Commission Implementing Decision (EU) 2020/659 of 15 May 2020 on the harmonised standard for the technical documentation required for assessing materials, components and electrical and electronic equipment drafted in support of Directive 2011/65/EU of the European Parliament and of the Council

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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 16(2) of Directive 2011/65/EU of the European Parliament and of the Council[(2)], materials, components and electrical and electronic equipment on which tests and measurements demonstrating compliance with the requirements of Article 4 of that Directive have been performed, or which have been assessed, in accordance with harmonised standards, 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 requirements of the Directive covered by those standards.

(2) By letter M/499 of 21 October 2011, 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 revision of the existing harmonised standards and, if necessary, preparation of new standards relating to the technical documentation required for assessing materials, components and electrical and electronic equipment for conformity with the requirements of Directive 2011/65/EU.

(3) On the basis of the request M/499 of 21 October 2011, Cenelec revised existing harmonised standard EN 50581:2012, which led to the adoption of standard EN IEC 63000:2018 setting out specifications for the technical documentation required for assessing materials, components and electrical and electronic equipment with respect to the restriction of the use of certain hazardous substances. That new standard EN IEC 63000:2018 is based on existing international standard IEC 63000:2016 which itself is based on harmonised standard EN 50581:2012.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/659. (See end of Document for details)*

(4) The Commission together with Cenelec has assessed whether standard EN IEC 63000:2018 drafted by Cenelec complies with the request M/499 of 21 October 2011.

(5) Standard EN IEC 63000:2018 drafted by Cenelec satisfies the requirements which it aims to cover and which are set out in Directive 2011/65/EU. It is therefore appropriate to publish the reference of that standard in the *Official Journal of the European Union.*

(6) Since new standard EN IEC 63000:2018 replaces standard EN 50581:2012, it is necessary to withdraw the reference of standard EN 50581:2012 from the *Official Journal of the European Union*[3]. In order to give manufacturers sufficient time to adapt their products to the new standard, it is necessary to defer the withdrawal of the reference of harmonised standard EN 50581:2012.

(7) 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 reference of the harmonised standard for the technical documentation required for assessing materials, components and electrical and electronic equipment drafted in support of Directive 2011/65/EU as listed in Annex I to this Decision is hereby published in the *Official Journal of the European Union*.

Article 2

The reference of the harmonised standard for the technical documentation required for assessing materials, components and electrical and electronic equipment drafted in support of Directive 2011/65/EU as listed in Annex II to this Decision, is hereby withdrawn from the *Official Journal of the European Union* as from the date 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*.

Done at Brussels, 15 May 2020.

For the Commission

The President

Ursula VON DER LEYEN