corrigendum in the *Official Journal of the European Union*.

(9) It is therefore necessary to withdraw the references of harmonised standards EN 55103-2:2009, EN 12895:2015 and EN 61439-3:2012, from the C series of the *Official Journal of the European Union*. In order to give manufacturers sufficient time to prepare for application of harmonised standards EN 55035:2017, EN 12895:2015+A1:2019, and EN 61439-3:2012 as corrected by EN 61439-3:2012/AC:2019-04, it is necessary to defer the withdrawal of the references of harmonised standards EN 55103-2:2009, EN 12895:2015 and EN 61439-3:2012.

(10) Annex I to Implementing Decision (EU) 2019/1326 lists the references of harmonised standards conferring a presumption of conformity with Directive 2014/30/EU. The references of harmonised standards EN IEC 60947-4-1:2019, EN IEC 60947-9-1:2019, EN 61439-3:2012 as corrected by EN 61439-3:2012/AC:2019-04, and EN 12895:2015+A1:2019 should be included in Annex I to Implementing Decision (EU) 2019/1326.

(11) Annex II to Implementing Decision (EU) 2019/1326 lists the references of harmonised standards drafted in support of Directive 2014/30/EU that are withdrawn from the *Official Journal of the European Union*. The references of harmonised standards EN 55103-2:2009, EN 12895:2015 and EN 61439-3:2012 should be included in Annex II to Implementing Decision (EU) 2019/1326.

(12) Implementing Decision (EU) 2019/1326 should therefore be amended accordingly.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/660. (See end of Document for details)*

(13) 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) 2019/1326 is amended in accordance with Annex I to this Decision.

Article 2

Annex II to Implementing Decision (EU) 2019/1326 is amended in accordance with Annex II to this Decision.

Article 3

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

Done at Brussels, 15 May 2020.

For the Commission

The President

Ursula VON DER LEYEN