

COMMISSION IMPLEMENTING DECISION (EU) 2021/455

of 15 March 2021

amending Implementing Decision (EU) 2019/1326 as regards harmonised standards for electromagnetic compatibility of control circuit devices and switching elements, and multimedia equipment

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*, is 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 Implementing Decision C(2016) 7641 ⁽³⁾, the Commission made a request to the European Committee for Standardization (CEN), the European Committee for Electrotechnical Standardization (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 revised harmonised standard EN 60947-5-2:2007 for control circuit devices and switching elements, the reference of which is published in the C series of the *Official Journal of the European Union* ⁽⁴⁾. This resulted in the adoption of harmonised standard EN IEC 60947-5-2:2020.
- (4) The Commission, together with CEN and CENELEC, has assessed whether that harmonised standard complies with the request set out in Implementing Decision C(2016) 7641.
- (5) The harmonised standard EN IEC 60947-5-2:2020 satisfies the essential requirements which it aims to cover and which are set out in Directive 2014/30/EU. It is therefore appropriate to publish the reference of that harmonised standard in the *Official Journal of the European Union*.
- (6) Annex I to Commission Implementing Decision (EU) 2019/1326 ⁽⁵⁾ lists the references of harmonised standards conferring a presumption of conformity with Directive 2014/30/EU. In order to ensure that the references of harmonised standards drafted in support of Directive 2014/30/EU are listed in one act, the references of standard EN IEC 60947-5-2:2020 should be included in that Annex.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2014/30/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 electromagnetic compatibility (OJ L 96, 29.3.2014, p. 79).

⁽³⁾ Commission Implementing Decision C(2016) 7641 of 30 November 2016 on a standardisation request to the European Committee for Standardisation, to the European Committee for Electrotechnical Standardisation and to the European Telecommunications Standards Institute as regards harmonised standards in support of Directive 2014/30/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 electromagnetic compatibility.

⁽⁴⁾ OJ C 246, 13.7.2018, p. 1.

⁽⁵⁾ Commission Implementing Decision (EU) 2019/1326 of 5 August 2019 on the harmonised standards for electromagnetic compatibility drafted in support of Directive 2014/30/EU of the European Parliament and of the Council (OJ L 206, 6.8.2019, p. 27).

- (7) It is therefore necessary to withdraw from the C series of the *Official Journal of the European Union*, the reference of the harmonised standard EN 60947-5-2:2007, together with the reference of the amending standard thereto EN 60947-5-2:2007/A1:2012.
- (8) 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 C series of the *Official Journal of the European Union*. It is therefore appropriate to include the reference of the harmonised standard EN 60947-5-2:2007, together with the reference of the amending standard thereto EN 60947-5-2:2007/A1:2012, in that Annex.
- (9) On the basis of the request set out in Implementing Decision C(2016) 7641, CEN and CENELEC amended harmonised standard EN 55035:2017, the reference of which is included in Annex I to Implementing Decision (EU) 2019/1326. This resulted in the adoption of the amending standard EN 55035:2017/A11:2020. Harmonised standard EN 55035:2017/A11:2020 aims to replace the following harmonised standards, together with any amending or correcting standard thereto: EN 55020:2007, the reference of which has not been published in the *Official Journal of the European Union*; EN 55024:2010 the reference of which is published in the C series of the *Official Journal of the European Union* ^(*); and EN 55103-2:2009 the reference of which is included in Annex II to Implementing Decision (EU) 2019/1326, with a date of withdrawal of 18 November 2021, which 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*.
- (10) The harmonised standard EN 55035:2017, as amended by EN 55035:2017/A11:2020, complies with the request set out in Implementing Decision C(2016) 7641 and satisfies the essential requirements which it aims to cover and which are set out in Directive 2014/30/EU. It is therefore appropriate to replace the entry concerning harmonised standard EN 55035:2017 in Annex I to Implementing Decision (EU) 2019/1326, so that the reference of EN 55035:2017 is included together with the reference of EN 55035:2017/A11:2020, and to include the reference of harmonised standard EN 55024:2010 in Annex II to that Decision.
- (11) In order to give manufacturers sufficient time to prepare for the application of harmonised standard EN IEC 60947-5-2:2020, and for the withdrawal of the reference of EN 55024:2010, it is necessary to defer the withdrawal of the references of the following harmonised standards, together with the reference of the relevant amending standard thereto: EN 60947-5-2:2007, as amended by EN 60947-5-2:2007/A1:2012, and EN 55024:2010.
- (12) Harmonised standard EN 55035:2017 introduced significant changes to the specifications set out in harmonised standard EN 55103-2:2009. CENELEC therefore provided in harmonised standard EN 55035:2017 a long period for national standardisation bodies to replace the national standards which transpose harmonised standard EN 55103-2:2009. As the design of a number of products covered by harmonised standard EN 55103-2:2009, such as audio, video, audiovisual and entertainment lighting control apparatus, needs to be significantly modified by 18 November 2021 given that harmonised standard EN 55103-2:2009 ceases to provide a presumption of conformity thereafter, a number of manufacturers may not be in a position to meet that deadline. It is therefore appropriate to exceptionally postpone the date of withdrawal of harmonised standard EN 55103-2:2009. The entry concerning the harmonised standard EN 55103-2:2009 in Annex II to Implementing Decision (EU) 2019/1326 should therefore be modified accordingly.
- (13) Implementing Decision (EU) 2019/1326 should therefore be amended accordingly.
- (14) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the day of its publication,

^(*) OJ C 246, 13.7.2018, p. 1.

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 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Decision (EU) 2019/1326 is amended as follows:

(1) entry 2 is replaced by the following:

No	Reference of the standard
'2.	EN 55035:2017 Electromagnetic compatibility of multimedia equipment - Immunity requirements EN 55035:2017/A11:2020;

(2) the following entry is added:

No	Reference of the standard
'15.	EN IEC 60947-5-2:2020 Low-voltage switchgear and controlgear - Part 5-2: Control circuit devices and switching elements - Proximity switches'.

ANNEX II

Annex II to Implementing Decision (EU) 2019/1326 is amended as follows:

(1) entry 4 is replaced by the following:

No	Reference of the standard	Date of withdrawal
'4.	EN 55103-2:2009 Electromagnetic compatibility — Product family standard for audio, video, audio-visual and entertainment lighting control apparatus for professional use — Part 2: Immunity	28 July 2022;

(2) the following entries are added:

No	Reference of the standard	Date of withdrawal
'12.	EN 55024:2010 Information technology equipment - Immunity characteristics - Limits and methods of measurement	16 September 2022
13.	EN 60947-5-2:2007 Low-voltage switchgear and controlgear - Part 5-2: Control circuit devices and switching elements - Proximity switches EN 60947-5-2:2007/A1:2012	16 September 2022'