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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011 as regards emergency procedures for the conformity assessment, adoption of common specifications and market surveillance due to a Single Market emergency — 4-column table

Delegations will find attached the text of the four-column document for the above-mentioned proposal, containing the initial positions of the institutions.

ANNEX

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011 as regards emergency procedures for the conformity assessment, adoption of common specifications and market surveillance due to a Single Market emergency (Text with EEA relevance)

2022/0279(COD)
[Version for Trilogue on 25 October, 2023]
23-10-2023 at 13h18

	Commission Proposal	EP Mandate	Council Mandate
Formula			
1	2022/0279 (COD)	2022/0279 (COD)	2022/0279 (COD)
Proposal Title			
2	Proposal for aREGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCILamending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011 as regards emergency procedures for the conformity assessment, adoption of common specifications	Proposal for aREGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCILamending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009***, (EU) 2023/988, (EU) 2023/1230*** and (EU) No 305/2011 as regards emergency procedures for the conformity assessment,	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) ~~2019/1009 and (EU) No 305/2011~~**No 305/2011 and (EU) 2023/1230** as regards emergency procedures for the conformity assessment,

	Commission Proposal	EP Mandate	Council Mandate
	and market surveillance due to a Single Market emergency(Text with EEA relevance)	adoption of common specifications and market surveillance due to ~~*a Single*~~***an internal*** market emergency (Text with EEA relevance)	adoption of common specifications and market surveillance due to a Single Market emergency(Text with EEA relevance)
Formula			
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Citation 1			
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,
Citation 2			
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
Citation 3			

	Commission Proposal	EP Mandate	Council Mandate
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Citation 4			
7	Having regard to the opinion of the European Economic and Social Committee[1],_____1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1],_____1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1],_____1. OJ C , , p. .
Citation 5			
8	Acting in accordance with the ordinary legislative procedure[1],_____1. Position of the European Parliament of xxx (not yet published in the Official Journal) and Decision of the Council of xxx.	Acting in accordance with the ordinary legislative procedure[1],_____1. Position of the European Parliament of xxx (not yet published in the Official Journal) and Decision of the Council of xxx.	Acting in accordance with the ordinary legislative procedure[1],_____1. Position of the European Parliament of xxx (not yet published in the Official Journal) and Decision of the Council of xxx.
Formula			
9	Whereas:	Whereas:	Whereas:
Recital 1			

	Commission Proposal	EP Mandate	Council Mandate
10	(1) [insert reference to SMEI Regulation] aims to ensure the normal functioning of the Single Market, including the free movement of goods, services and persons and guarantee the availability of crisis-relevant goods and services and goods and services of strategic importance to citizens, businesses and public authorities during a crisis.	(1) [insert reference to ~~*SMEI*~~***IMERA*** Regulation] aims to ensure the normal functioning of the ~~*Single*~~***internal*** market, including the free movement of goods, services and persons and ~~*guarantee*~~***ensure*** the availability of crisis-relevant goods and services and goods and services of strategic importance to citizens, businesses and public authorities during a crisis.	(1) [insert reference to SMEI Regulation] aims to ensure the normal functioning of the Single Market, including the free movement of goods, services and persons and guarantee the availability of crisis-relevant goods and services and goods and services of strategic importance to citizens, businesses and public authorities during a crisis.
Recital 2			
11	(2) The framework established by [insert reference to SMEI Regulation] lays down measures, which should be deployed in a coherent, transparent, efficient, proportionate and timely manner, so as to prevent, mitigate and minimise the impact on the functioning of the Single Market that a crisis may cause.	(2) The framework established by [insert reference to ~~*SMEI*~~***IMERA*** Regulation] lays down measures, which should be deployed in a coherent, transparent, efficient, proportionate and timely manner, so as to prevent, mitigate and minimise the impact ***a crisis may cause*** on the functioning of the ~~*Single*~~***internal*** market ~~*that a crisis may cause*~~.	(2) The framework established by [insert reference to SMEI Regulation] lays down measures, which should be deployed in a coherent, transparent, efficient, proportionate and timely manner, so as to prevent, mitigate and minimise the impact on the functioning of the Single Market that a crisis may cause.

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Recital 3			
12	(3) [insert reference to SMEI Regulation] lays down a multi-layered mechanism consisting of contingency planning, vigilance mode and Single Market emergency mode.	(3) [insert reference to ~~*SMEI*~~***IMERA*** Regulation] lays down a multi-layered mechanism consisting of contingency planning, ~~*vigilance mode and Single*~~***and internal*** market ***vigilance and*** emergency ~~*mode*~~***modes***.	(3) [insert reference to SMEI Regulation] lays down a multi-layered mechanism consisting of contingency planning, vigilance mode and Single Market emergency mode.
Recital 4			
13	(4) [insert reference to SMEI Regulation] lays down rules with the objective of safeguarding the free movement of goods, services and persons in the Single Market and to ensure the availability of goods and services that are particularly important also in times of crisis. [insert reference to SMEI Regulation] applies to both goods and services.	(4) [insert reference to ~~*SMEI*~~***IMERA*** Regulation] lays down rules with the objective of safeguarding the free movement of goods, services and persons in the ~~*Single*~~***internal*** market and to ensure the availability of goods and services that are particularly important also in times of crisis. [insert reference to ~~*SMEI*~~***IMERA*** Regulation] applies to both goods and services.	(4) [insert reference to SMEI Regulation] lays down rules with the objective of safeguarding the free movement of goods, services and persons in the Single Market and to ensure the availability of goods and services that are particularly important also in times of crisis. [insert reference to SMEI Regulation] applies to both goods and services.
Recital 5			

	Commission Proposal	EP Mandate	Council Mandate
14	(5) In order to complement, ensure consistency and to further enhance the effectiveness of such measures, it is appropriate to ensure that referred to in [insert reference to SMEI Regulation] may be swiftly placed on the Union market in order to contribute to addressing and mitigating the disruptions.	(5) In order to complement, ensure consistency and to further enhance the effectiveness of such measures, it is appropriate to ensure that ***crisis-relevant goods*** referred to in [insert reference to ~~*SMEI*~~***IMERA*** Regulation] may be swiftly placed on the ~~*Union*~~***internal*** market in order to contribute to addressing and mitigating the disruptions.	(5) In order to complement, ensure consistency and to further enhance the effectiveness of such measures, it is appropriate to ensure that referred to in [insert reference to SMEI Regulation] may be swiftly placed on the Union market in order to contribute to addressing and mitigating the disruptions.
Recital 6			
15	(6) A number of Union sectoral legal acts lay down harmonised rules regarding the design, manufacture, conformity assessment and placing on the market of certain products. Such legal acts include Regulations (EU) 2016/424[1], (EU) 2016/425[2], (EU) 2016/426[3], (EU) 2019/1009[4] and (EU) No 305/2011[5] of the European Parliament and of the Council. Those legal acts are based on the principles of the new approach to technical harmonisation. Moreover,	(6) A number of Union sectoral legal acts lay down harmonised rules regarding the design, manufacture, conformity assessment and placing on the market of certain products. Such legal acts include Regulations (EU) 2016/424[1], (EU) 2016/425[2], (EU) 2016/426[3], (EU) 2019/1009[4]***, (EU) 2023/1230[4a]*** and (EU) No 305/2011[5] of the European Parliament and of the Council. Those legal acts are based on the principles of the new approach to technical	(6) A number of Union sectoral legal acts lay down harmonised rules regarding the design, manufacture, conformity assessment and placing on the market of certain products. Such legal acts include Regulations (EU) 2016/424[1], (EU) 2016/425[2], (EU) 2016/426[3],**[4] (EU) No 305/2011[5] and (EU) No 2023/1230[6]** ~~(EU) 2019/1009[4] and (EU) No 305/2011[5]~~ of the European Parliament and of the Council. Those legal acts are based on the principles of the new

	Commission Proposal	EP Mandate	Council Mandate
	Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426 and (EU) 2019/1009 are also aligned to the reference provisions laid down by Decision No 768/2008/EC of the European Parliament and of the Council [6]. _____ 1. OJ L 81, 31.3.2016, p. 1.2. OJ L 81, 31.3.2016, p. 51.3. OJ L 81, 31.3.2016, p. 99.4. OJ L 170, 25.6.2019, p. 1.5. OJ L 88, 4.4.2011, p. 5.6. OJ L 218, 13.8.2008, p. 82.	harmonisation. Moreover, Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426***, (EU) 2019/1009, (EU) 2023/988[5a] and (EU) 2023/1230*** ~~*and (EU) 2019/1009*~~ are also aligned to the reference provisions laid down by Decision No 768/2008/EC of the European Parliament and of the Council [6]. ***In addition, Regulation (EU) 2023/988 lays down essential rules on the safety of consumer products placed or made available on the market.*** _____ 1. OJ L 81, 31.3.2016, p. 1.2. OJ L 81, 31.3.2016, p. 51.3. OJ L 81, 31.3.2016, p. 99.4. OJ L 170, 25.6.2019, p. 1.***4a***. ***OJ L 165, 29.6.2023, p. 1***5. OJ L 88, 4.4.2011, p. 5.***5a***. ***OJ L 135, 23.5.2023, p. 1.***6. OJ L 218, 13.8.2008, p. 82.	approach to technical harmonisation. Moreover, Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426 and (EU) ~~2019/1009~~**No 2023/1230** are also aligned to the reference provisions laid down by Decision No 768/2008/EC of the European Parliament and of the Council**[7].** [6]. _____ 1. OJ L 81, 31.3.2016, p. 1.2. OJ L 81, 31.3.2016, p. 51.3. OJ L 81, 31.3.2016, p. 99.4. OJ L 170, 25.6.2019, p. 1.5. OJ L 88, 4.4.2011, p. 5.6. OJ L ~~218, 13.8.2008, p. 82~~**165, 29.6.2023, p 1.7. OJ L 218, 13.8.2008, p. 82.**
Recital 7			
16	(7) Neither the reference provisions laid down by Decision No 768/2008/EC, nor the specific provisions laid down by the sectoral nionU harmonisation legislation provide for	(7) Neither the reference provisions laid down by Decision No 768/2008/EC, nor the specific provisions laid down by the sectoral ~~*nionU*~~***Union*** harmonisation legislation provide	(7) Neither the reference provisions laid down by Decision No 768/2008/EC, nor the specific provisions laid down by the sectoral ~~nionU~~**Union** harmonisation legislation provide

	Commission Proposal	EP Mandate	Council Mandate
	procedures designed to apply in crisis. It is appropriate to introduce targeted adjustments to those Regulations, aimed at preparing and responding to impacts of crises affecting products that have been designated as crisis-relevant goods and covered by those Regulations.	for procedures designed to apply in crisis. It is appropriate to introduce targeted adjustments to those Regulations, aimed at preparing and responding to impacts of crises affecting products that have been designated as crisis-relevant goods and covered by those Regulations.	for procedures designed to apply in crisis. It is appropriate to introduce targeted adjustments to those Regulations, aimed at preparing and responding to impacts of crises affecting products that have been designated as crisis-relevant goods and covered by those Regulations.
Recital 8			
17	(8) Experience from the recent crises that have affected the Single Market has shown that the procedures laid down in the sectoral legislation are not designed to cater for the needs of crisis-response scenarios and do not offer the necessary regulatory flexibility. It is therefore appropriate to provide for a legal basis for such crisis-response procedures as a complement to the measures adopted under [insert reference to SMEI Regulation].	(8) Experience from the recent crises that have affected the ~~*Single*~~***internal*** market has shown that the procedures laid down in the sectoral legislation are not designed to cater for the needs of crisis-response scenarios and do not offer the necessary regulatory flexibility. It is therefore appropriate to provide for a legal basis for such crisis-response procedures as a complement to the measures adopted under [insert reference to ~~*SMEI*~~***IMERA*** Regulation].	(8) Experience from the recent crises that have affected the Single Market has shown that the procedures laid down in the sectoral legislation are not designed to cater for the needs of crisis-response scenarios and do not offer the necessary regulatory flexibility. It is therefore appropriate to provide for a legal basis for such crisis-response procedures as a complement to the measures adopted under [***insert reference to SMEI Regulation***~~insert reference to SMEI Regulation~~].

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Recital 9			
18	(9) In order to overcome the potential effects of disruptions on the Single Market and in order to ensure that crisis-relevant goods are placed on the market swiftly, it is appropriate to provide for a requirement for the conformity assessment bodies to prioritise the conformity assessment applications of such products over any pending applications concerning products, which have not been designated as crisis-relevant.	(9) In order to overcome the potential effects of disruptions ~~*on the Single*~~***to the internal*** market and in order to ensure that crisis-relevant goods are placed on the market swiftly, it is appropriate to provide for a requirement for the conformity assessment bodies to prioritise the conformity assessment applications of such products over any pending applications concerning products~~,~~ which have not been designated as crisis-relevant.	(9) In order to overcome the potential effects of disruptions on the Single Market and in order to ensure that crisis-relevant goods are placed on the market swiftly, it is appropriate to provide for a requirement for the conformity assessment bodies to prioritise the conformity assessment applications of such products over any pending applications concerning products, which have not been designated as crisis-relevant. **In the context of such prioritisation, any potential additional costs charged by the conformity assessment body to the manufacturer should be proportionate to the direct costs incurred by the conformity assessment bodies in order to put in place the said prioritisation. The notified bodies are encouraged to increase their testing capacities for such products designated as crisis-relevant goods in respect to which they have been notified.**

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Recital 10			
19	(10) To that end, emergency procedures should be laid down in Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011. Those procedures should be available only following the activation of the Single Market emergency mode in accordance with [insert reference to SMEI Regulation].	(10) To that end, emergency procedures should be laid down in Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009***, (EU) 2023/988, (EU) 2023/1230*** and (EU) No 305/2011. Those procedures should be available only following the activation of the ~~*Single*~~***internal*** market emergency mode in accordance with [insert reference to ~~*SMEI*~~***IMERA*** Regulation].	(10) To that end, emergency procedures should be laid down in Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) ~~2019/1009 and (EU) No 305/2011~~**No 305/2011 and (EU) 2023/1230**. Those procedures should be available only following the activation of the Single Market emergency mode in accordance with [***insert reference to SMEI Regulation***~~insert reference to SMEI Regulation~~].
Recital 11			
20	(11) Furthermore, in cases where the disruptions might affect the conformity assessment bodies or in cases where the testing capacities for such crisis-relevant products would not be sufficient, it is appropriate to provide for the possibility for the national	(11) Furthermore, in cases where the disruptions might affect the conformity assessment bodies or in cases where the testing capacities for such crisis-relevant products would not be sufficient, it is appropriate to provide for the possibility for the national	(11) Furthermore, in cases**, for example,** where the disruptions might affect the conformity assessment bodies or in cases where the testing capacities for such crisis-relevant products would not be sufficient, it is appropriate to provide for the possibility for the national

	Commission Proposal	EP Mandate	Council Mandate
	competent authorities to exceptionally and temporarily authorise the placing on the market of products, which have not undergone the usual conformity assessment procedures required by the respective EU sectoral legislation.	competent authorities to exceptionally and temporarily authorise the placing on the market of products, which have not undergone the usual conformity assessment procedures required by the respective ~~*EU*~~***Union*** sectoral legislation. ***The authorisation for products granted exceptionally and temporarily should remain valid for six months after deactivation or expiration of the internal market emergency mode, where it does not does not affect in any way the health, safety and security of consumers. After this period, products should only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for under the applicable rules. Products already granted authorisation exceptionally and temporarily may be re-authorised under the normal authorisation procedure. Nevertheless, products or components already purchased for use, or which are already in use, may continue***	competent authorities to exceptionally and temporarily authorise the placing on the market of products, which have not undergone the usual conformity assessment procedures required by the respective EU sectoral legislation.

	Commission Proposal	EP Mandate	Council Mandate
		to be used without new authorisation.	
Recital 12			
21	(12) As regards products falling within the scope of those Regulations that have been designated as crisis-relevant goods, the national competent authorities should be able, in the context of an ongoing Single Market emergency, to derogate from the obligation to carry out those conformity assessment procedures laid down in those Regulations, in those cases where the involvement of a notified body is mandatory and should be able to issue authorisations for those products, provided that they comply with all the applicable essential safety requirements. Compliance with those substantive requirements may be demonstrated by various means, which may include testing performed by the national authorities of samples provided by the manufacturer having applied	(12) As regards products falling within the scope of those Regulations that have been designated as crisis-relevant goods, the national competent authorities should be able, in the context of an ongoing ~~*Single*~~***internal*** market emergency, to derogate from the obligation to carry out those conformity assessment procedures laid down in those Regulations, ~~*in those cases*~~ where the involvement of a notified body is mandatory and should be able to issue authorisations for those products, provided that they comply with all the applicable essential safety requirements ***and that the safety of consumers and end-users is fully assured***. Compliance with those substantive requirements may be demonstrated by various means, which may include testing performed by	(12) As regards products falling within the scope of those Regulations that have been designated as crisis-relevant goods, the national competent authorities should be able, in the context of an ongoing Single Market emergency, to derogate from the obligation to carry out those conformity assessment procedures laid down in those Regulations, in those cases where the involvement of a notified body is mandatory and should be able to issue authorisations for those products, provided that they **ensure the conformity** ~~comply~~ with all the applicable essential safety requirements. Compliance with those substantive requirements may be demonstrated by various means, which may include testing performed by the national authorities of samples provided by

	Commission Proposal	EP Mandate	Council Mandate
	for an authorisation. The specific procedures, which were followed to demonstrate the compliance and their results should be clearly described in the authorisation issued by the national competent authority.	the national authorities of samples provided by the manufacturer having applied for an authorisation. The specific procedures, which were followed to demonstrate the compliance and their results should be clearly described in the authorisation issued by the national competent authority. ***The principle of mutual recognition should apply to goods placed on the market under that derogation. The competent national authority should keep relevant technical documentation to ensure compliance with applicable rules. Products manufactured during the internal market emergency mode, where derogation from the conformity assessment procedures was authorised, should also be subject to the relevant obligations of traceability provided for in Regulation (EU) 2023/988, in particular those set out in Article 15(5) thereof.***	the manufacturer having applied for an authorisation. The specific procedures, which were followed to demonstrate the compliance and their results should be clearly described in the authorisation issued by the national competent authority.
Recital 12a			

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21a			**(12a) Since the essential safety requirements harmonised by the existing Regulations remain applicable and the authorisation issued by a national competent authority without the CE marking may occur exceptionally, temporarily and additionally to the conformity assessment procedures laid down in those Regulations, this amending Regulation continues to improve the conditions for the functioning of the internal market. Therefore, this amending Regulation takes into account both the context constituted by the fully harmonised rules stemming from the existing Regulations and the complementary rules stemming from amendments that would be made to them which would not only allow national authorities to recognise authorisations issued in other Member States but would also require the Commission to extend the validity of such national authorisations from**

	Commission Proposal	EP Mandate	Council Mandate
			the territory of a single Member State to the territory of the Union by means of implementing acts unless the requirements set in the authorisation do not ensure the conformity with the essential requirements laid down in these Regulations. Such a parallel national authorisation scheme in exceptional times of crisis, in addition to the Union conformity assessment procedure, is justified and proportionate for the achievement of the legitimate objective of protecting health, life and safety. By not providing for an automatic mutual recognition of each national authorisation which is granted on a derogatory basis in times of crisis, this amending Regulation aims to avoid any circumvention or undermining of the CE marking procedure and thereby to maintain consumer confidence in the safety of products bearing the CE marking in the Union market.

	Commission Proposal	EP Mandate	Council Mandate
			Therefore these new derogatory rules, insofar as they prohibit the CE marking on the products which have been approved only at national level, should not affect the harmonised product legislation and consumer confidence in the CE marking which can only be affixed where all the harmonised substantive and procedural rules have been respected.
Recital 12b			
21b			**(12aa) Where the Commission has extended the validity of an authorisation issued by a Member State by means of an implementing act, the conditions for the placing on the market of the concerned goods set out therein should apply only to those goods placed on the market after the date of entry into force of the said implementing act. All pre-existing authorisations adopted by**

	Commission Proposal	EP Mandate	Council Mandate
			Member States prior to the entry into force of the Commission implementing act should cease to provide a legal basis for the placing of the goods on the market after the entry into force of the Commission implementing act concerning the same goods and Member States should take the necessary actions to that effect. Goods already placed on the market on the basis of an authorisation adopted by a Member State prior to the adoption of the Commission implementing act are not to be withdrawn or recalled unless specific safety concerns have been identified with respect to such goods which result in corrective or restrictive actions to be taken by the Commission by means of another implementing act.
Recital 12c			
21c			**(12b) The validity of all authorisations for**

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			the placing on the market of goods designated as crisis-relevant in the context of an active Single Market emergency mode, as referred to in [the SMEI Regulation], should automatically expire on the date of expiry or deactivation of the Single Market emergency mode. However, it should also be possible to issue authorisations with a shorter validity. Once the authorisation has expired, no further placing of crisis-relevant goods on the market should occur on the basis of that authorisation. However, the expiry of an authorisation should not automatically trigger an obligation to withdraw or recall goods which have already been placed on the market on the basis of that authorisation. In cases where the placing on the market has occurred in breach of the conditions laid down in the authorisation or where there are sufficient reasons to believe that the goods covered by such authorisation present a risk

	Commission Proposal	EP Mandate	Council Mandate
			to the health or safety of persons, the national market surveillance authorities should be entitled to take all the corrective and restrictive measures at their disposal in accordance with the provisions of Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) No 305/2011 and (EU) 2023/1230 and Regulation (EU) 2019/1020. In order to ensure uniform conditions for the implementation of the sectorial emergency procedures, the Commission should be empowered to lay down rules regarding the follow-up actions to be taken and the procedures to be followed with respect to the goods placed on the market in accordance with the relevant sectorial emergency procedures.
Recital 12d			
21d			**(12c) In order to ensure timely sharing of**

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			information and to allow all Member States to react, it should be ensured that the Commission and the other Member States are immediately informed of any decisions at national level to authorise crisis-relevant goods. The Information and Communication System for Market Surveillance (ICSMS) already provides the necessary functions to allow quick notification of administrative decisions and therefore can be used by Member States for this purpose. Moreover, information on all corrective or restrictive measures should also be shared. Pursuant to Regulation (EU) 2019/1020 such information is to be accessible in ICSMS irrespectively whether those measures have to be notified or not in Safety Gate [formerly known as RAPEX] due to the products presenting a serious risk. Double entry will be avoided by means of the data interface between Safety Gate [formerly known as RAPEX] and

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			ICSMS maintained by the Commission in accordance with article 20(5) of Regulation (EU) 2019/1020.
Recital 13			
22	(13) Where a Single Market emergency entails an exponential increase in the demand for certain products and in order to support the efforts of economic operators to meet such demand, it is appropriate to provide technical references, which may be used by the manufacturers to design and produce crisis-relevant goods, which comply with the applicable essential health and safety requirements.	(13) Where ~~*a Single*~~***an internal*** market emergency entails an exponential increase in the demand for certain products and in order to support the efforts of economic operators to meet such demand, it is appropriate to provide technical references, which may be used by the manufacturers to design and produce crisis-relevant goods~~,~~ which comply with the applicable essential health and safety requirements.	(13) Where a Single Market emergency entails an exponential increase in the demand for certain products and in order to support the efforts of economic operators to meet such demand, it is appropriate to provide technical references, which may be used by the manufacturers to design and produce crisis-relevant goods, which comply with the applicable essential health and safety requirements.
Recital 14			
23	(14) A number of sectoral Union harmonisation legislation provide for the possibility for a	(14) A number of sectoral Union harmonisation legislation provide for the possibility for a	(14) A number of sectoral Union harmonisation legislation provide for the possibility for a

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	manufacturer to benefit from a presumption of conformity if their product complies with a harmonised European standard. However, in cases where such standards do not exist or the compliance with them might be rendered excessively difficult by the disruptions caused by the crisis, it is appropriate to provide for alternative mechanisms.	manufacturer to benefit from a presumption of conformity if their product complies with a harmonised European standard. ***Furthermore, the general product safety framework laid down in Regulation (EU) 2023/988 provides for the possibility for a product to benefit from a presumption of conformity with the general product safety requirement if that product conforms with the European standard or parts thereof as far as the risks and risk categories covered by that standard are concerned, the references of which have been published in the Official Journal of the European Union.*** However, in cases where such standards do not exist or the compliance with ~~*them*~~***such standards*** might be rendered excessively difficult ~~*by*~~***as a result of*** the disruptions caused by the crisis, it is appropriate to provide for alternative mechanisms.	manufacturer to benefit from a presumption of conformity if their product complies with a harmonised European standard. However, in cases where such standards do not exist or the compliance with them might be rendered excessively difficult by the disruptions caused by the crisis, it is appropriate to provide for alternative mechanisms.
Recital 15			

	Commission Proposal	EP Mandate	Council Mandate
24	(15) With respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426 and, (EU) 2019/1009, the competent national authorities should be able to presume that products manufactured in accordance with national or international standards within the meaning of Regulation (EU) No 1025/2012[1] ensuring an equivalent level of protection to that offered by the harmonised European standards comply with the relevant essential health and safety requirements._____1. OJ L 316, 14.11.2012, p. 12.	(15) With respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426***, (EU) 2019/1009*** ~~*and*~~, (EU) ~~*2019/1009*~~***2023/988, and (EU) 2023/1230***, the competent national authorities should be able to presume that products manufactured in accordance with national or international standards within the meaning of Regulation (EU) No 1025/2012[1] ensuring an equivalent level of protection to that offered by the harmonised European standards comply with the relevant essential health and safety requirements._____1. OJ L 316, 14.11.2012, p. 12.	(15) With respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426 and~~,~~ ~~(EU) 2019/1009,~~ **(EU) 2023/1230** the competent national authorities should be able to presume that products manufactured in accordance with ~~national or international~~**international, European or national** standards within the meaning of Regulation (EU) No 1025/2012[1] **identified by the Commission as suitable to reach conformity and** ensuring an equivalent level of protection to that offered by the harmonised European standards comply with the relevant essential health and safety requirements. _____1. OJ L 316, 14.11.2012, p. 12.
Recital 16			
25	(16) Furthermore, with respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011, the	(16) Furthermore, with respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009***, (EU) 2023/988, (EU)***	(16) Furthermore, **if no such international or European standards are available,** with respect to Regulations (EU) 2016/424, (EU)

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	Commission should have the possibility to adopt by means of implementing acts common specifications, on which the manufacturers may rely in order to benefit from a presumption of conformity with the applicable essential requirements. The implementing act laying down such common specifications should remain applicable for the duration of the Single Market emergency.	***2023/1230*** and (EU) No 305/2011, the Commission should have the possibility to adopt by means of implementing acts common specifications, on which the manufacturers may rely in order to benefit from a presumption of conformity with the applicable essential requirements. The implementing act laying down such common specifications should remain applicable for the duration of the ~~*Single*~~***internal*** market emergency.	2016/425, (EU) 2016/426, (EU) ~~2019/1009 and (EU) No 305/2011~~**No 305/2011 and (EU) 2023/1230**, the Commission should have the possibility to adopt by means of implementing acts common specifications, on which the manufacturers may rely in order to benefit from a presumption of conformity with the applicable essential requirements. The implementing act laying down such common specifications should remain applicable for the duration of the Single Market emergency.
Recital 17			
26	(17) With respect to Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011, in exceptional and duly justified circumstances, notably in order to ensure the interoperability among products or systems, the Commission should be able to adopt by means of	*deleted*	*deleted*

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	implementing acts common specifications laying down mandatory technical specifications, with which the manufacturers will be required to comply. The implementing act laying down such common specifications should remain applicable for the duration of the Single Market emergency.		
Recital 18			
27	*(18)* In order to ensure that the level of safety provided by the harmonised products is not compromised, it is necessary to provide for rules for enhanced market surveillance, in particular with respect to goods designated as crisis-relevant and including by enabling closer cooperation and mutual support among the market surveillance authorities.	(18) In order to ensure that the level of safety provided by the harmonised products ***or by products under the general safety framework*** is not compromised, it is necessary to provide for rules for enhanced market surveillance, in particular with respect to goods designated as crisis-relevant and including by enabling closer cooperation and mutual support among the market surveillance authorities.	(18) In order to ensure that the level of safety provided by the harmonised products is not compromised, it is necessary to provide for rules for enhanced market surveillance, in particular with respect to goods designated as crisis-relevant and including by enabling closer cooperation and mutual support among the market surveillance authorities.
Recital 18a			

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27a			**(18a) In accordance with the relevant provisions of Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) No 305/2011 and (EU) 2023/1230, Member States should lay down rules on penalties applicable to infringements by economic operators and conformity assessment bodies of the provisions of those Regulations including the new provisions introduced by this amending Regulation and ensure that those rules are enforced by the competent national authorities, including the respective notifying authority.**
Recital 19			
28	(19) In accordance with its established practice, the Commission would systematically consult the relevant sectoral experts in the context of the early preparation of all draft implementing acts laying down common specifications.	(19) In accordance with its established practice, the Commission would systematically consult the relevant sectoral experts in the context of the early preparation of all draft implementing acts laying down common specifications.	(19) In accordance with its established practice, the Commission would systematically consult the relevant sectoral experts in the context of the early preparation of all draft implementing acts laying down common specifications.

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Recital 20			
29	(20) Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011 should therefore be amended accordingly,	(20) Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009, ***(EU) 2023/988, (EU) 2023/1230*** and (EU) No 305/2011 should therefore be amended accordingly,	(20) Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) ~~2019/1009 and (EU) No 305/2011~~**No 305/2011 and (EU) 2023/1230** should therefore be amended accordingly~~,~~**.**
Recital 21			
30	(21) In order for this Regulation to apply from the same date as [SMEI Regulation], its application should be deferred,	(21) In order for this Regulation to apply from the same date as [~~*SMEI*~~***IMERA*** Regulation], its application should be deferred,	(21) In order for this Regulation to apply from the same date as [SMEI Regulation], its application should be deferred,
Formula			
31	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
Article 1			
32	Article 1Amendments to Regulation (EU)	Article 1Amendments to Regulation (EU)	Article 1Amendments to Regulation (EU)

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	2016/424	2016/424	2016/424
Article 1, first paragraph			
33	In Regulation (EU) 2016/424, the following Chapter VIa is inserted:	In Regulation (EU) 2016/424, the following Chapter VIa is inserted:	~~In~~ Regulation (EU) 2016/424~~, the following Chapter VIa is inserted~~ **is amended as follows**:
Article 1, first paragraph, point (1)			
33a			**(1) In Article 3 the following points are added:**
Article 1, first paragraph, point (1), amending provision, first paragraph			
33b			**"(28) 'crisis-relevant goods' means 'crisis-relevant goods' within the meaning of Article 3, point (6) of Regulation (EU) …/…. [SMEI Regulation];**
Article 1, first paragraph, point (1), amending provision, second paragraph			

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33c			**(29) 'Single Market Emergency' means 'Single Market Emergency' within the meaning of Article 3, point (3) of Regulation (EU) …/… [SMEI Regulation].;"**
Article 1, first paragraph, point (2)			
33d			**(2) The following Chapter Va is inserted after Chapter V:**
Article 1, first paragraph, point (2), amending provision, Chapter I			
34	'CHAPTER VIaEMERGENCY PROCEDURES	'CHAPTER VIaEMERGENCY PROCEDURES	**Chapter Va**'~~CHAPTER VIa~~EMERGENCY PROCEDURES
Article 1, first paragraph, point (2), amending provision, Article			
35	Article 43aApplication of emergency procedures	Article 43aApplication of emergency procedures	**Article 43a**~~Article 43a~~Application of emergency procedures
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			

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36	1. Articles 43b to 43g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to this Regulation.	1. Articles 43b to 43g ***of this Regulation*** shall only apply if the Commission has adopted an implementing act pursuant to Article ~~*23 of [the SMEI Regulation] activating Article 26 of [the SMEI*~~***14(5) of [the IMERA*** Regulation]~~*with respect to this Regulation*~~.	1. Articles 43b to 43g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to **subsystems and safety components covered by** this Regulation.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)			
37	2. Articles 43b to 43g shall apply exclusively to subsystems and safety components, which have been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 43b to 43g shall apply exclusively to subsystems and safety components, which have been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 43b to 43g ~~shall~~ apply exclusively to subsystems and safety components, which have been designated as crisis-relevant goods ~~in the implementing act referred to in paragraph 1 of this Article~~**pursuant to Article 14 of [the SMEI Regulation]**.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), first subparagraph			
38	3. Articles 43b to 43g, except as regards provisions concerning the powers of the Commission, shall apply during the Single	3. Articles 43b to 43g, except as regards provisions concerning the powers of the Commission, shall apply during the	3. Articles 43b to 43g, except as regards ~~provisions concerning the powers~~ **the power** of the Commission **in Article 43e(5)**, shall apply

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	Market emergency mode.	~~*Single*~~***internal*** market emergency mode.	**only** during the Single Market emergency mode **activated in accordance with Article 14 of [the SMEI Regulation]**.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), second subparagraph			
39	However, Article 43c(2), second subparagraph, and Article 43c(5) shall apply during the Single Market emergency mode and after its deactivation or expiry.	*deleted*	However, ~~Article 43c(2), second subparagraph, and~~ Article 43c(5) shall apply during the Single Market emergency mode and after its deactivation or expiry.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (4)			
40	4. The Commission shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken with respect to subsystems and safety components placed on the market in accordance with Articles 43c to 43f. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	*deleted*	4. The Commission ~~shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken~~**may adopt implementing acts regarding the corrective or restrictive actions to be taken, the procedures to be followed and the specific labelling and traceability requirements** with respect to subsystems and

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	44(3).		safety components placed on the market in accordance with Articles 43c to ~~43f~~**43e**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(3).
Article 1, first paragraph, point (2), amending provision, Article			
41	Article 43bPrioritisation of the conformity assessment of crisis-relevant subsystems and safety components	Article 43bPrioritisation of the conformity assessment of crisis-relevant subsystems and safety components	**Article 43b**~~Article 43b~~Prioritisation of the conformity assessment of crisis-relevant subsystems and safety components
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			
42	1. This Article shall apply to all subsystems and safety components designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 18 requiring mandatory involvement of a notified body.	1. This Article shall apply to all subsystems and safety components designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 18 requiring mandatory involvement of a notified body.	1. This Article shall apply to all subsystems and safety components designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 18 requiring mandatory involvement of a notified body.

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Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)			
43	2. The notified bodies shall process all applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall ***ensure all reasonable efforts are made to*** process all applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall process all applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods as a matter of priority**, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 43a**.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3)			
44	3. All pending applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for conformity assessment of subsystems and safety components, which have not been designated as crisis-relevant goods. This requirement applies	3. All pending applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for conformity assessment of subsystems and safety components, which have not been designated as crisis-relevant goods. This requirement applies	*deleted*

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	with respect to all applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 43a.	with respect to all applications for conformity assessment of subsystems and safety components designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 43a.	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (4)			
45	*4.* The prioritisation of applications for conformity assessment of subsystems and safety components pursuant to paragraph 3 shall not give rise to any additional costs for the manufacturers, who have lodged those applications.	4. The prioritisation of applications for conformity assessment of subsystems and safety components pursuant to paragraph 3 shall not give rise to any ***extraordinary*** additional costs for the manufacturers, who have lodged those applications.	4. The prioritisation of applications for conformity assessment of subsystems and safety components pursuant to paragraph ~~3~~**2** shall not give rise to ~~any~~ **disproportionate** additional costs for the manufacturers, who have lodged those applications.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (5)			
46	5. The notified bodies shall deploy their best efforts to increase their testing capacities for subsystems and safety components designated	5. The notified bodies shall ~~*deploy their best*~~***ensure all reasonable*** efforts ***are made*** to increase their testing capacities for subsystems	*deleted*

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	as crisis-relevant goods in respect of which they have been notified.	and safety components designated as crisis-relevant goods in respect of which they have been notified.	
Article 1, first paragraph, point (2), amending provision, Article			
47	Article 43cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	Article 43cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	**Article 43c**~~Article 43c~~Derogation from the conformity assessment procedures requiring mandatory involvement of a notified body
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			
48	1. By way of derogation from Article 18, any competent national authority may authorise, on a duly justified request, the placing on the market or the incorporation into a cableway installation within the territory of the Member State concerned, of a specific subsystem or safety component which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the	1. By way of derogation from Article 18, ~~any~~***the*** competent national authority***, after carrying out a risk assessment,*** may authorise, on a duly justified request ***from an economic operator established in its Member State***, the placing on the market or the incorporation into a cableway installation within the territory of ~~the~~***that*** Member State ~~concerned~~, of a specific subsystem or safety component which has been	1. By way of derogation from Article 18, any competent national authority may authorise, on a duly justified request, the placing on the market or the incorporation into a cableway installation within the territory of the Member State concerned, of a specific subsystem or safety component which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the

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	mandatory involvement of a notified body, referred to in Article 18 have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated.	designated as ***a*** crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body, referred to in Article 18 have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated.	mandatory involvement of a notified body, referred to in Article 18 have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated **in accordance with procedures referred to in that authorisation**.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), first subparagraph			
48a			**1a. The Member State shall immediately inform the Commission and the other Member States of any authorisation granted in accordance with paragraph 1. Unless the requirements set in the authorisation do not ensure the conformity with the essential requirements laid down in Annex II to this Regulation, the Commission shall without delay adopt an implementing act extending for a limited period of time the validity of the authorisation granted by a Member State in**

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			accordance with paragraph 1 to the territory of the Union and set the conditions under which the specific subsystem or safety component may be placed on the market. When preparing the draft implementing act, the Commission may request national market surveillance authorities to provide relevant information or comments regarding the technical assessment that served as the basis for the authorisation referred to in paragraph 1. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 44(3).
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), second subparagraph			
48b			**The specific subsystem or safety component subject to the extension of validity referred to in the first subparagraph shall bear the information that it is placed on the market as a "crisis-relevant good". The implementing**

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			act referred to in the first subparagraph shall specify the modalities of that information. That information, as well as any labelling, shall be clear, understandable and intelligible and, where relevant, in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1b)			
48c			**1b. On duly justified imperative grounds of urgency relating to the need to preserve the health and safety of persons, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 44(4).**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1c), first subparagraph			
48d			**1c. As long as an implementing act referred**

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			to in paragraphs 1a or 1b is not adopted, the authorisation granted by a competent national authority in one Member State shall be valid only on the territory of the issuing Member State, as well as on the territories of any other Member States whose competent national authorities have recognised the validity of that authorisation before the adoption of the said implementing act.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1c), second subparagraph			
48e			**Member States shall inform the Commission and the other Member States of any decision to recognise the validity of that authorisation.**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), first subparagraph			
49	2. The manufacturer of a subsystem or safety component subject to the authorisation	2. The manufacturer of a subsystem or safety component subject to the authorisation	2. The manufacturer of a subsystem or safety component subject to the authorisation

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	procedure referred to in paragraph 1 shall declare on his sole responsibility that the subsystem or safety component concerned complies with all the applicable essential requirements set out in Annex II and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	procedure referred to in paragraph 1 shall declare on his sole responsibility that the subsystem or safety component concerned complies with all the applicable essential requirements set out in Annex II and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	procedure referred to in paragraph 1 shall declare on his sole responsibility that the subsystem or safety component concerned complies with all the applicable essential requirements set out in Annex II and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the ~~national~~ competent **national** authority.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), second subparagraph			
50	The manufacturer shall also deploy all reasonable measures to ensure that the subsystem or safety component, which has been granted an authorisation pursuant to paragraph 1, does not leave the territory of the Member State, which issued the authorisation.	*deleted*	*deleted*
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3)			
51	*3.* Any authorisation issued by a national	3. Any authorisation issued by a national	3. Any authorisation issued ~~by a national~~

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	competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the subsystem or safety component may be placed on the market or incorporated into a cableway installation, including:	competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the subsystem or safety component may be placed on the market or incorporated into a cableway installation, including ***at least***:	~~competent authority~~ pursuant to paragraph 1 shall set out the conditions and requirements under which the subsystem or safety component may be placed on the market or incorporated into a cableway installation~~, including~~**. The authorisations shall at least set out the following**:
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), point (a)			
52	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), point (b)			
53	(b) specific requirements regarding the traceability of the subsystem or safety component concerned;	(b) specific requirements regarding the traceability of the subsystem or safety component concerned;	(b) **any** specific requirements regarding the traceability of the subsystem or safety component concerned;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), point (c)			

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54	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated;	(c) an end date of validity of the authorisation, ***unless otherwise specified,*** which cannot go beyond the last day of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated;	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated **activated in accordance with Article 14 of [the SMEI Regulation]**;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), point (d)			
55	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the subsystem or safety component concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the subsystem or safety component concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the subsystem or safety component concerned;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3), point (e)			
56	(e) measures to be taken with respect to the subsystem or safety component concerned upon expiry of the authorisation in order to ensure that the subsystem or safety component concerned is brought back in compliance with	(e) measures to be taken with respect to the subsystem or safety component concerned upon expiry of the authorisation in order to ensure that the subsystem or safety component concerned is brought back in compliance with	(e) measures to be taken with respect to the subsystem or safety component ~~concerned upon expiry of the authorisation in order to ensure that the subsystem or safety component concerned is brought back in compliance with~~

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	all the requirements of this Regulation.	all the requirements of this Regulation.	~~all the requirements of this Regulation~~ **placed on the market upon expiry of the Single Market emergency**.
Article 1, first paragraph, amending provision, numbered paragraph (3), point (ea)			
56a		***(ea) labelling requirements, including radio frequency identification, indicating that the subsystem or safety component was authorised under the internal market emergency mode.***	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (4)			
57	4. By way of derogation from Article 43a(3), first subparagraph, where appropriate, the national competent authority may amend the conditions of the authorisation referred to in paragraph 3also after the deactivation or expiry of the Single Market Emergency mode.	4. By way of derogation from Article 43a(3), ~~*first subparagraph,*~~ where appropriate, the national competent authority may ***also*** amend the conditions ~~*of the authorisation*~~***and requirements*** referred to in paragraph ~~*3also*~~***3 of this Article*** after the deactivation or expiry of the ~~*Single*~~***internal*** market emergency mode.	*deleted*

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Article 1, first paragraph, point (2), amending provision, numbered paragraph (5)			
58	*5.* By way of derogation from Articles 7 and 20, subsystems or safety components, for which an authorisation has been granted in accordance with paragraph 1 of this Article, shall not leave the territory of the Member State which has issued the authorisation and shall not bear the CE marking.	*deleted*	5. By way of derogation from Articles 7**, 20 and 21** ~~and 20~~, subsystems or safety components, for which an authorisation has been granted in accordance with paragraph 1 ~~of this Article,~~ shall not ~~leave the territory of the Member State which has issued the authorisation and~~**bear the CE marking and Article 7** shall not ~~bear the CE marking~~**apply**.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (5a), first subparagraph			
59	6. The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such subsystems or safety components.	6. The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such subsystems or safety components. ***The market surveillance authorities shall keep all records***	~~6~~**5a**. The market surveillance authorities of ~~the~~ **a** Member State, ~~whose competent authority has granted~~**where** an authorisation pursuant to ~~paragraph 1,~~ **paragraphs 1, 1a and 1c is valid ,** shall be entitled to take all corrective and restrictive ~~measures~~ **actions** at national level provided for **under Regulation (EU) 2019/1020 and** under this Regulation with

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		related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.	respect to such subsystems or safety components.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph			
59a			**They shall immediately inform the Commission and the market surveillance authorities of other Member States of these actions.**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (7)			
60	7. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market of subsystems or safety components in accordance with paragraph 1.	7. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market ***or incorporation into a cableway installation*** of subsystems or safety components in accordance with paragraph 1.	*deleted*

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Article 1, first paragraph, point (2), amending provision, numbered paragraph (8)			
61	*8.* The application of Articles 43a to 43g and the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant conformity assessment procedures laid down in Article 18 on the territory of the Member State concerned.	8. The application of Articles 43a to 43g and the use of the authorisation procedure set out in paragraph 1 of this Article ~~*does*~~***shall*** not affect the application of the relevant conformity assessment procedures laid down in Article 18 ~~*on the territory of the Member State concerned*~~.	8. The ~~application of Articles 43a to 43g and the~~ use of the authorisation procedure set out in paragraph 1 ~~of this Article~~ **to 1c** does not affect the application of the relevant conformity assessment procedures laid down in Article 18 on the territory of the Member State concerned.
Article 1, first paragraph, amending provision, numbered paragraph (8a)			
61a		***8a. Subsystems or safety components subject to derogation under paragraph 1 shall remain valid for six months after deactivation or expiration of the internal market emergency mode. After this period, they shall only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.***	

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Article 1, first paragraph, point (2), amending provision, Article			
62	Article 43dPresumption of conformity based on national and international standards	Article 43dPresumption of conformity based on national and international standards	*deleted*
Article 1, first paragraph, point (2), amending provision, Article, first paragraph			
63	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent authorities consider that subsystems and safety components, which comply with the relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required by the essential requirements set out in Annex II, comply with those essential requirements in either of the following cases:	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent authorities consider that subsystems and safety components, which comply with the relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required by the essential requirements set out in Annex II, comply with those essential requirements in either of the following cases:	*deleted*
Article 1, first paragraph, point (2), amending provision, Article, first paragraph, point (a), first subparagraph			

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64	*(a)* where no reference to harmonised standards covering the relevant essential requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where no reference to harmonised standards covering the relevant essential requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	*deleted*
Article 1, first paragraph, point (2), amending provision, Article, first paragraph, point (a), second subparagraph			
65	Where	*deleted*	*deleted*
Article 1, first paragraph, point (2), amending provision, Article, first paragraph, point (b)			
66	*(b)* severe disruptions in the functioning of the Single Market, which were taken into consideration when activating the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex II to this	(b) ***where*** severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which were taken into consideration when activating the ~~*Single*~~***internal*** market emergency mode in accordance with Article ~~*15(4) of [the SMEI*~~***14 of [the IMERA*** Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	Annex II to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	
Article 1, first paragraph, point (2), amending provision, Article			
67	Article 43eAdoption of common specifications conferring a presumption of conformity	Article 43eAdoption of common specifications conferring a presumption of conformity	**Article 43e**~~Article 43eAdoption of common specifications conferring a presumption of conformity~~**Presumption of conformity based on standards and common specifications**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			
68	1. Where subsystems and safety components, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such subsystems and safety components to cover the essential requirements set out in Annex II in either of the following	1. Where subsystems and safety components, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such subsystems and safety components to cover the essential requirements set out in Annex II in either of the following	1. Where subsystems and safety components~~,~~ have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts**, listing appropriate standards or** establishing common specifications for such subsystems and safety components to cover the essential requirements

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	cases:	cases:	set out in Annex II in either of the following cases:
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)			
69	(a) where no reference to harmonised standards covering the relevant essential requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where ~~no reference to harmonised standards covering the relevant essential requirements set out in Annex II is published in the Official Journal of the European Union in accordance with~~ ***the European standardisation deliverables addressing a request pursuant to Article 10(1) of*** Regulation (EU) No 1025/2012 ***were not adopted***;	(a) ~~where~~ no reference to harmonised standards covering the relevant essential requirements set out in Annex II is published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012;
Article 1, first paragraph, amending provision, numbered paragraph (1), point (aa)			
69a		***(aa) where a reference to harmonised standards covering the relevant essential requirements set out in Annex II is not published in the Official Journal of the European Union in accordance with***	

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		Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (b)			
70	(b) where severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode in accordance with Article 14 of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex II to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	(b) where severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which led to the activation of the ~~*Single*~~***internal*** market emergency mode in accordance with Article 14 of [the ~~*SMEI*~~***IMERA*** Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex II to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	(b) ~~where~~ severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode in accordance with Article 14 of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex II ~~to this Regulation~~ and already published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012.

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Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a)			
70a			**1a. The implementing acts referred to in paragraph 1 may:**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), point (a)			
70b			**(a) publish the references to relevant applicable international standards that provide presumption of conformity in accordance with paragraph 3;**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), point (b)			
70c			**(b) if there is no relevant applicable international standards as referred to in point a of this paragraph that cover the essential requirements set out in Annex II [to this Regulation], publish the references to the European standards that provide presumption of conformity in accordance**

	Commission Proposal	EP Mandate	Council Mandate
			with paragraph 3;
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), point (c)			
70d			**(c) if there is no relevant applicable international or European standard as referred to in points a and b, that cover the essential requirements set out in Annex II [to this Regulation], establish common specifications established by the Commission that provide presumption of conformity in accordance with paragraph 3;**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1a), point (d)			
70e			**(d) if there is no relevant applicable international standard, European standard or common specifications as referred to in points a, b and c, publish the reference to national standards that provide presumption of conformity in accordance with paragraph**

	Commission Proposal	EP Mandate	Council Mandate
			3.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)			
71	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 44(3) and they shall apply to subsystems or safety components placed on the market until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted ~~*following a consultation of the sectoral experts and*~~ in accordance with the examination procedure referred to in Article 44(3) and they shall apply to subsystems or safety components placed on the market until the last day of the period for which the ~~*Single*~~***internal*** market emergency mode remains active. ~~*In the early preparation of*~~***When preparing*** the draft implementing act establishing the common specification, the Commission shall ~~*gather*~~***take into account*** the views of ~~*relevant bodies or expert groups established under*~~***the*** relevant ~~*sectoral Union legislation. Based on that consultation, the Commission*~~***bodies and*** shall ~~*prepare the draft implementing act*~~***duly consult***	2. The implementing acts referred to in paragraph 1 ~~of this Article~~ shall be adopted ~~following a consultation of the sectoral experts and~~ in accordance with the examination procedure referred to in Article 44(3) and they shall apply ~~to subsystems or safety components placed on the market~~ until the last day of the period for which the Single Market emergency mode remains active~~. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act~~**, unless amended or repealed in accordance with paragraph 5**.

	Commission Proposal	EP Mandate	Council Mandate
		all relevant stakeholders.	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2a)			
71a			**2a. Before preparing the draft implementing act referred to in paragraph 1 , the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 have been fulfilled. When preparing the draft implementing act referred to in paragraph 1, the Commission shall take into account the views of relevant bodies or expert groups established under this Regulation and shall duly consult all relevant stakeholders.** based on COM text above, line 72
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3)			
72	3. Without prejudice to Article 17, subsystems	3. Without prejudice to Article 17, subsystems	3. Without prejudice to Article 17, subsystems

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	and safety components which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the essential requirements set out in Annex II covered by those common specifications or parts thereof.	and safety components which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the essential requirements set out in Annex II covered by those common specifications or parts thereof.	and safety components which are in conformity with **the standards or** common specifications ~~adopted pursuant to~~**referred to in** paragraph ~~2 of this Article~~**1, or parts thereof,** shall be presumed to be in conformity with the essential requirements set out in Annex II covered by those **standards,** common specifications or parts thereof. **The presumption of conformity provided by the standards or the common specifications referred to in the implementing act referred to in paragraph 1 shall automatically cease to apply on the day the Single Market Emergency mode expires or is deactivated.**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (4)			
73	4. By way of derogation from Article 43a(3), first subparagraph, unless there is sufficient reason to believe that the subsystems or safety components covered by the common	4. By way of derogation from Article 43a(3), ~~*first subparagraph,*~~ unless there is sufficient reason to believe that the subsystems or safety components covered by the common	4. By way of derogation from Article 43a(3), first subparagraph, unless there is sufficient reason to believe that the subsystems or safety components covered by the **standards or**

	Commission Proposal	EP Mandate	Council Mandate
	specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the subsystems or safety components in compliance with the said common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the subsystems or safety components in compliance with ~~*the said*~~***those*** common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the ~~*Single*~~***internal*** market emergency mode in accordance with [the ~~*SMEI*~~***IMERA*** Regulation].	common specifications referred to in paragraph 1~~ of this Article~~ present a risk to the health or safety of persons, the subsystems or safety components **which are in conformity** ~~in compliance~~ with the ~~said~~**standards or** common specifications **and** which have been placed on the market shall be deemed compliant with ~~this Regulation~~ **the essential requirements set out in Annex II** after the expiry or repeal of an implementing act adopted pursuant to paragraph 2~~ of this Article~~ and after the expiry or deactivation of the Single Market Emergency mode in accordance with ***[the SMEI Regulation]***~~[the SMEI Regulation]~~.
Article 1, first paragraph, point (2), amending provision, numbered paragraph (5)			
74	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential requirements which it aims to cover and which	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential requirements which it aims to cover and which	5. When a Member State considers that a **standard or** common specification referred to in paragraph 1 does not entirely satisfy the essential requirements~~ which it aims to cover~~

	Commission Proposal	EP Mandate	Council Mandate
	are set out in Annex II, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information and, if appropriate, amend or withdraw the implementing act establishing the common specification in question.	are set out in Annex II, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information ~~*and, if appropriate,*~~ ***, The Commission may*** amend***, where appropriate,*** ~~*or withdraw*~~ the implementing act establishing the common specification in question.	~~and which are~~ set out in Annex II, it shall inform the Commission thereof **by submitting** ~~with~~ a detailed explanation ~~and~~**.** The Commission shall assess that ~~information~~**detailed explanation** and, if appropriate, amend or ~~withdraw~~**repeal** the implementing act **listing the standard or** establishing the common specification in question.
Article 1, first paragraph, point (2), amending provision, Article			
75	Article 43fAdoption of mandatory common specifications	*deleted*	*deleted*
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			
76	*1.* In exceptional and duly justified cases, the Commission is empowered to adopt implementing acts establishing mandatory common specifications to cover the essential	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	requirements set out in Annex II for subsystems or safety components, which have been designated as crisis-relevant goods.		
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)			
77	*2.* The implementing acts establishing mandatory common specifications, referred to in paragraph 1 of this Article shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 44(3). They shall apply to subsystems or safety components placed on the market until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation,	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	the Commission shall prepare the draft implementing act.		
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3)			
78	*3.* By way of derogation from Article 43a(3), first subparagraph, unless there is sufficient reason to believe that the subsystems or safety components covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the subsystems or safety components in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
Article 1, first paragraph, point (2), amending provision, Article			
79	Article 43gPrioritisation of market surveillance activities and mutual assistance among authorities	Article 43gPrioritisation of market surveillance activities and mutual assistance among authorities	**Article 43g**~~Article 43g~~Prioritisation of market surveillance activities and mutual assistance among authorities
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)			
80	1. Member States shall prioritise the market surveillance activities for subsystems and safety components designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for subsystems and safety components designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for subsystems and safety components designated as crisis-relevant goods. **The Commission shall facilitate coordination of these efforts through the Union Product Compliance Network established under Article 29 of Regulation (EU) 2019/1020.**
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)			
81	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance	2. The market surveillance authorities of the Member States shall ~~*deploy their*~~***ensure*** best efforts ***are made*** to provide assistance to other	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance

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	authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for subsystems and safety components designated as crisis-relevant goods. ‘	market surveillance authorities during ~~a~~ ~~Single~~***an internal*** market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for subsystems and safety components designated as crisis-relevant goods.~~-~~‘	authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for subsystems and safety components designated as crisis-relevant goods.-‘
Article 2			
82	Article 2Amendments to Regulation (EU) 2016/425	Article 2Amendments to Regulation (EU) 2016/425	Article 2Amendments to Regulation (EU) 2016/425
Article 2, first paragraph			
83	In Regulation (EU) 2016/425, the following Chapter VIa is inserted:	In Regulation (EU) 2016/425, the following Chapter VIa is inserted:	~~In~~ Regulation (EU) 2016/425~~, the following Chapter VIa is inserted~~ **is amended as follows**:
Article 2, first paragraph, point (1)			

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83a			**(1) In Article 3 the following points are added:**
Article 2, first paragraph, point (1), amending provision, first paragraph			
83b			**"(19) 'crisis-relevant goods' means 'crisis-relevant goods' within the meaning of Article 3, point (6) of Regulation (EU) …/…. [SMEI Regulation];**
Article 2, first paragraph, point (1), amending provision, second paragraph			
83c			**(20) 'Single Market Emergency' means 'Single Market Emergency' within the meaning of Article 3, point (3) of Regulation (EU) …/… [SMEI Regulation].;"**
Article 2, first paragraph, point (2)			
83d			**(2) The following Chapter VIa is inserted after Chapter VI:**

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Article 2, first paragraph, point (2), amending provision, Chapter I			
84	‘CHAPTER VIaEMERGENCY PROCEDURES	‘CHAPTER VIaEMERGENCY PROCEDURES	**Chapter VIa**‘~~CHAPTER VIa~~EMERGENCY PROCEDURES
Article 2, first paragraph, point (2), amending provision, Article			
85	Article 41aApplication of emergency procedures	Article 41aApplication of emergency procedures	**Article 41a**~~Article 41a~~Application of emergency procedures
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			
86	1. Articles 41b to 41g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to this Regulation.	1. Articles 41b to 41g ***of this Regulation*** shall only apply if the Commission has adopted an implementing act pursuant to Article ~~*23 of [the SMEI Regulation] activating Article 26 of [the SMEI*~~***14(5) of [the IMERA*** Regulation]~~ *with respect to this Regulation*~~.	1. Articles 41b to 41g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to **PPE covered by** this Regulation.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2)			

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87	2. Articles 41b to 41g shall apply exclusively to PPE, which has been designated as crisis-relevant goods in the implementing act referred to in paragraph 1.	2. Articles 41b to 41g shall apply exclusively to PPE~~,~~ which has been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 ***of this Article***.	2. Articles 41b to 41g ~~shall~~ apply exclusively to PPE, which has been designated as ~~crisis-relevant goods in the implementing act referred to in paragraph 1~~**a crisis-relevant good pursuant to Article 14 of [the SMEI Regulation]**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), first subparagraph			
88	3. Articles 41b to 41g, except as regards provisions concerning the powers of the Commission, shall apply during the Single Market emergency mode.	3. Articles 41b to 41g, except as regards provisions concerning the powers of the Commission, shall apply during the ~~*Single*~~***internal*** market emergency mode.	3. Articles 41b to 41g, except as regards ~~provisions concerning the powers~~ **the power** of the Commission **in Article 41e(5)**, shall apply **only** during the Single Market emergency mode **activated in accordance with Article 14 of [the SMEI Regulation]**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), second subparagraph			
89	However, Article 41c(2), second subparagraph, and Article 41c(5) shall apply during the Single Market emergency mode and after its	*deleted*	However, ~~Article 41c(2), second subparagraph, and~~ Article 41c(5) shall apply during the Single Market emergency mode and after its

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	deactivation or expiry.		deactivation or expiry.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (4)			
90	4. The Commission shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken with respect to PPE placed on the market in accordance with Articles 41c to 41f. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(3).	*deleted*	4. The Commission ~~shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken~~**may adopt implementing acts regarding the corrective or restrictive actions to be taken, the procedures to be followed and the specific labelling and traceability requirements** with respect to PPE placed on the market in accordance with Articles 41c to ~~41f~~**41e**. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(3).
Article 2, first paragraph, point (2), amending provision, Article			
91	Article 41bPrioritisation of the conformity assessment of crisis-relevant PPE	Article 41bPrioritisation of the conformity assessment of crisis-relevant PPE	**Article 41b**~~Article 41b~~Prioritisation of the conformity assessment of crisis-relevant PPE

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Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			
92	1. This Article shall apply to PPE designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 19 requiring mandatory involvement of a notified body.	1. This Article shall apply to PPE designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 19 requiring mandatory involvement of a notified body.	1. This Article shall apply to PPE designated as **a** crisis-relevant ~~goods~~**good**, which ~~are~~**is** subject to conformity assessment procedures in accordance with Article 19 requiring mandatory involvement of a notified body.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2)			
93	2. The notified bodies shall process all applications for conformity assessment of PPE designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall ***ensure all reasonable efforts are made to*** process all applications for conformity assessment of PPE designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall process all applications for conformity assessment of PPE designated as **a** crisis-relevant ~~goods~~**good** as a matter of priority**, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3)			
94	3. All pending applications for conformity	3. All pending applications for conformity	*deleted*

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	assessment of such PPE shall be processed as a matter of priority, ahead of any other applications for conformity assessment of PPE, which has not been designated as crisis-relevant goods. This requirement applie with respect to all applications for conformity assessment of PPE designated as crisis-relevant good, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	assessment of such PPE shall be processed as a matter of priority, ahead of any other applications for conformity assessment of PPE, which has not been designated as crisis-relevant goods. This requirement applie with respect to all applications for conformity assessment of PPE designated as crisis-relevant good, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	
Article 2, first paragraph, point (2), amending provision, numbered paragraph (4)			
95	*4.* The prioritisation of applications for conformity assessment of PPE pursuant to paragraph 3 shall not give rise to any additional costs for the manufacturers, who have lodged those applications.	4. The prioritisation of applications for conformity assessment of PPE pursuant to paragraph 3 shall not give rise to any ***extraordinary*** additional costs for the manufacturers, who have lodged those applications.	4. The prioritisation of applications for conformity assessment of PPE pursuant to paragraph ~~3~~**2** shall not give rise to ~~any~~ **disproportionate** additional costs for the manufacturers, who have lodged those applications.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (5)			

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96	5. The notified bodies shall deploy their best efforts to increase their testing capacities for PPE designated as crisis-relevant goods in respect to which they have been notified.	5. The notified bodies shall ~~*deploy their best*~~***ensure all reasonable*** efforts ***are made*** to increase their testing capacities for PPE designated as crisis-relevant goods in respect to which they have been notified.	*deleted*
Article 2, first paragraph, point (2), amending provision, Article			
97	Article 41cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	Article 41cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	**Article 41c**~~Article 41c~~Derogation from the conformity assessment procedures requiring mandatory involvement of a notified body
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			
98	1. By way of derogation from Article 19, any competent national authority may authorise, on a duly justified request, the placing on the market within the territory of the Member State concerned, of a specific PPE which has been designated as crisis-relevant good for which the conformity assessment procedures requiring	1. By way of derogation from Article 19, ~~*any*~~***the*** competent national authority***, after carrying out a risk assessment,*** may authorise, on a duly justified request ***from an economic operator established in its Member State***, the placing on the market within the territory of ~~*the*~~***that*** Member State ~~*concerned*~~, of a specific	1. By way of derogation from Article 19, any competent national authority may authorise, on a duly justified request, the placing on the market within the territory of the Member State concerned, of a specific PPE which has been designated as **a** crisis-relevant good for which the conformity assessment procedures requiring

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	mandatory involvement of a notified body referred to in that Article have not been carried out by a notified body but for which the compliance with all the applicable essential health and safety requirements has been demonstrated.	PPE which has been designated as crisis-relevant ~~*good*~~***goods*** for which the conformity assessment procedures requiring mandatory involvement of a notified body referred to in that Article have not been carried out by a notified body but for which the compliance with all the applicable essential health and safety requirements has been demonstrated.	mandatory involvement of a notified body referred to in that Article have not been carried out ~~by a notified body~~ but for which the compliance with all the applicable essential health and safety requirements has been demonstrated **in accordance with procedures referred to in that authorisation**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), first subparagraph			
98a			**1a. The Member State shall immediately inform the Commission and the other Member States of any authorisation granted in accordance with paragraph 1. Unless the requirements set in the authorisation do not ensure the conformity with the applicable essential health and safety requirements laid down in Annex II to this Regulation, the Commission shall without delay adopt an implementing act extending for a limited**

	Commission Proposal	EP Mandate	Council Mandate
			period of time the validity of the authorisation granted by a Member State in accordance with paragraph 1 to the territory of the Union and set the conditions under which the specific PPE may be placed on the market. When preparing the draft implementing act, the Commission may request national market surveillance authorities to provide relevant information or comments regarding the technical assessment that served as the basis for the authorisation referred to in paragraph 1. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 44(3).
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), second subparagraph			
98b			**The specific PPE subject to the extension of validity referred to in the first subparagraph shall bear the information that it is placed on**

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			the market as a "crisis-relevant good". The implementing act referred to in the first subparagraph shall specify the modalities of that information. That information, as well as any labelling, shall be clear, understandable and intelligible and, where relevant, in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1b)			
98c			**1b. On duly justified imperative grounds of urgency relating to the need to preserve the health and safety of persons, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 44(4).**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1c), first subparagraph			

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98d			**1c. As long as an implementing act referred to in paragraphs 1a or 1b is not adopted, the authorisation granted by a competent national authority in one Member State shall be valid only on the territory of the issuing Member State, as well as on the territories of any other Member States whose competent national authorities have recognised the validity of that authorisation before the adoption of the said implementing act.**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1c), second subparagraph			
98e			**Member States shall inform the Commission and the other Member States of any decision to recognise the validity of that authorisation.**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2), first subparagraph			
99	2. The manufacturer of a PPE subject to the	2. The manufacturer of a PPE subject to the	2. The manufacturer of a PPE subject to the

	Commission Proposal	EP Mandate	Council Mandate
	authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the PPE concerned complies with all the applicable essential health and safety requirements and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the PPE concerned complies with all the applicable essential health and safety requirements and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the PPE concerned complies with all the applicable essential health and safety requirements and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the ~~national~~ competent **national** authority.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2), second subparagraph			
100	The manufacturer shall also deploy all reasonable measures to ensure that the PPE, which has been granted an authorisation pursuant to paragraph 1 does not leave the territory of the Member State, which issued the authorisation.	*deleted*	*deleted*
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3)			
101	*3.* Any authorisation issued by a national competent authority pursuant to paragraph 1	3. Any authorisation issued by a national competent authority pursuant to paragraph 1	3. Any authorisation issued ~~by a national competent authority~~ pursuant to paragraph 1

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	shall set out the conditions and requirements under which the PPE may be placed on the market, including:	shall set out the conditions and requirements under which the PPE may be placed on the market, including ***at least***:	shall set out the conditions and requirements under which the PPE may be placed on the market~~, including~~**. The authorisations shall at least set out the following**:
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), point (a)			
102	(a) a description of the procedures, by means of which the compliance with the applicable essential health and safety requirements was successfully demonstrated;	(a) a description of the procedures, by means of which the compliance with the applicable essential health and safety requirements was successfully demonstrated;	(a) a description of the procedures, by means of which the compliance with the applicable essential health and safety requirements was successfully demonstrated;
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), point (b)			
103	(b) specific requirements regarding the traceability of the PPE concerned;	(b) specific requirements regarding the traceability of the PPE concerned;	(b) **any** specific requirements regarding the traceability of the PPE concerned;
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), point (c)			
104	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the	(c) an end date of validity***, unless otherwise specified,*** of the authorisation, which cannot go	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the

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	period for which the Single Market emergency mode has been activated;	beyond the last day of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated;	period for which the Single Market emergency mode has been activated **in accordance with Article 14 of [the SMEI Regulation]**;
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), point (d)			
105	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the PPE concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the PPE concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the PPE concerned;
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3), point (e)			
106	(e) measures to be taken with respect to the PPE concerned upon expiry of the authorisation in order to ensure that the PPE concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the PPE concerned upon expiry of the authorisation in order to ensure that the PPE concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the PPE **placed on the market upon expiry of the Single Market emergency** ~~concerned upon expiry of the authorisation in order to ensure that the PPE concerned is brought back in compliance with all the requirements of this Regulation~~.
Article 2, first paragraph, amending provision, numbered paragraph (3), point (ea)			

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106a		***(ea) labelling requirements, including radio frequency identification, indicating that the PPE was authorised under the internal market emergency mode.***	
Article 2, first paragraph, point (2), amending provision, numbered paragraph (4)			
107	4. By way of derogation from Article 41a(3), first subparagraph, where appropriate, the national competent authority may amend the conditions of the authorisation referred to in paragraph 3 of this Article also after the deactivation or expiry of the Single Market Emergency mode.	4. By way of derogation from Article 41a(3), ~~*first subparagraph,*~~ where appropriate, the national competent authority may ***also*** amend the conditions ~~*of the authorisation*~~***and requirements*** referred to in paragraph 3 of this Article also after the deactivation or expiry of the ~~*Single*~~***internal*** market emergency mode.	*deleted*
Article 2, first paragraph, point (2), amending provision, numbered paragraph (5)			
108	*5.* By way of derogation from Articles 7 and 17, PPE, for which an authorisation has been granted in accordance with paragraph 1 of this Article, shall not leave the territory of the	*deleted*	5. By way of derogation from Articles 7**, 16** and 17, PPE, for which an authorisation has been granted in accordance with paragraph 1 ~~of this Article,~~ shall not ~~leave the territory of the~~

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	Member State which has issued the authorisation and shall not bear the CE marking.		~~Member State which has issued the authorisation and~~**bear the CE marking and Article 7** shall not ~~bear the CE marking~~**apply**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (5a), first subparagraph			
109	6. The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such PPE.	6. The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such PPE. ***The market surveillance authorities shall keep all records related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.***	~~6~~**5a**. The market surveillance authorities of ~~the~~**a** Member State, ~~whose competent authority has granted~~**where** an authorisation pursuant to ~~paragraph 1,~~ **paragraphs 1, 1a and 1c is valid,** shall be entitled to take all corrective and restrictive ~~measures~~ **actions** at national level provided for **under Regulation (EU) 2019/1020 and** under this Regulation with respect to such PPE.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph			

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109a			**They shall immediately inform the Commission and the market surveillance authorities of other Member States of these actions.**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (7)			
110	7. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market of PPE in accordance with paragraph 1.	7. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market of PPE in accordance with paragraph 1.	*deleted*
Article 2, first paragraph, point (2), amending provision, numbered paragraph (8)			
111	*8.* The application of Articles 41a to 41g and the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant conformity assessment procedures laid down in Article 19 on the territory of the Member State concerned.	8. The application of Articles 41a to 41g and the use of the authorisation procedure set out in paragraph 1 of this Article ~~*does*~~***shall*** not affect the application of the relevant conformity assessment procedures laid down in Article 19 ~~*on the territory of the Member State concerned*~~.	8. The ~~application of Articles 41a to 41g and the~~ use of the authorisation procedure set out in ~~paragraph 1 of this Article~~**paragraphs 1 to 1c** does not affect the application of the relevant conformity assessment procedures laid down in Article 19 on the territory of the Member State concerned.

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Article 2, first paragraph, amending provision, numbered paragraph (8a)			
111a		***8a. PPE subject to derogation under paragraph 1 shall remain valid for six months after deactivation or expiration of the internal market emergency mode. After this period, it shall only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.***	
Article 2, first paragraph, point (2), amending provision, Article			
112	Article 41dPresumption of conformity based on national and international standards	Article 41dPresumption of conformity based on national and international standards	*deleted*
Article 2, first paragraph, point (2), amending provision, Article, first paragraph			
113	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent	*deleted*

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	authorities consider that the PPE, which complies with the relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required by the essential health and safety requirements set out in Annex II, complies with those essential health and safety requirements in either of the following cases:	authorities consider that the PPE, which complies with the relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required by the essential health and safety requirements set out in Annex II, complies with those essential health and safety requirements in either of the following cases:	
Article 2, first paragraph, point (2), amending provision, Article, first paragraph, point (a)			
114	*(a)* where no reference to harmonised standards covering the relevant essential health and safety requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where no reference to harmonised standards covering the relevant essential health and safety requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	*deleted*
Article 2, first paragraph, point (2), amending provision, Article, first paragraph, point (b)			
115	*(b)* where severe disruptions in the functioning	(b) where severe disruptions in the functioning	*deleted*

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	of the Single Market, which were taken into consideration when activating the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex II to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	of the ~~*Single*~~***internal*** market, which were taken into consideration when activating the ~~*Single*~~***internal*** market emergency mode in accordance with Article ~~*15(4) of [the SMEI*~~***14 of [the IMERA*** Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex II to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	
Article 2, first paragraph, point (2), amending provision, Article			
116	Article 41eAdoption of common specifications conferring a presumption of conformity	Article 41eAdoption of common specifications conferring a presumption of conformity	**Article 41e**~~Article 41eAdoption of common specifications conferring a presumption of conformity~~**Presumption of conformity based on standards and common specifications**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			

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117	1. Where PPE, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such PPE to cover the essential health and safety requirements set out in Annex II in either of the following cases:	1. Where PPE, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such PPE to cover the essential health and safety requirements set out in Annex II in either of the following cases:	1. Where PPE~~, have~~ **has** been designated as **a** crisis-relevant ~~goods~~**good**, the Commission is empowered to adopt implementing acts**, listing appropriate standards or** establishing common specifications for such PPE to cover the **applicable** essential health and safety requirements set out in Annex II in either of the following cases:
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)			
118	(a) where no reference to harmonised standards covering the relevant essential health and safety requirements set out in Annex II is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where ~~*no reference to harmonised standards covering the relevant essential health and safety requirements set out in Annex II is published in the Official Journal of the European Union in accordance with*~~ ***the European standardisation deliverables addressing a request pursuant to Article 10(1) of*** Regulation (EU) No 1025/2012 ***were not adopted***;	(a) ~~where~~ no reference to harmonised standards covering the ~~relevant~~**applicable** essential health and safety requirements set out in Annex II is published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012;

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Article 2, first paragraph, amending provision, numbered paragraph (1), point (aa)			
118a		***(aa) where a reference to harmonised standards covering the relevant essential requirements set out in Annex II is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;***	
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1), point (b)			
119	(b) where severe disruptions in the functioning of the Single Market, which led to the activation Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex II to this	(b) where severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which led to the activation ~~*Single*~~***internal*** market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex II to	(b) ~~where~~ severe disruptions in the functioning of the Single Market, which led to the activation Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the ~~relevant~~**applicable** essential health and safety requirements set out in Annex II to this

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	Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	Regulation and already published in the ***Official Journal of the European Union*** ~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a)			
119a			**1a. The implementing acts referred to in paragraph 1 may:**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), point (a)			
119b			**(a) publish the references to relevant applicable international standards that provide presumption of conformity in accordance with paragraph 3;**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), point (b)			
119c			**(b) if there is no relevant applicable international standards as referred to in**

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			point a of this paragraph that cover the essential requirements set out in Annex II, publish the references to the European standards that provide presumption of conformity in accordance with paragraph 3;
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), point (c)			
119d			**(c) if there is no relevant applicable international or European standard as referred to in points a and b, that cover the essential requirements set out in Annex II, establish common specifications established by the Commission that provide presumption of conformity in accordance with paragraph 3;**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1a), point (d)			
119e			**(d) if there is no relevant applicable international standard, European standard**

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			or common specifications as referred to in points a, b and c, publish the reference to national standards that provide presumption of conformity in accordance with paragraph 3.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2)			
120	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 44(3). They shall remain applicable to PPE placed on the market until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted ~~*following a consultation of the sectoral experts and*~~ in accordance with the examination procedure referred to in Article 44(3). They shall remain applicable to PPE placed on the market until the last day of the period for which the ~~*Single*~~***internal*** market emergency mode remains active. ~~*In the early preparation of*~~***When preparing*** the draft implementing act establishing the common specification, the Commission shall ~~*gather*~~***take into account*** the views of ~~*relevant bodies or expert groups*~~	2. The implementing acts referred to in paragraph 1 ~~of this Article~~ shall be adopted ~~following a consultation of the sectoral experts and~~ in accordance with the examination procedure referred to in Article 44(3). They shall remain applicable ~~to PPE placed on the market~~ until the last day of the period for which the Single Market emergency mode remains active~~. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union~~

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	legislation. Based on that consultation, the Commission shall prepare the draft implementing act.	~~*established under*~~***the*** relevant ~~*sectoral Union legislation. Based on that consultation, the Commission*~~***bodies and*** shall ~~*prepare the draft implementing act*~~***duly consult all relevant stakeholders***.	~~legislation. Based on that consultation, the Commission shall prepare the draft implementing act~~**, unless amended or repealed in accordance with paragraph 5**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2a)			
120a			**2a. Before preparing the draft implementing act referred to in paragraph 1, the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 have been fulfilled. When preparing the draft implementing act referred to in paragraph 1, the Commission shall take into account the views of relevant bodies or expert group established under this Regulation and shall duly consult all relevant stakeholders.**COM text from row 120 above

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Article 2, first paragraph, point (2), amending provision, numbered paragraph (3)			
121	3. Without prejudice to Article 14, PPE which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the essential health and safety requirements set out in Annex II covered by those common specifications or parts thereof.	3. Without prejudice to Article 14, PPE which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the essential health and safety requirements set out in Annex II covered by those common specifications or parts thereof.	3. Without prejudice to Article 14, PPE which ~~are~~**is** in conformity with **the standards or** common specifications ~~adopted pursuant to~~ **referred to in** paragraph ~~2 of this Article~~**1 , or parts thereof,** shall be presumed to be in conformity with the essential health and safety requirements set out in Annex II covered by those **standards,** common specifications or parts thereof. **The presumption of conformity provided by the standards or the common specifications referred to in the implementing act referred to in paragraph 1 shall automatically cease to apply on the day the Single Market Emergency mode expires or is deactivated.**
Article 2, first paragraph, point (2), amending provision, numbered paragraph (4)			
122	4. By way of derogation from Article 41a(3),	4. By way of derogation from Article 41a(3),	4. By way of derogation from Article 41a(3),

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	first subparagraph, unless there is sufficient reason to believe that the PPE covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the PPE in compliance with those common specifications which has been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	~~*first subparagraph,*~~ unless there is sufficient reason to believe that the PPE covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the PPE in compliance with those common specifications which has been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the ~~*Single*~~***internal*** market emergency mode in accordance with [the ~~*SMEI*~~***IMERA*** Regulation].	first subparagraph, unless there is sufficient reason to believe that the PPE covered by the **standards or** common specifications referred to in paragraph 1 of this Article ~~present~~**presents** a risk to the health or safety of persons, the PPE ~~in compliance~~**which is in conformity** with those **standards or** common specifications **and** which has been placed on the market shall be deemed compliant with ~~this Regulation~~ **the essential requirements set out in Annex II** after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].
Article 2, first paragraph, point (2), amending provision, numbered paragraph (5)			
123	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential health and	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential health and	5. When a Member State considers that a **standard or a** common specification referred to in paragraph 1 does not entirely satisfy the

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	safety requirements which it aims to cover and which are set out in Annex II, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information and, if appropriate, amend or withdraw the implementing act establishing the common specification in question.	safety requirements which it aims to cover and which are set out in Annex II, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information***. The Commission may*** ~~*and, if appropriate,*~~ amend***, where appropriate,*** ~~*or withdraw*~~ the implementing act establishing the common specification in question.	**applicable** essential health and safety requirements ~~which it aims to cover and which are~~ set out in Annex II, it shall inform the Commission thereof ~~with~~ **by submitting** a detailed explanation and the Commission shall assess that **detailed explanation** ~~information~~ and, if appropriate, amend or ~~withdraw~~**repeal** the implementing act **listing the standard or** establishing the common specification in question.
Article 2, first paragraph, point (2), amending provision, Article			
124	Article 41fAdoption of mandatory common specifications	*deleted*	*deleted*
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			
125	*1.* In duly justified cases, the Commission is empowered to adopt implementing acts establishing mandatory common specifications	*deleted*	*deleted*

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	to cover the essential health and safety requirements set out in Annex II for PPE, which has been designated as crisis-relevant goods.		
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2)			
126	*2.* The implementing acts establishing mandatory common specifications, referred to in paragraph 1 of this Article, shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 44(3). They shall apply to PPE placed on the market until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare	*deleted*	*deleted*

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	the draft implementing act.		
Article 2, first paragraph, point (2), amending provision, numbered paragraph (3)			
127	*3.* By way of derogation from Article 41a(3), first subparagraph, unless there is sufficient reason to believe that the PPE covered by the mandatory common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the PPE in compliance with those common specifications which has been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	*deleted*	*deleted*
Article 2, first paragraph, point (2), amending provision, Article			

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128	Article 41gPrioritisation of market surveillance activities and mutual assistance among authorities	Article 41gPrioritisation of market surveillance activities and mutual assistance among authorities	**Article 41g**~~Article 41g~~Prioritisation of market surveillance activities and mutual assistance among authorities
Article 2, first paragraph, point (2), amending provision, numbered paragraph (1)			
129	1. Member States shall prioritise the market surveillance activities for PPE designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for PPE designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for PPE designated as **a** crisis-relevant ~~goods~~**good. The Commission shall facilitate coordination of these efforts through the Union Product Compliance Network established under Article 29 of Regulation (EU) 2019/1020**.
Article 2, first paragraph, point (2), amending provision, numbered paragraph (2)			
130	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert	2. The market surveillance authorities of the Member States shall ~~*deploy their*~~***ensure*** best efforts ***are made*** to provide assistance to other market surveillance authorities during ~~*a Single*~~***an internal*** market emergency, including	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert

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	teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for PPE designated as crisis-relevant goods.'	by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for PPE designated as crisis-relevant goods.'	teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for PPE designated as **a** crisis-relevant ~~goods~~**good**.''
Article 3			
131	Article 3Amendments to Regulation (EU) 2016/426	Article 3Amendments to Regulation (EU) 2016/426	Article 3Amendments to Regulation (EU) 2016/426
Article 3, first paragraph			
132	In Regulation (EU) 2016/426, the following Chapter VIa is inserted after Chapter VI:	In Regulation (EU) 2016/426, the following Chapter VIa is inserted after Chapter VI:	~~In~~ Regulation (EU) 2016/426~~, the following Chapter VIa is inserted after Chapter VI~~ **is amended as follows**:
Article 3, first paragraph, point (1)			
132a			**(1) In Article 2 the following points is are**

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			added:
Article 3, first paragraph, point (1), amending provision, first paragraph			
132b			**"(32) 'crisis-relevant goods' means 'crisis-relevant goods' within the meaning of Article 3, point (6) of Regulation (EU) …/…. [SMEI Regulation];**
Article 3, first paragraph, point (1), amending provision, second paragraph			
132c			**(33) 'Single Market Emergency' means 'Single Market Emergency' within the meaning of Article 3, point (3) of Regulation (EU) …/… [SMEI Regulation].;"**
Article 3, first paragraph, point (2)			
132d			**(2) The following Chapter Va is inserted after Chapter V:**

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Article 3, first paragraph, point (2), amending provision, Chapter I			
133	‘CHAPTER VIaEMERGENCY PROCEDURES	‘CHAPTER VIaEMERGENCY PROCEDURES	**Chapter Va**‘~~CHAPTER VIa~~EMERGENCY PROCEDURES
Article 3, first paragraph, point (2), amending provision, Article			
134	Article 40aApplicationof emergency procedures	Article 40a~~*Applicationof*~~***Application of*** emergency procedures	**Article 40a**~~Article 40aApplicationof~~**Application of** emergency procedures
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			
135	1. Articles 40b to 40g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to this Regulation.	1. Articles 40b to 40g ***of this Regulation*** shall only apply if the Commission has adopted an implementing act pursuant to Article ~~*23 of [the SMEI*~~***14(5) of [the IMERA*** Regulation] activating Article 26 of [the ~~*SMEI*~~***IMERA*** Regulation]~~*with respect to this Regulation*~~.	1. Articles 40b to 40g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to **appliances and fittings covered by** this Regulation.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2)			

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136	2. Articles 40b to 40g shall apply exclusively to appliances and fittings, which has been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 40b to 40g shall apply exclusively to appliances and fittings, which ~~*has*~~***have*** been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 40b to 40g~~ shall~~ apply exclusively to appliances and fittings, which has been designated as crisis-relevant goods ~~in the implementing act referred to in paragraph 1 of this Article~~**pursuant to Article 14 of [the SMEI Regulation]**.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), first subparagraph			
137	3. Articles 40b to 40g, except as regards provisions concerning the powers of the Commission, shall apply during the Single Market emergency mode remains active.	3. Articles 40b to 40g, except as regards provisions concerning the powers of the Commission, shall apply during the ~~*Single*~~***internal*** market emergency mode remains active.	3. Articles 40b to 40g, except as regards ~~provisions concerning the powers~~ **the power** of the Commission **in Article 40e(5)**, shall apply **only** during the Single Market emergency mode **activated in accordance with Article 14 of [the SMEI Regulation]**~~ remains active~~.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), second subparagraph			
138	However, Article 40c(2), second subparagraph, and Article 40c(5) shall apply during the Single Market emergency mode and after its	*deleted*	However,~~ Article 40c(2), second subparagraph, and~~ Article 40c(5) shall apply during the Single Market emergency mode and after its

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	deactivation or expiry.		deactivation or expiry.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (4)			
139	4. The Commission shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken with respect to appliances and fittings placed on the market in accordance with Articles 40c to 40f. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(3).	*deleted*	4. The Commission ~~shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken~~**may adopt implementing acts regarding the corrective or restrictive actions to be taken, the procedures to be followed and the specific labelling and traceability requirements** with respect to appliances and fittings placed on the market in accordance with Articles 40c to ~~40f~~**40e**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 42(3).
Article 3, first paragraph, point (2), amending provision, Article			
140	Article 40bPrioritisation of the conformity	Article 40bPrioritisation of the conformity	**Article 40b**~~Article 40b~~Prioritisation of the

	Commission Proposal	EP Mandate	Council Mandate
	assessment of crisis-relevant appliances and fittings	assessment of crisis-relevant appliances and fittings	conformity assessment of crisis-relevant appliances and fittings
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			
141	1. This Article shall apply to all appliances and fittings designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 14 requiring mandatory involvement of a notified body.	1. This Article shall apply to all appliances and fittings designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 14 requiring mandatory involvement of a notified body.	1. This Article shall apply to all appliances and fittings designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 14 requiring mandatory involvement of a notified body.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2)			
142	2. The notified bodies shall process all applications for conformity assessment of appliances and fittings designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall ***ensure all reasonable efforts are made to*** process all applications for conformity assessment of appliances and fittings designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall process all applications for conformity assessment of appliances and fittings designated as crisis-relevant goods as a matter of priority**, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article**

	Commission Proposal	EP Mandate	Council Mandate
			40a.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3)			
143	3. All pending applications for conformity assessment of appliances and fittings designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for appliances and fittings, which have not been designated as crisis-relevant goods. This requirement applies with respect to all applications for conformity assessment of appliances and fittings designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	3. All pending applications for conformity assessment of appliances and fittings designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for appliances and fittings, which have not been designated as crisis-relevant goods. This requirement applies with respect to all applications for conformity assessment of appliances and fittings designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	*deleted*
Article 3, first paragraph, point (2), amending provision, numbered paragraph (4)			
144	*4.* The prioritisation of applications for	4. The prioritisation of applications for	4. The prioritisation of applications for

	Commission Proposal	EP Mandate	Council Mandate
	conformity assessment of appliances and fittings pursuant to paragraph 3 shall not give rise to any additional costs for the manufacturers, who have lodged those applications.	conformity assessment of appliances and fittings pursuant to paragraph 3 shall not give rise to any ***extraordinary*** additional costs for the manufacturers, who have lodged those applications.	conformity assessment of appliances and fittings pursuant to paragraph ~~3~~**2** shall not give rise to ~~any~~ **disproportionate** additional costs for the manufacturers, who have lodged those applications.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (5)			
145	5. The notified bodies shall deploy their best efforts to increase their testing capacities for appliances and fittings designated as crisis-relevant goods in respect to which they have been notified.	5. The notified bodies shall ~~*deploy their best*~~***ensure all reasonable*** efforts ***are made*** to increase their testing capacities for appliances and fittings designated as crisis-relevant goods in respect to which they have been notified.	*deleted*
Article 3, first paragraph, point (2), amending provision, Article			
146	Article 40cDerogation from conformity assessment procedures requiring mandatory involvement of a notified bod	Article 40cDerogation from conformity assessment procedures requiring mandatory involvement of a notified ~~*bod*~~***body***	**Article 40c**~~Article 40c~~Derogation from conformity assessment procedures requiring mandatory involvement of a notified ~~bod~~**body**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			

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147	1. By way of derogation from Article 14, any competent national authority may authorise, on a duly justified request, the placing on the market or putting into service within the territory of the Member State concerned, of a specific appliance or fitting which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body, referred to in Article 14, have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated.	1. By way of derogation from Article 14, ~~any~~***the*** competent national authority***, after carrying out a risk assessment,*** may authorise, on a duly justified request ***from an economic operator established in its Member State***, the placing on the market or putting into service within the territory of ~~the~~***that*** Member State ~~concerned~~, of a specific appliance or fitting which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body, referred to in Article 14, have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated.	1. By way of derogation from Article 14, any competent national authority may authorise, on a duly justified request, the placing on the market or putting into service within the territory of the Member State concerned, of a specific appliance or fitting which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body, referred to in Article 14, have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated **in accordance with procedures referred to in that authorisation**.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), first subparagraph			
147a			**1a. The Member State shall immediately inform the Commission and the other**

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			Member States of any authorisation granted in accordance with paragraph 1. Unless the requirements set in the authorisation do not ensure the conformity with the essential requirements laid down in Annex I to this Regulation, the Commission shall without delay adopt an implementing act extending for a limited period of time the validity of the authorisation granted by a Member State in accordance with paragraph 1 to the territory of the Union and set the conditions under which the specific appliance or fitting may be placed on the market. When preparing the draft implementing act, the Commission may request national market surveillance authorities to provide relevant information or comments regarding the technical assessment that served as the basis for the authorisation referred to in paragraph 1. The implementing act shall be adopted in accordance with the examination procedure

	Commission Proposal	EP Mandate	Council Mandate
			referred to in Article 42(3).
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), second subparagraph			
147b			**The specific appliance or fitting subject to the extension of validity referred to in the first subparagraph shall bear the information that it is placed on the market as a "crisis-relevant good". The implementing act referred to in the first subparagraph shall specify the modalities of that information. That information, as well as any labelling, shall be clear, understandable and intelligible and, where relevant, in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1b)			
147c			**1b. On duly justified imperative grounds of**

	Commission Proposal	EP Mandate	Council Mandate
			urgency relating to the need to preserve the health and safety of persons, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(4).
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1c), first subparagraph			
147d			**1c. As long as an implementing act referred to in paragraphs 1a or 1b is not adopted, the authorisation granted by a competent national authority in one Member State shall be valid only on the territory of the issuing Member State, as well as on the territories of any other Member States whose competent national authorities have recognised the validity of that authorisation before the adoption of the said implementing act.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1c), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate
147e			**Member States shall inform the Commission and the other Member States of any decision to recognise the validity of that authorisation.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2), first subparagraph			
148	2. The manufacturer of an appliance or a fitting subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the appliance or the fitting concerned complies with all the applicable essential requirements set out in Annex I and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	2. The manufacturer of an appliance or a fitting subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the appliance or the fitting concerned complies with all the applicable essential requirements set out in Annex I and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	2. The manufacturer of an appliance or a fitting subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the appliance or the fitting concerned complies with all the applicable essential requirements set out in Annex I and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the ~~national~~ competent **national** authority.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2), second subparagraph			
149	The manufacturer shall also deploy all reasonable measures to ensure that the	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	appliance or fitting, which has been granted an authorisation pursuant to paragraph 1 does not leave the territory of the Member State, which issued the authorisation.		
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3)			
150	*3.* Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the appliance or fitting may be placed on the market, including:	3. Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the appliance or fitting may be placed on the market ***or put into service***, including ***at least***:	3. Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the appliance or fitting may be placed on the market~~, including~~**. The authorisation shall at least set out the following**:
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), point (a)			
151	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;

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Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), point (b)			
152	(b) specific requirements regarding the traceability of the subsystem or safety component concerned;	(b) specific requirements regarding the traceability of the subsystem or safety component concerned;	(b) **any** specific requirements regarding the traceability of the ~~subsystem or safety component~~ **appliance or fitting** concerned;
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), point (c)			
153	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated;	(c) an end date of validity of the authorisation, ***unless otherwise specified,*** which cannot go beyond the last day of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated;	(c) an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated~~;~~ **in accordance with Article 14 [the SMEI Regulation].**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), point (d)			
154	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the subsystem or safety component concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the subsystem or safety component concerned;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the ~~subsystem or safety component~~**appliance or fitting** concerned;

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Article 3, first paragraph, point (2), amending provision, numbered paragraph (3), point (e)			
155	(e) measures to be taken with respect to the appliance or fitting concerned upon expiry of the authorisation in order to ensure that the appliance or fitting concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the appliance or fitting concerned upon expiry of the authorisation in order to ensure that the appliance or fitting concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the appliance or fitting ~~concerned upon expiry of the authorisation in order to ensure that the appliance or fitting concerned is brought back in compliance with all the requirements of this Regulation~~**placed on the market upon expiry of the Single Market emergency**.
Article 3, first paragraph, amending provision, numbered paragraph (3), point (ea)			
155a		***(ea) labelling requirements, including radio frequency identification, indicating that the appliance and fitting was authorised under the internal market emergency mode.***	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (4)			
156	4. By way of derogation from Article 40a(3), first subparagraph, where appropriate, the	4. By way of derogation from Article 40a(3), ~~*first subparagraph,*~~ where appropriate, the	*deleted*

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	national competent authority may amend the conditions of the authorisation referred to in paragraph 3 also after the deactivation or expiry of the Single Market Emergency mode.	national competent authority may ***also*** amend the conditions ~~*of the authorisation*~~***and requirements*** referred to in paragraph 3 ~~*also*~~***of this Article*** after the deactivation or expiry of the ~~*Single*~~***internal*** market emergency mode.	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (5)			
157	*5.* By way of derogation from Articles 6 and 17, appliances or fittings, for which an authorisation has been granted in accordance with paragraph 1 of this Article, shall not leave the territory of the Member State which has issued the authorisation and shall not bear the CE marking.	*deleted*	5. By way of derogation from Articles 6**, 16** and 17, appliances or fittings, for which an authorisation has been granted in accordance with paragraph 1~~ of this Article,~~ shall not ~~leave the territory of the Member State which has issued the authorisation and~~**bear the CE marking and Article 6** shall not ~~bear the CE marking~~**apply**.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (5a), first subparagraph			
158	6. The market surveillance authorities of the Member State, whose competent authority has	6. The market surveillance authorities of the Member State, whose competent authority has	~~6~~**5a**. The market surveillance authorities of ~~the~~**a** Member State, ~~whose competent authority~~

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	granted an authorisation pursuant to paragraph 1 shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such appliances or fittings.	granted an authorisation pursuant to paragraph 1 shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such appliances or fittings. ***The market surveillance authorities shall keep all records related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.***	~~has granted~~**where** an authorisation pursuant to ~~paragraph 1~~**paragraphs 1, 1a and 1c is valid** shall be entitled to take all corrective and restrictive ~~measures~~ **actions** at national level provided for **under Regulation (EU) 2019/1020 and** under this Regulation with respect to such appliances or fittings.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph			
158a			**They shall immediately inform the Commission and the market surveillance authorities of other Member States of these actions.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (7)			
159	7. Member States shall inform the Commission	7. Member States shall inform the Commission	*deleted*

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	and the other Member States of any decision to authorise the placing on the market of appliances or fittings in accordance with paragraph 1.	and the other Member States of any decision to authorise the placing on the market of appliances or fittings in accordance with paragraph 1.	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (8)			
160	*8.* The application of Articles 40a to 40g and the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant conformity assessment procedures laid down in Article 14 on the territory of the Member State concerned.	8. The application of Articles 40a to 40g and the use of the authorisation procedure set out in paragraph 1 of this Article ~~*does*~~***shall*** not affect the application of the relevant conformity assessment procedures laid down in Article 14 ~~*on the territory of the Member State concerned*~~.	8. The ~~application of Articles 40a to 40g and the~~ use of the authorisation procedure set out in ~~paragraph 1 of this Article~~**paragraphs 1 to 1c** does not affect the application of the relevant conformity assessment procedures laid down in Article 14 on the territory of the Member State concerned.
Article 3, first paragraph, amending provision, numbered paragraph (8a)			
160a		***8a. Appliances and fittings subject to derogation under paragraph 1 shall remain valid for six months after deactivation or expiration of the internal market emergency***	

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		mode. After this period, they shall only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.	
Article 3, first paragraph, point (2), amending provision, Article			
161	Article 40dPresumption of conformity based on national and international standards	Article 40dPresumption of conformity based on national and international standards	*deleted*
Article 3, first paragraph, point (2), amending provision, Article, first paragraph			
162	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market or putting into service, their competent authorities consider that appliances and fittings, which comply with relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required	Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market or putting into service, their competent authorities consider that appliances and fittings, which comply with relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required	*deleted*

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	by the essential requirements set out in Annex I, comply with those essential requirements in either of the following cases:	by the essential requirements set out in Annex I, comply with those essential requirements in either of the following cases:	
Article 3, first paragraph, point (2), amending provision, Article, first paragraph, point (a)			
163	*(a)* where no reference to harmonised standards covering the relevant essential safety requirements set out in Annex I is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where no reference to harmonised standards covering the relevant essential safety requirements set out in Annex I is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	*deleted*
Article 3, first paragraph, point (2), amending provision, Article, first paragraph, point (b)			
164	*(b)* severe disruptions in the functioning of the Single Market, which were taken into consideration when activating the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation], significantly restrict the possibilities of	(b) ***where*** severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which were taken into consideration when activating the ~~*Single*~~***internal*** market emergency mode in accordance with Article ~~*15(4) of [the SMEI*~~***14 of [the IMERA*** Regulation], significantly	*deleted*

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	manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex I to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex I to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	
Article 3, first paragraph, point (2), amending provision, Article			
165	Article 40eAdoption of common specifications conferring a presumption of conformity	Article 40eAdoption of common specifications conferring a presumption of conformity	**Article 40e**~~Article 40eAdoption of common specifications conferring a presumption of conformity~~**Presumption of conformity based on standards and common specifications**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			
166	1. Where appliances or fittings have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common	1. Where appliances or fittings have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common	1. Where appliances or fittings have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts**, listing appropriate**

	Commission Proposal	EP Mandate	Council Mandate
	specifications for such appliances or fittings to cover the essential requirements set out in Annex I in either of the following cases:	specifications for such appliances or fittings to cover the essential requirements set out in Annex I in either of the following cases:	**standards or** establishing common specifications for such appliances or fittings to cover the essential requirements set out in Annex I in either of the following cases:
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)			
167	(a) where no reference to harmonised standards covering the relevant essential requirements set out in Annex I is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	(a) where ~~*no reference to harmonised standards covering the relevant essential requirements set out in Annex I is published in the Official Journal of the European Union in accordance with*~~ ***the European standardisation deliverables addressing a request pursuant to Article 10(1) of*** Regulation (EU) No 1025/2012 ***were not adopted***;	(a) ~~where~~ no reference to harmonised standards covering the relevant essential requirements set out in Annex I is published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012;
Article 3, first paragraph, amending provision, numbered paragraph (1), point (aa)			
167a		***(aa) where a reference to harmonised standards covering the relevant essential requirements set out in Annex II is not***	

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		published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1), point (b)			
168	(b) where severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex I in this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	(b) where severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which led to the activation of the ~~*Single*~~***internal*** market emergency mode in accordance with Article ~~*15(4) of [the SMEI*~~***14 of [the IMERA*** Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex I in this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	(b) ~~where~~ severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode in accordance with Article ~~15(4)~~**14(4)** of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential requirements set out in Annex I in this Regulation and already published in the ***Official Journal of the European Union*** ~~Official Journal of the European Union~~ in accordance with Regulation (EU) No 1025/2012.

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Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a)			
168a			**1a. The implementing acts referred to in paragraph 1 may:**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), point (a)			
168b			**(a) publish the references to relevant applicable international standards that provide presumption of conformity in accordance with paragraph 3;**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), point (b)			
168c			**(b) if there is no relevant applicable international standards as referred to in point a of this paragraph that cover the essential requirements set out in Annex I to this Regulation, publish the references to the European standards that provide presumption of conformity in accordance**

	Commission Proposal	EP Mandate	Council Mandate
			with paragraph 3;
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), point (c)			
168d			**(c) if there is no relevant applicable international or European standard as referred to in points a and b, that cover the essential requirements set out in Annex I to this Regulation, establish common specifications established by the Commission that provide presumption of conformity in accordance with paragraph 3;**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1a), point (d)			
168e			**(d) if there is no relevant applicable international standard, European standard or common specifications as referred to in points a, b and c, publish the reference to national standards that provide presumption of conformity in accordance with paragraph**

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			3.
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2)			
169	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 42(3). They shall apply to appliances and fittings placed on the market no longer than until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted ~~*following a consultation of the sectoral experts and*~~ in accordance with the examination procedure referred to in Article 42(3). They shall apply to appliances and fittings placed on the market no longer than until the last day of the period for which the ~~*Single*~~***internal*** market emergency mode remains active. ~~*In the early preparation of*~~***When preparing*** the draft implementing act establishing the common specification, the Commission shall ~~*gather*~~***take into account*** the views of ~~*relevant bodies or expert groups established under*~~***the*** relevant ~~*sectoral Union legislation. Based on that consultation, the Commission*~~***bodies and*** shall ~~*prepare the draft implementing act*~~***duly consult***	2. The implementing acts referred to in paragraph 1 ~~of this Article~~ shall be adopted ~~following a consultation of the sectoral experts and~~ in accordance with the examination procedure referred to in Article 42(3). They shall apply ~~to appliances and fittings placed on the market no longer than~~ until the last day of the period for which the Single Market emergency mode remains active~~. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act~~**, unless amended or repealed in accordance with paragraph 5**.

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		all relevant stakeholders.	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2a)			
169a			**2a. Before preparing the draft implementing act referred to in paragraph 1, the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 have been fulfilled. When preparing the draft implementing act referred to in paragraph 1, the Commission shall take into account the views of relevant bodies or expert groups established under the Regulation.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3)			
170	3. Without prejudice to Article 13, appliances or fittings which are in conformity with common specifications adopted pursuant to	3. Without prejudice to Article 13, appliances or fittings which are in conformity with common specifications adopted pursuant to	3. Without prejudice to Article 13, appliances or fittings which are in conformity with **the standards or** common specifications ~~adopted~~

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	paragraph 2 of this Article shall be presumed to be in conformity with the essential requirements set out in Annex I covered by those common specifications or parts thereof.	paragraph 2 of this Article shall be presumed to be in conformity with the essential requirements set out in Annex I covered by those common specifications or parts thereof.	~~pursuant to~~**referred to in** paragraph ~~2 of this Article~~**1 , or parts thereof,** shall be presumed to be in conformity with the essential requirements set out in Annex I covered by those **standards,** common specifications or parts thereof. **The presumption of conformity provided by the standards or the common specifications referred to in the implementing act referred to in paragraph 1 shall automatically cease to apply on the date the Single Market Emergency mode expires or is deactivated.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (4)			
171	4. By way of derogation from Article 40a(3), first subparagraph, unless there is sufficient reason to believe that the appliances or fittings covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the appliances or	4. By way of derogation from Article 40a(3), ~~*first subparagraph,*~~ unless there is sufficient reason to believe that the appliances or fittings covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the appliances or	4. By way of derogation from Article 40a(3), first subparagraph, unless there is sufficient reason to believe that the appliances or fittings covered by the **standards or** common specifications referred to in paragraph 1 ~~of this Article~~ present a risk to the health or safety of

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	fittings in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	fittings in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the ~~*Single*~~***internal*** market emergency mode in accordance with [the ~~*SMEI*~~***IMERA*** Regulation].	persons, the appliances or fittings ~~in compliance~~ **which are in conformity** with those **standards or** common specifications **and** which have been placed on the market shall be deemed compliant with **the essential requirements set out in Annex I to** this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 ~~of this Article~~ and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].
Article 3, first paragraph, point (2), amending provision, numbered paragraph (5)			
172	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential requirements which it aims to cover and which are set out in Annex I, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential requirements which it aims to cover and which are set out in Annex I, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that	5. When a Member State considers that a **standard or** common specification referred to in paragraph 1 does not entirely satisfy the essential requirements ~~which it aims to cover and which are~~ set out in Annex I, it shall inform the Commission thereof ~~with~~ **by submitting** a detailed explanation ~~and~~ **.** The

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	information and, if appropriate, amend or withdraw the implementing act establishing the common specification in question.	information***. The Commission may*** ~~*and, if appropriate,*~~ amend***, where appropriate,*** ~~*or withdraw*~~ the implementing act establishing the common specification in question.	Commission shall assess that ~~information~~ **detailed explanation** and, if appropriate, amend or ~~withdraw~~**repeal** the implementing act **listing the standard or** establishing the common specification in question.
Article 3, first paragraph, point (2), amending provision, Article			
173	Article 40fAdoption of mandatory common specifications	*deleted*	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			
174	*1.* In duly justified cases, the Commission is empowered to adopt implementing acts establishing mandatory common specifications to cover the essential requirements set out in Annex I for appliances or fittings, which have been designated as crisis-relevant goods.	*deleted*	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2)			

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175	*2.* The implementing acts establishing mandatory common specifications, referred to in paragraph 1 of this Article, shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 42(3) and they shall apply to appliances or fittings placed on the market at the latest until the last day of the period for which the Single Market emergency remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.	*deleted*	
Article 3, first paragraph, point (2), amending provision, numbered paragraph (3)			
176	*3.* By way of derogation from Article 40a(3),	*deleted*	*deleted*

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	first subparagraph, unless there is sufficient reason to believe that the appliances or fittings covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the appliances or fittings in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].		
Article 3, first paragraph, point (2), amending provision, Article			
177	Article 40gPrioritisation of market surveillance activities and mutual assistance among authorities	Article 40gPrioritisation of market surveillance activities and mutual assistance among authorities	**Article 40g**~~Article 40g~~Prioritisation of market surveillance activities and mutual assistance among authorities

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Article 3, first paragraph, point (2), amending provision, numbered paragraph (1)			
178	1. The Member States shall prioritise the market surveillance activities for appliances and fittings designated as crisis-relevant goods.	1. The Member States shall prioritise the market surveillance activities for appliances and fittings designated as crisis-relevant goods.	1. The Member States shall prioritise the market surveillance activities for appliances and fittings designated as crisis-relevant goods. **The Commission shall facilitate coordination of these efforts through the Union Product Compliance Network established under Article 29 of Regulation (EU) 2019/1020.**
Article 3, first paragraph, point (2), amending provision, numbered paragraph (2)			
179	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for	2. The market surveillance authorities of the Member States shall ~~*deploy their*~~***ensure*** best efforts ***are made*** to provide assistance to other market surveillance authorities during ~~*a Single*~~***an internal*** market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for

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	appliances and fittings designated as crisis-relevant goods. ‘	reinforcement of the testing capacity for appliances and fittings designated as crisis-relevant goods.-‘	appliances and fittings designated as crisis-relevant goods. ‘
Article 4			
180	Article 4Amendments to Regulation (EU) 2019/1009	Article 4Amendments to Regulation (EU) 2019/1009	*deleted*
Article 4, first paragraph			
181	In Regulation (EU) 2019/1009, the following Chapter Va is inserted:	In Regulation (EU) 2019/1009, the following Chapter Va is inserted:	*deleted*
Article 4, first paragraph, amending provision, first paragraph			
182	‘CHAPTER VIaEMERGENCY PROCEDURES	‘CHAPTER VIaEMERGENCY PROCEDURES	*deleted*
Article 4, first paragraph, amending provision, second paragraph			

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183	Article 41aApplicationof emergency procedures	Article 41aApplicationof emergency procedures	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (1)			
184	*1.* Articles 41b to 41g shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to this Regulation.	1. Articles 41b to 41g ***of this Regulation*** shall only apply if the Commission has adopted an implementing act pursuant to Article ~~*23 of [the SMEI Regulation] activating Article 26 of [the SMEI*~~***14(5) of [the IMERA*** Regulation]~~*with respect to this Regulation*~~.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (2)			
185	*2.* Articles 41b to 41g shall apply exclusively to fertilising products, which has been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 41b to 41g shall apply exclusively to fertilising products~~,~~ which ~~*has*~~***have*** been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), first subparagraph			

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186	*3.* Articles 41b to 41g, except as regards provisions concerning the powers of the Commission, shall apply during the Single Market emergency mode.	3. Articles 41b to 41g, except as regards provisions concerning the powers of the Commission, shall apply during the ~~*Single*~~***internal*** market emergency mode.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), second subparagraph			
187	However, Article 41c(2), second subparagraph, and Article 41c(5) shall apply during the Single Market emergency mode and after its deactivation or expiry.	*deleted*	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (4)			
188	*4.* The Commission shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken with respect to fertilising products placed on the market in accordance with Articles 41c to 41f. Those implementing acts shall be adopted in accordance with the examination procedure	*deleted*	*deleted*

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	referred to in Article 45(3).		
Article 4, first paragraph, amending provision, seventh paragraph			
189	Article 41bPrioritisation of the conformity assessment of crisis-relevant fertilising products	Article 41bPrioritisation of the conformity assessment of crisis-relevant fertilising products	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (1)			
190	*1.* This Article shall apply to fertilising products designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 15 requiring mandatory involvement of a notified body.	1. This Article shall apply to fertilising products designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 15 requiring mandatory involvement of a notified body.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (2)			
191	*2.* The notified bodies shall process all applications for conformity assessment of fertilising products designated as crisis-relevant	2. The notified bodies shall ***ensure all reasonable efforts are made to*** process all applications for conformity assessment of	*deleted*

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	goods as a matter of priority.	fertilising products designated as crisis-relevant goods as a matter of priority.	
Article 4, first paragraph, amending provision, numbered paragraph (3)			
192	*3.* All pending applications for conformity assessment of fertilising products designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for conformity assessment of fertilising products, which have not been designated as crisis-relevant goods. This requirement is applicable with respect to all applications for conformity assessment of fertilising products designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	3. All pending applications for conformity assessment of fertilising products designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for conformity assessment of fertilising products, which have not been designated as crisis-relevant goods. This requirement is applicable with respect to all applications for conformity assessment of fertilising products designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 41a.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (4)			

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193	*4.* The prioritisation of applications for conformity assessment of fertilising products pursuant to paragraph 3 shall not give rise to any additional costs for the manufacturers, who have lodged those applications.	4. The prioritisation of applications for conformity assessment of fertilising products pursuant to paragraph 3 shall not give rise to any ***extraordinary*** additional costs for the manufacturers, who have lodged those applications.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (5)			
194	*5.* The notified bodies shall deploy their best efforts to increase their testing capacities for fertilising products designated as crisis-relevant goods in respect of which they have been notified.	5. The notified bodies shall ~~*deploy their best*~~***ensure all reasonable*** efforts ***are made*** to increase their testing capacities for fertilising products designated as crisis-relevant goods in respect of which they have been notified.	*deleted*
Article 4, first paragraph, amending provision, thirteenth paragraph			
195	Article 41cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	Article 41cDerogation from the conformity assessment procedures requiring mandatory involvement of a notified body	*deleted*

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Article 4, first paragraph, amending provision, numbered paragraph (1)			
196	*1.* By way of derogation from Article 15, any competent national authority may authorise, on a duly justified request, the placing on the market within the territory of the Member State concerned, of a specific fertilising product which has been designated as crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body referred to in Article 15 have not been carried out by a notified body but for which the compliance with the requirements set out in Annexes I and II has been demonstrated.	1. By way of derogation from Article 15, ~~any~~***the*** competent national authority***, after carrying out a risk assessment,*** may authorise, on a duly justified request ***from an economic operator established in its Member State***, the placing on the market within the territory of ~~the~~***that*** Member State ~~concerned~~, of a specific fertilising product which has been designated as ***a*** crisis-relevant good and for which the conformity assessment procedures requiring the mandatory involvement of a notified body referred to in Article 15 have not been carried out by a notified body but for which the compliance with the requirements set out in Annexes I and II has been demonstrated.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (2), first subparagraph			
197	*2.* The manufacturer of a fertilising product	2. The manufacturer of a fertilising product	*deleted*

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	subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the fertilising product concerned complies with the requirements set out in Annexes I and II and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the fertilising product concerned complies with the requirements set out in Annexes I and II and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.	
Article 4, first paragraph, amending provision, numbered paragraph (2), second subparagraph			
198	The manufacturer shall also deploy all reasonable measures to ensure that the fertilising product, which has been granted an authorisation pursuant to paragraph 1 does not leave the territory of the Member State, which issued the authorisation.	*deleted*	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3)			
199	*3.* Any authorisation issued by a national	3. Any authorisation issued by a national	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the fertilising products may be placed on the market, including:	competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the fertilising products may be placed on the market, including ***at least***:	
Article 4, first paragraph, amending provision, numbered paragraph (3), point (a)			
200	*(a)* a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), point (b)			
201	*(b)* specific requirements regarding the traceability of the fertilising product concerned;	(b) specific requirements regarding the traceability of the fertilising product concerned;	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), point (c)			
202	*(c)* an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency	(c) an end date of validity of the authorisation, ***unless otherwise specified,*** which cannot go beyond the last day of the period for which the	*deleted*

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	mode has been activated;	~~*Single*~~***internal*** market emergency mode has been activated;	
Article 4, first paragraph, amending provision, numbered paragraph (3), point (d)			
203	*(d)* any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the fertilising product;	(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the fertilising product;	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), point (e)			
204	*(e)* measures to be taken with respect to the fertilising product concerned upon expiry of the authorisation in order to ensure that the fertilising product concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the fertilising product concerned upon expiry of the authorisation in order to ensure that the fertilising product concerned is brought back in compliance with all the requirements of this Regulation.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3), point (ea)			

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204a		***(ea) labelling requirements, including radio frequency identification, indicating that the fertilising product was authorised under the internal market emergency mode.***	
Article 4, first paragraph, amending provision, numbered paragraph (4)			
205	4. By way of derogation from Article 41a(3), first subparagraph, where appropriate, the national competent authority may amend the conditions of the authorisation referred to in paragraph 3of this Articcle also after the deactivation or expiry of the Single Market Emergency mode.	4. By way of derogation from Article 41a(3), ~~*first subparagraph,*~~ where appropriate, the national competent authority may ***also*** amend the conditions ~~*of the authorisation*~~***and requirements*** referred to in paragraph ~~*3of this Articcle*~~***3 of this Article*** also after the deactivation or expiry of the ~~*Single*~~***internal*** market emergency mode.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (5)			
206	*5.* By way of derogation from Articles 3 and 18, fertilising products, for which an authorisation has been granted in accordance	*deleted*	*deleted*

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	with paragraph 1 of this Article shall not leave the territory of the Member State which has issued the authorisation and shall not bear the CE marking.		
Article 4, first paragraph, amending provision, numbered paragraph (6)			
207	*6.* The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such fertilising products.	6. The market surveillance authorities of the Member State, whose competent authority has granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such fertilising products. ***The market surveillance authorities shall keep all records related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.***	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (7)			

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208	*7.* Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market of fertilising products in accordance with paragraph 1.	7. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market of fertilising products in accordance with paragraph 1.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (8)			
209	*8.* The application of Articles 41a to 41g and the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant conformity assessment procedures laid down in Article 15 on the territory of the Member State concerned.	8. The application of Articles 41a to 41g and the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant conformity assessment procedures laid down in Article 15 ~~*on the territory of the Member State concerned*~~.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (8a)			
209a		***8a. Fertilising products subject to derogation under paragraph 1 shall remain valid for six months after deactivation or expiration of the internal market emergency mode. After this period, they shall only be made available on***	

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		the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.	
Article 4, first paragraph, amending provision, twenty-second paragraph			
210	Article 41dPresumption of conformity based on national and international standards	Article 41dPresumption of conformity based on national and international standards	*deleted*
Article 4, first paragraph, amending provision, twenty-third paragraph			
211	Where severe disruptions in the functioning of the Single Market, which were taken into consideration when activating the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation] significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this Regulation and already	~~*Where severe disruptions in the functioning of the Single Market, which were taken into consideration when activating the Single Market emergency mode in accordance with Article 15(4) of [the SMEI Regulation] significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this Regulation and already*~~	*deleted*

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	published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012, the Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent authorities consider as complying with requirements set out in Annex I, II or III of this Regulation fertilising products which comply with relevant international standards or any relevant national standards in force in the Member State of manufacture, ensuring a safety level equivalent to that required by the requirements set out in Annex I, II or III.	~~*published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012, the*~~ Member States shall take all appropriate measures to ensure that, for the purposes of placing on the market, their competent authorities consider as complying with requirements set out in Annex I, II or III of this Regulation fertilising products which comply with relevant international standards or any relevant national standards in force in the Member State of manufacture, ensuring a safety level equivalent to that required by the requirements set out in Annex I, II or III~~.~~ ***, in either of the following cases:***	
Article 4, first paragraph, amending provision, twenty-third paragraph, point (a)			
211a		***(a) where a reference to harmonised standards covering the relevant essential requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this***	

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		Regulation is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;	
Article 4, first paragraph, amending provision, twenty-third paragraph, point (b)			
211b		***(b) where severe disruptions in the functioning of the internal market, which were taken into consideration when activating the internal market emergency mode in accordance with Article 14 of [the IMERA Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.***	

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Article 4, first paragraph, amending provision, twenty-fourth paragraph			
212	Article 41eAdoption of common specifications conferring a presumption of conformity	Article 41eAdoption of common specifications conferring a presumption of conformity	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (1)			
213	*1.* Where EU fertilising products, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such EU fertilising products for the requirements set out in Annex I, II or III or tests referred to in Article 13(2) where severe disruptions in the functioning of the Single Market, which led to the activation of [were taken into consideration when] the Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or	1. Where EU fertilising products~~,~~ have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such EU fertilising products for the requirements set out in Annex I, II or III or tests referred to in Article 13(2) ~~*where severe disruptions in the functioning of the Single Market, which led to the activation of [were taken into consideration when] the Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or III or tests*~~	*deleted*

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	III or tests referred to in Article 13(2) of this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.	~~*referred to in Article 13(2)*~~ of this Regulation ~~*and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.*~~***:***	
Article 4, first paragraph, amending provision, numbered paragraph (1), point (a)			
213a		***(a) where the European standardisation deliverables addressing a request pursuant to Article 10(1) of Regulation (EU) No 1025/2012 were not adopted;***	
Article 4, first paragraph, amending provision, numbered paragraph (1), point (b)			
213b		***(b) where a reference to harmonised standards covering the relevant essential requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this Regulation is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such***	

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		reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;	
Article 4, first paragraph, amending provision, numbered paragraph (1), point (c)			
213c		***(c) where severe disruptions in the functioning of the internal market, which led to the activation of the internal market emergency mode in accordance with Article 14 of [the IMERA Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant requirements set out in Annex I, II or III or tests referred to in Article 13(2) of this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.***	
Article 4, first paragraph, amending provision, numbered paragraph (2)			

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214	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 45(3). They shall apply to EUfertilising products placed on the market until the last day of the period for which the Single Market emergency mode remains active in accordance with [the SMEI Regulation]. In the early preparation of the draft implementing acts establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted ~~*following a consultation of the sectoral experts and*~~ in accordance with the examination procedure referred to in Article 45(3). They shall apply to ~~*EUfertilising*~~***EU fertilising*** products placed on the market until the last day of the period for which the ~~*Single*~~***internal*** market emergency mode remains active~~*in accordance with [the SMEI Regulation]. In the early preparation of*~~***. When preparing*** the draft implementing ~~*acts*~~***act*** establishing the common specification, the Commission shall ~~*gather*~~***take into account*** the views of ***the*** relevant bodies ~~*or expert groups established under*~~***and shall duly consult all*** relevant ~~*sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act*~~***stakeholders***.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (3)			

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215	*3.* Without prejudice to Article 13, EU fertilising products which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the requirements set out in Annex I, II or III [or tests referred to in Article 13(2)] covered by those common specifications or parts thereof.	3. Without prejudice to Article 13, EU fertilising products which are in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the requirements set out in Annex I, II or III [or tests referred to in Article 13(2)] covered by those common specifications or parts thereof.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (4)			
216	*4.* By way of derogation from Article 41a(3), first subparagraph, unless there is sufficient reason to believe that the fertilising products covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the fertilising products in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an	4. By way of derogation from Article 41a(3), ~~*first subparagraph,*~~ unless there is sufficient reason to believe that the fertilising products covered by the common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the fertilising products in compliance with those common specifications which have been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an	*deleted*

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	implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].	implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the ~~*Single*~~***internal*** market emergency mode in accordance with [the ~~*SMEI*~~***IMERA*** Regulation].	
Article 4, first paragraph, amending provision, numbered paragraph (5)			
217	*5.* When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the requirements set out in Annexes I and II, it shall inform the Commission thereof with a detailed explanationand the Commission shall assess that information and, if appropriate, amend or withdraw the implementing act establishing the common specification in question.	5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the requirements set out in Annexes I and II, it shall inform the Commission thereof with a detailed ~~*explanationand*~~***explanation and*** the Commission shall assess that information***. The Commission may*** ~~*and, if appropriate,*~~ amend***, where appropriate,*** ~~*or withdraw*~~ the implementing act establishing the common specification in question.	*deleted*
Article 4, first paragraph, amending provision, thirtieth paragraph			

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218	Article 41fAdoption of mandatory common specifications	*deleted*	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (1)			
219	*1.* In duly justified cases, the Commission is empowered to adopt implementing acts establishing mandatory common specifications for EU fertilising products to cover the requirements set out in Annexes I and II which have been designated as crisis-relevant goods.	*deleted*	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (2)			
220	*2.* The implementing acts referred to in paragraph 1 shall be adopted following a consultation of the sectoral experts and in accordance with the examination procedure referred to in Article 45(3) and they shall apply to EU fertilising products placed on the market until the last day of the period for which the	*deleted*	*deleted*

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	Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.		
Article 4, first paragraph, amending provision, numbered paragraph (3)			
221	*3.* By way of derogation from Article 41a(3), first subparagraph, unless there is sufficient reason to believe that the EU fertilising products covered by the mandatory common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the fertilising products in compliance with those common specifications which have been placed on the market shall be deemed	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].		
Article 4, first paragraph, amending provision, thirty-fourth paragraph			
222	Article 41gPrioritisation of market surveillance activities and mutual assistance among authorities	Article 41gPrioritisation of market surveillance activities and mutual assistance among authorities	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (1)			
223	*1.* Member States shall prioritise the market surveillance activities for fertilising products designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for fertilising products designated as crisis-relevant goods.	*deleted*
Article 4, first paragraph, amending provision, numbered paragraph (2)			

	Commission Proposal	EP Mandate	Council Mandate
224	*2.* The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for fertilising products designated as crisis-relevant goods.'	2. The market surveillance authorities of the Member States shall ~~*deploy their*~~***ensure*** best efforts ***are made*** to provide assistance to other market surveillance authorities during ~~*a Single*~~***an internal*** market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for fertilising products designated as crisis-relevant goods.'	*deleted*
Article 4a			
224a		***Article 4aAmendments to Regulation (EU) 2023/988***	
Article 4a, first paragraph			
224b		***Regulation (EU) 2023/988 is amended as***	

	Commission Proposal	EP Mandate	Council Mandate
		follows:	
Article 4a, first paragraph, point (1)			
224c		***(1) In Article 2(1), point (b) is replaced by the following:***	
Article 4a, first paragraph, point (1), amending provision, first paragraph			
224d		***"(b) Chapter IIa, Chapter III, Section 1, Chapters V and VII and Chapters IX to XI do not apply."***	
Article 4a, first paragraph, point (1), amending provision, second paragraph			
224e		***(2) The following chapter is inserted:'CHAPTER IIaEMERGENCY PROCEDURESArticle 8aActivation of the emergency procedures, relationship with other provisions of this Regulation and deactivation1. Articles 8b to 8d shall only***	

	Commission Proposal	EP Mandate	Council Mandate
		apply if the Commission has adopted an implementing act pursuant to Article 14(5) of [the IMERA Regulation].2. Articles 8b to 8d shall only apply to products which have been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.3. Articles 8b to 8d shall apply during the internal market emergency mode, except with respect to provisions concerning the powers of the Commission.Article 8bPresumption of safety based on national and international standardsMember States shall take all appropriate measures to ensure that, for the purpose of placing products on the market, their competent authorities consider that the products which comply with the relevant international standards or any national standards in force in the Member State of manufacture, and which ensure the safety level required by this Regulation, meet the general safety requirement laid down in	

	Commission Proposal	EP Mandate	Council Mandate
		this Regulation as far as the risks and risk categories covered by those standards are concerned in any of the following cases:(a) where a reference to European standards is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;(b) where severe disruptions to the functioning of the internal market, which were taken into consideration when the internal market emergency mode was activated in accordance with Article 14 of [the IMERA Regulation], significantly restrict the possibility for manufacturers to make use of the European standards already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.Article 8cAdoption of common specifications enabling a presumption of safety for the risks and aspects covered by common specifications1. With respect to products covered by this	

	Commission Proposal	EP Mandate	Council Mandate
		Regulation that have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common technical specifications in either of the following cases:(a) where no specific safety requirements in accordance with Article 7 paragraph 2 have been adopted; (b) where the European standardisation deliverables addressing a request pursuant to Article 10(1) of Regulation No 1025/2012 were not adopted;(c) where a reference to European standards is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;(d) where severe disruptions in the functioning of the internal market, which were taken into consideration when the internal market emergency mode was activated in accordance	

	Commission Proposal	EP Mandate	Council Mandate
		with Article 14 of [the IMERA Regulation], significantly restrict the possibility for manufacturers to make use of the European standards covering the relevant essential safety requirements already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 46(3) and they shall remain applicable at the latest until the last day of the period for which the internal market emergency mode has been activated in accordance with Article 14 of [the IMERA Regulation].3. When preparing the draft implementing act establishing the common specification, the Commission shall take into account the views of the Consumer Safety Network, referred to in Article 30 and shall duly consult relevant stakeholders.4. Products covered by this Regulation which are	

	Commission Proposal	EP Mandate	Council Mandate
		in conformity with common specifications adopted pursuant to paragraph 1 of this Article shall be presumed to be in conformity with the general safety requirement laid down in Article 5 for the risks and risk categories covered by those common specifications or parts thereof.5. Products covered by this Regulation, which comply with the common specifications adopted pursuant to paragraph 1 and have been placed on the market, shall not be affected by the subsequent expiry or withdrawal of an implementing act adopted pursuant to paragraph 2, which has laid down those common specifications, unless there is sufficient reason to believe that goods covered by those common specifications present a risk to the health or safety of persons.6. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the general safety requirement laid down in Article 5, it shall	

	Commission Proposal	EP Mandate	Council Mandate
		inform the Commission thereof with a detailed explanation and the Commission shall consider that information. The Commission may amend, where appropriate, amend the implementing act establishing the common specification in question.Article 8dPrioritisation of market surveillance activities and mutual assistance among authorities1. Member States shall prioritise market surveillance activities for products covered by this Regulation, which have been designated as crisis-relevant goods.2. The market surveillance authorities of the Member States shall ensure best efforts are made to provide assistance to other market surveillance authorities during an internal market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support, such as	

	Commission Proposal	EP Mandate	Council Mandate
		reinforcement of the testing capacity for products covered by this Regulation which have been designated as crisis-relevant goods.	
Article 4b			
224f		***Article 4bAmendments to Regulation (EU) 2023/1230***	
Article 4b, first paragraph			
224g		***In Regulation (EU)2023/1230, the following chapter is inserted:***	
Article 4b, first paragraph, amending provision, first paragraph			
224h		***'CHAPTER VIaEMERGENCY PROCEDURESArticle 46aApplication of emergency procedures1. Articles 46b to 46f of this Regulation shall only apply if the Commission has adopted an implementing act***	

	Commission Proposal	EP Mandate	Council Mandate
		pursuant to Article 14(5) of [the IMERA Regulation].2. Articles 46b to 46f shall apply exclusively to machinery which has been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.3. Articles 46b to 46f shall apply during the internal market emergency mode, except with respect to provisions concerning the powers of the Commission.Article 46bPrioritisation of the conformity assessment of crisis-relevant machinery1. This Article shall apply to machinery designated as crisis-relevant goods, which is subject to conformity assessment procedures in accordance with Article 21, requiring mandatory involvement of a notified body.2. The notified bodies shall ensure all reasonable efforts are made to process all applications for a conformity assessment of machinery designated as crisis-relevant goods, as a matter of priority.3. All pending applications for a conformity	

	Commission Proposal	EP Mandate	Council Mandate
		assessment of machinery designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications for conformity assessment of machinery which has not been designated as crisis-relevant goods. This priority requirement shall apply to all applications for conformity assessments of machinery designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 46a.4. The prioritisation of applications for a conformity assessment of machinery pursuant to paragraphs 2 and 3 shall not give rise to any extraordinary additional costs for the manufacturers who have lodged those applications.5. The notified bodies shall ensure all reasonable efforts are made to increase their testing capacities for machinery designated as crisis-relevant goods in respect of which they have been notified.Article	

	Commission Proposal	EP Mandate	Council Mandate
		46cDerogation from third party conformity assessment procedures requiring mandatory involvement of a notified body1. By way of derogation from Article 21, the competent national authority, after carrying out a risk assessment, may authorise, on a duly justified request from an economic operator established in its Member State, the placing on the market or putting into service within the territory of that Member State, of specific machinery which has been designated as crisis-relevant goods and for which the conformity assessment procedures requiring mandatory involvement of a notified body referred to in Article 21 have not been carried out by a notified body but for which the compliance with all the applicable essential health and safety requirements has been demonstrated.2. The manufacturer of machinery, subject to the authorisation procedure referred to in paragraph 1, shall declare on his sole	

	Commission Proposal	EP Mandate	Council Mandate
		responsibility that the machinery concerned complies with all the applicable essential health and safety requirements set out in Annex III and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the national competent authority.3. Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the machinery may be placed on the market or put into service, including at least:(a) a description of the procedures, by means of which the compliance with the applicable essential health and safety requirements of this Regulation was successfully demonstrated;(b) specific requirements regarding the traceability of the machinery concerned;(c) an end date of validity of the authorisation, unless otherwise specified, which cannot go beyond the last day of the period for which the	

	Commission Proposal	EP Mandate	Council Mandate
		internal market emergency mode has been activated;(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the machinery concerned;(e) measures to be taken with respect to the machinery concerned upon expiry of the authorisation in order to ensure that the machinery concerned is brought back in compliance with all the requirements of this Regulation;(f) labelling requirements, including radio frequency identification, indicating that the machinery was authorised under the internal market emergency mode.4. By way of derogation from Article 46(3), where appropriate, the national competent authority may also amend the conditions and requirements referred to in paragraph 3 of this Article after the deactivation or expiry of the internal market emergency mode.5. The market surveillance authorities of the Member State whose competent authority has granted	

	Commission Proposal	EP Mandate	Council Mandate
		an authorisation pursuant to paragraph 1 shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such machinery. The market surveillance authorities shall keep all records related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.6. Member States shall inform the Commission and the other Member States of any decision to authorise the placing on the market or putting into service of machinery in accordance with paragraph 1.7. The application of Articles 46a to 46g and the use of the authorisation procedure set out in paragraph 1 of this Article shall not affect the application of the relevant conformity assessment procedures laid down in Article 21.8. Machinery subject to derogation under paragraph 1 shall remain valid for six months	

	Commission Proposal	EP Mandate	Council Mandate
		after deactivation or expiration of the internal market emergency mode. After this period, they shall only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.Article 46dPresumption of conformity based on national and international standardsMember States shall take all appropriate measures to ensure that, for the purposes of placing on the market or putting into service, their competent authorities consider that the machinery which complies with the relevant international standards or any national standards in force in the Member State of manufacture, ensuring the safety level required by the essential health and safety requirements set out in Annex III to this Regulation, complies with those essential health and safety requirements in either of the following cases:a) where a reference to harmonised standards covering the relevant	

	Commission Proposal	EP Mandate	Council Mandate
		essential health and safety requirements set out in Annex III to this Regulation is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;b) where severe disruptions in the functioning of the internal market, which were taken into consideration when the internal market emergency mode was activated in accordance with Article 14 of [the IMERA Regulation] significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex III to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.Article 46eAdoption of common specifications conferring a presumption of conformity1. Where machinery has been designated as	

	Commission Proposal	EP Mandate	Council Mandate
		crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications for such machinery to cover the essential health and safety requirements set out in Annex III to this Regulation, in either of the following cases:a) where the European standardisation deliverables addressing a request pursuant to Article 10(1) of Regulation No 1025/2012 were not adopted;b) where a reference to harmonised standards covering the relevant essential requirements set out in Annex III is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;c) where severe disruptions in the functioning of the internal market, which led to the activation the internal market emergency mode in	

	Commission Proposal	EP Mandate	Council Mandate
		accordance with Article 14 of [the IMERA Regulation], significantly restrict the possibility for manufacturers to make use of the harmonised standards covering the relevant essential health and safety requirements set out in Annex III to this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.2. The implementing acts referred to in paragraph 1 of this Article shall be adopted in accordance with the examination procedure referred to in Article 48(3). They shall apply to machinery placed on the market until the last day of the period for which the internal market emergency mode remains active. When preparing the draft-implementing act establishing the common specification, the Commission shall take into account the views of the relevant bodies and shall duly consult all relevant stakeholders.3.	

	Commission Proposal	EP Mandate	Council Mandate
		Without prejudice to Article 17, machinery which is in conformity with common specifications adopted pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the essential health and safety requirements set out in Annex III covered by those common specifications or parts thereof.4. By way of derogation from Article 46a(3), unless there is sufficient reason to believe that the machinery covered by the common specifications referred to in paragraph 1 of this Article presents a risk to the health or safety of persons, the machinery in compliance with those common specifications which has been placed on the market shall be deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the internal market emergency mode in accordance with [the	

	Commission Proposal	EP Mandate	Council Mandate
		IMERA Regulation].5. When a Member State considers that a common specification referred to in paragraph 1 does not entirely satisfy the essential health and safety requirements which it aims to cover and which are set out in Annex III, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information. The Commission may amend, where appropriate, the implementing act establishing the common specification in question. Article 46fPrioritisation of market surveillance activities and mutual assistance among authorities1. Member States shall prioritise the market surveillance activities for machinery, designated as crisis-relevant goods.2. The market surveillance authorities of the Member States shall ensure best efforts are made to provide assistance to other market surveillance authorities during an internal market emergency, including by mobilising and	

	Commission Proposal	EP Mandate	Council Mandate
		dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for machinery designated as crisis-relevant goods.'	
Article 5			
225	Article 5Amendments to Regulation (EU) No 305/2011	Article 5Amendments to Regulation (EU) No 305/2011	Article 5Amendments to Regulation (EU) No 305/2011
Article 5, first paragraph			
226	In Regulation (EU) 305/2011 is amended as follows:	In Regulation (EU) 305/2011 is amended as follows:	~~In~~ Regulation (EU) 305/2011 is amended as follows:
Article 5, first paragraph, point (-1)			
226a			**(-1) In Article 2 the following points is are**

	Commission Proposal	EP Mandate	Council Mandate
			added:
Article 5, first paragraph, point (-1), amending provision, first paragraph			
226b			**"(29) 'crisis-relevant goods' means 'crisis-relevant goods' within the meaning of Article 3, point (6) of Regulation (EU) …/…. [SMEI Regulation];**
Article 5, first paragraph, point (-1), amending provision, second paragraph			
226c			**(30) 'Single Market Emergency' means 'Single Market Emergency' within the meaning of Article 3, point (3) of Regulation (EU) …/… [SMEI Regulation].;"**
Article 5, first paragraph, point (1)			
227	(1) the following Chapter VIIIa is inserted:	(1) the following Chapter VIIIa is inserted:	(1) The following Chapter VIIIa is inserted **after Chapter VIII**:

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (1), amending provision, Chapter I			
228	‘CHAPTER VIIIaEMERGENCY PROCEDURES	‘CHAPTER VIIIaEMERGENCY PROCEDURES	**Chapter VIIIa**‘~~CHAPTER VIIIa~~EMERGENCY PROCEDURES
Article 5, first paragraph, point (1), amending provision, Article			
229	Article 59a	Article 59a	*deleted*
Article 5, first paragraph, point (1), amending provision, Article			
230	Application of emergency procedures	Application of emergency procedures	**Article 59a**Application of emergency procedures
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
231	1. Articles 59b to 59f shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to this Regulation.	1. Articles 59b to 59f ***of this Article*** shall only apply if the Commission has adopted an implementing act pursuant to Article ~~*23 of [the SMEI Regulation] activating Article 26 of [the SMEI*~~***14(5) of [the IMERA*** Regulation]~~*with*~~	1. Articles 59b to 59f shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to **construction products covered**

	Commission Proposal	EP Mandate	Council Mandate
		~~*respect to this Regulation*~~.	**by** this Regulation.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2)			
232	2. Articles 59b to 59f shall apply exclusively to construction products, which have been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 59b to 59f shall apply exclusively to construction products, which have been designated as crisis-relevant goods in the implementing act referred to in paragraph 1 of this Article.	2. Articles 59b to 59f ~~shall~~ apply exclusively to construction products, which have been designated as crisis-relevant goods ~~in the implementing act referred to in paragraph 1 of this Article~~**pursuant to Article 14 of [the SMEI Regulation]**.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), first subparagraph			
233	3. Articles 59b to 59f, except as regards provisions concerning the powers of the Commission, shall apply during the Single Market emergency mode.	3. Articles 59b to 59f, except as regards provisions concerning the powers of the Commission, shall apply during the ~~*Single*~~***internal*** market emergency mode.	3. Articles 59b to 59f, except as regards ~~provisions concerning the powers~~ **the power** of the Commission **in Article 59d(5)**, shall apply **only** during the Single Market emergency mode **activated in accordance with Article 14 of [the SMEI Regulation]**.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate
234	However, Article 59c(2), second subparagraph, and Article 59c(5) shall apply during the Single Market emergency mode and after its deactivation or expiry.	*deleted*	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (4)			
235	*4.* The Commission shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken with respect to construction products placed on the market in accordance with Articles 59b to 59f. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2a)	*deleted*	4. The Commission ~~shall be empowered to lay down by means of implementing acts rules regarding the follow-up actions to be taken~~**may adopt implementing acts regarding the corrective or restrictive actions to be taken, the procedures to be followed and the specific labelling and traceability requirements** with respect to construction products placed on the market in accordance with Articles 59b to ~~59f.~~**59d** These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2a)**.**

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (1), amending provision, Article			
236	Article 59b	Article 59b	*deleted*
Article 5, first paragraph, point (1), amending provision, Article			
237	Prioritisation of the assessment and verification of constancy of performance of crisis-relevant construction products	Prioritisation of the assessment and verification of constancy of performance of crisis-relevant construction products	**Article 59b**Prioritisation of the assessment and verification of constancy of performance of crisis-relevant construction products
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
238	1. This Article shall apply to construction products designated as crisis-relevant goods, which are subject to third party tasks of notified bodies related to the assessment and verification of constancy of performance, in accordance with Article 28(1).	1. This Article shall apply to construction products designated as crisis-relevant goods, which are subject to third party tasks of notified bodies related to the assessment and verification of constancy of performance, in accordance with Article 28(1).	1. This Article shall apply to construction products designated as crisis-relevant goods, which are subject to third party tasks of notified bodies related to the assessment and verification of constancy of performance, in accordance with Article 28(1).
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2)			

	Commission Proposal	EP Mandate	Council Mandate
239	2. The notified bodies shall process requests for third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall ***ensure all reasonable efforts are made to*** process requests for third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods as a matter of priority.	2. The notified bodies shall process requests for third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods as a matter of priority**, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 59a**.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3)			
240	3. All pending applications for the performance of third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications regarding construction products, which have not been designated as crisis-relevant goods. This requirement applies with respect to all	3. All pending applications for the performance of third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods shall be processed as a matter of priority, ahead of any other applications regarding construction products, which have not been designated as crisis-relevant goods. This requirement applies with respect to all	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	applications for third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 59a.	applications for third party tasks related to the assessment and verification of constancy of performance of construction products designated as crisis-relevant goods, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 59a.	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (4)			
241	*4.* The prioritisation of applications for third party tasks related to the assessment and verification of constancy of performance of construction products pursuant to paragraph 3 shall not give rise to any additional costs for the manufacturerswho have lodged those applications.	4. The prioritisation of applications for third party tasks related to the assessment and verification of constancy of performance of construction products pursuant to paragraph 3 shall not give rise to any ***extraordinary*** additional costs for the ~~*manufacturerswho*~~***manufacturers, who*** have lodged those applications.	4. The prioritisation of applications for third party tasks related to the assessment and verification of constancy of performance of construction products pursuant to paragraph ~~3~~**2** shall not give rise to ~~any~~ **disproportionate** additional costs for the ~~manufacturerswho~~**manufacturers who** have lodged those applications.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (5)			

	Commission Proposal	EP Mandate	Council Mandate
242	5. The notified bodies shall deploy their best efforts to increase their respective assessment and verification capacities regarding construction products designated as crisis-relevant goods.	5. The notified bodies shall ~~*deploy their best*~~***ensure all reasonable*** efforts ***are made*** to increase their respective assessment and verification capacities regarding construction products designated as crisis-relevant goods.	*deleted*
Article 5, first paragraph, point (1), amending provision, Article			
243	Article 59cDerogation from the third party assessment procedures for assessment and verification of constancy of performance	Article 59cDerogation from the third party assessment procedures for assessment and verification of constancy of performance	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
244	*1.* By way of derogation from Article 28(1), the competent national authority may exceptionally authorise, on a duly justified request, the placing on the market within the territory of the Member State concerned, of a specific construction product which has been designated as crisis-relevant good for which the required	1. By way of derogation from Article 28(1), the competent national authority***, after carrying out a risk assessment,*** ~~,~~ may exceptionally authorise, on a duly justified request ***from an economic operator established in its Member State***, the placing on the market within the territory of ~~*the*~~***that*** Member State ~~*concerned*~~, of	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	third-party assessment and verification of constancy of performance procedures referred to in that Article have not been carried out by a notified body.	a specific construction product which has been designated as crisis-relevant good for which the required third-party assessment and verification of constancy of performance procedures referred to in ~~*that Article*~~***Article 28(1)*** have not been carried out by a notified body.	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2), first subparagraph			
245	*2.* The manufacturer of a construction product subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the construction product concerned achieves the declared performance and shall be responsible for the fulfilment of all the procedures for the assessment and verification of constancy of performance indicated by the national competent authority.	2. The manufacturer of a construction product subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the construction product concerned achieves the declared performance and shall be responsible for the fulfilment of all the procedures for the assessment and verification of constancy of performance indicated by the national competent authority.	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate
246	The manufacturer shall also deploy all reasonable measures to ensure that the construction product, which has been granted an authorisation pursuant to paragraph 1 does not leave the territory of the Member State, which issued the authorisation.	*deleted*	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3)			
247	*3.* Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the construction products may be placed on the market, including:	3. Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the construction products may be placed on the market, including ***at least***:	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (a)			
248	*(a)* a description of the procedures, to be followed in order to demonstrate that the construction product achieves the declared performance and complies with this Regulation,	(a) a description of the procedures, to be followed in order to demonstrate that the construction product achieves the declared performance and complies with this Regulation,	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	as applicable;	as applicable;	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (b)			
249	*(b)* the specific requirements regarding the safety as well as the traceability, including labelling, of the concerned construction product;	(b) the specific requirements regarding the safety as well as the traceability, including labelling, of the concerned construction product;	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (c)			
250	*(c)* an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated;	(c) an end date of validity***, unless otherwise specified,*** of the authorisation, which cannot go beyond the last day of the period for which the ~~*Single*~~***internal*** market emergency mode has been activated;	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (d)			
251	*(d)* any specific requirements regarding the continuous performance of third party tasks	(d) any specific requirements regarding the continuous performance of third party tasks	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	related to the assessment and verification of constancy of performance with respect to the concerned construction product;	related to the assessment and verification of constancy of performance with respect to the concerned construction product;	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (e)			
252	*(e)* measures to be taken with respect to the construction product concerned upon expiry of the authorisation in order to ensure that the construction product concerned is brought back in compliance with all the requirements of this Regulation.	(e) measures to be taken with respect to the construction product concerned upon expiry of the authorisation in order to ensure that the construction product concerned is brought back in compliance with all the requirements of this Regulation.	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3), point (ea)			
252a		***(ea) labelling requirements, including radio frequency identification, indicating that the construction product was authorised under the internal market emergency mode.***	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (4)			

	Commission Proposal	EP Mandate	Council Mandate
253	4. By way of derogation from Article 54a(3), first subparagraph, where appropriate, the national competent authority may amend the conditions of the authorisation issued referred to in paragraph 3 of this Article, also after the deactivation or expiry of the Single Market Emergency mode.	4. By way of derogation from Article 54a(3), ~~*first subparagraph,*~~ where appropriate, the national competent authority may ***also*** amend the conditions ~~*of the authorisation issued*~~***and requirements*** referred to in paragraph 3 of this Article~~*, also*~~ after the deactivation or expiry of the ~~*Single*~~***internal*** market emergency mode.	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (5)			
254	*5.* Construction products, for which an authorisation has been granted in accordance with paragraph 1 of this Article shall not leave the territory of the Member State which has issued the authorisation and shall not bear the CE marking.	*deleted*	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (6)			
255	*6.* The market surveillance authorities of the Member State, whose competent authority has	6. The market surveillance authorities of the Member State, whose competent authority has	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such construction products.	granted an authorisation pursuant to paragraph 1, shall be entitled to take all corrective and restrictive measures at national level provided for under this Regulation with respect to such construction products. ***The market surveillance authorities shall keep all records related to products authorised under a derogation for a period of 10 years. They shall make those records available to other market surveillance authorities upon request.***	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (7)			
256	*7.* Member States shall inform the Commission s of any decision to authorise the placing on the market of construction products in accordance with paragraph 1.	7. Member States shall inform the Commission s of any decision to authorise the placing on the market of construction products in accordance with paragraph 1.	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (8)			
257	*8.* The application of Articles 59a to 59f and	8. The application of Articles 59a to 59f and	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	the use of the authorisation procedure set out in paragraph 1 of this Article does not affect the application of the relevant procedures for the assessment and verification of constancy of performance required by Article 28 on the territory of the Member State concerned.	the use of the authorisation procedure set out in paragraph 1 of this Article ~~*does*~~***shall*** not affect the application of the relevant procedures for the assessment and verification of constancy of performance required by Article 28 ~~*on the territory of the Member State concerned*~~.	
Article 5, first paragraph, point (1), amending provision, numbered paragraph (8a)			
257a		***8a. Construction products subject to derogation under paragraph 1 shall remain valid for six months after deactivation or expiration of the internal market emergency mode. After this period, they shall only be made available on the market after receiving an authorisation under the normal authorisation procedure provided for in this Regulation.***	
Article 5, first paragraph, point (1), amending provision, Article			

	Commission Proposal	EP Mandate	Council Mandate
258	Article 59dAdoption of common specifications enabling performance assessment	Article 59dAdoption of common specifications enabling performance assessment	**Article 59d**~~Article 59dAdoption of common specifications enabling performance assessment~~**Assessment and declaration of performance based on standards and common specifications**
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
259	1. Where construction products, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications to cover the methods and the criteria for assessing the performance of those products in relation to their essential characteristics in either of the following cases:	1. Where construction products, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts establishing common specifications to cover the methods and the criteria for assessing the performance of those products in relation to their essential characteristics in either of the following cases:	1. Where construction products, have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts**, listing appropriate standards or** establishing common specifications to cover the methods and the criteria for– assessing the performance of those products in relation to their essential characteristics in either of the following cases:
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1), point (a)			
260	(a) where no reference to harmonised standards	(a) where ~~*no reference to harmonised*~~	(a) ~~where~~ no reference to harmonised standards

	Commission Proposal	EP Mandate	Council Mandate
	covering the relevant methods and criteria for assessing the performance of those products in relation to their essential characteristics is published in the Official Journal of the European Union in accordance with Article 17(5);	~~*standards covering the relevant methods and criteria for assessing the performance of those products in relation to their essential characteristics is published in the Official Journal of the European Union in accordance with Article 17(5)*~~***the European standardisation deliverables addressing a request pursuant to Article 10(1) of Regulation (EU) No 1025/2012 were not adopted***;	covering the relevant methods and criteria for assessing the performance of those products in relation to their essential characteristics is published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Article 17(5);
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1), point (aa)			
260a		***(aa) where a reference to harmonised standards covering the relevant essential requirements set out in Annex II is not published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and such reference is not expected to be published within a reasonable timeframe during the internal market emergency mode;***	

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1), point (b)			
261	(b) where the severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards, providing the relevant methods and criteria for assessing the performance of those product in relation to their essential characteristics, and already published in the Official Journal of the European Union in accordance with Article 17(5).	(b) where the severe disruptions in the functioning of the ~~*Single*~~***internal*** market, which led to the activation of the ~~*Single*~~***internal*** market emergency mode ***in accordance with Article 14 of [the IMERA Regulation],*** significantly restrict the possibilities of manufacturers to make use of the harmonised standards, providing the relevant methods and criteria for assessing the performance of those product in relation to their essential characteristics, and already published in the Official Journal of the European Union in accordance with ~~*Article 17(5)*~~***Regulation (EU) No 1025/2012***.	(b) ~~where~~ the severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode significantly restrict the possibilities of manufacturers to make use of the harmonised standards, providing the relevant methods and criteria for assessing the performance of those product in relation to their essential characteristics, and already published in the ***Official Journal of the European Union***~~Official Journal of the European Union~~ in accordance with Article 17(5).
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1a)			
261a			**1a. The implementing acts referred to in paragraph 1 may:**

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1a), point (a)			
261b			**(a) publish the references to relevant applicable international standards that include assessment methods for the declaration of performance in accordance with paragraph 3;**
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1a), point (b)			
261c			**(b) if there are no relevant applicable international standards as referred to in point a of this paragraph published in the Official Journal of the European Union in accordance with Article 17(5) of this Regulation that cover the essential characteristics referred in paragraph 1, publish the references to the European standards that include assessment methods for the declaration of performance in accordance with paragraph 3;**

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1a), point (c)			
261d			**(c) if there is no relevant applicable international or European standard as referred to in points a and b of this paragraph published in the Official Journal of the European Union in accordance with Article 17(5) of this Regulation that cover the essential characteristics referred in paragraph 1, establish common specifications established by the Commission that include assessment methods for the declaration of performance in accordance with paragraph 3;**
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1a), point (d)			
261e			**(d) if there is no relevant applicable international standard, European standard or common specifications as referred to in points a, b and c, publish the reference to**

	Commission Proposal	EP Mandate	Council Mandate
			national standards that include assessment methods for the declaration of performance in accordance with paragraph 3.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2)			
262	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the Standing Committee on Construction and in accordance with the examination procedure referred to in Article 64(2a). They shall apply to construction products placed on the market until the last day of the period for which the Single Market emergency mode remains active. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare	2. The implementing acts referred to in paragraph 1 of this Article shall be adopted ~~*following a consultation of the Standing Committee on Construction and*~~ in accordance with the examination procedure referred to in Article 64(2a). They shall apply to construction products placed on the market until the last day of the period for which the ~~*Single*~~***internal*** market emergency mode remains active. ~~*In the early preparation of*~~***When preparing*** the draft implementing act establishing the common specification, the Commission shall ~~*gather*~~***take into account*** the views of relevant bodies ~~*or expert groups established under relevant sectoral Union legislation. Based on that*~~	2. The implementing acts referred to in paragraph 1 ~~of this Article~~ shall be adopted ~~following a consultation of the Standing Committee on Construction and~~ in accordance with the examination procedure referred to in Article 64(2a). They shall apply ~~to construction products placed on the market~~ until the last day of the period for which the Single Market emergency mode remains active~~. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare~~

	Commission Proposal	EP Mandate	Council Mandate
	the draft implementing act.	~~*consultation, the Commission*~~***and*** shall ~~*prepare the draft implementing act*~~***duly consult all relevant stakeholders***.	~~the draft implementing act~~**, unless amended or repealed in accordance with paragraph 5**.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2a)			
262a			**2a. Before preparing the draft implementing act referred to in paragraph 1, the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 have been fulfilled. When preparing the draft implementing act referred to in paragraph 1, the Commission shall take into account the views of relevant bodies or expert groups established under this Regulation and shall duly consult all relevant stakeholders.**
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3)			

	Commission Proposal	EP Mandate	Council Mandate
263	3. Without prejudice to Articles 4 and 6, the methods and the criteria provided in the common specifications adopted pursuant to paragraph 1 of this Article, may be used for assessing and declaring the performance of construction products covered by those common specifications in relation to their essential characteristics.	3. Without prejudice to Articles 4 and 6, the methods and the criteria provided in the common specifications adopted pursuant to paragraph 1 of this Article, may be used for assessing and declaring the performance of construction products covered by those common specifications in relation to their essential characteristics.	3. Without prejudice to Articles 4 and 6, the methods and the criteria provided in the **standards and** common specifications **referred to in** ~~adopted pursuant to~~ paragraph 1 ~~of this Article~~**, or parts thereof**, may be used for assessing and declaring the performance of construction products covered by those **standards or** common specifications in relation to their essential characteristics. **Declaration of performance based on the standards or the common specifications referred to in the implementing act referred to in paragraph 1 shall automatically cease to apply on the day the Single Market Emergency mode expires or is deactivated.**
Article 5, first paragraph, point (1), amending provision, numbered paragraph (4)			
264	4. By way of derogation from Article 59a(3), first subparagraph, declaration of performance in compliance with the common specifications	4. By way of derogation from Article 59a(3), first subparagraph, declaration of performance in compliance with the common specifications	4. By way of derogation from Article 59a(3), first subparagraph, ~~declaration of performance in compliance with the~~**unless there is sufficient**

	Commission Proposal	EP Mandate	Council Mandate
	referred to in paragraph 1 of this Article regarding construction products which have been placed on the market shall not be affected by the subsequent expiry or repeal of the implementing act, which has laid down those common specifications, unless there is sufficient reason to believe that construction products covered by those common specifications present a risk or do not achieve the declared performance.	referred to in paragraph 1 of this Article regarding construction products which have been placed on the market shall not be affected by the subsequent expiry or repeal of the implementing act, which has laid down those common specifications, unless there is sufficient reason to believe that construction products covered by those common specifications present a risk or do not achieve the declared performance.	**reason to believe that construction products covered by those standards or** common specifications ~~referred to in paragraph 1 of this Article regarding~~**present a risk to the health and safety or fail to achieve the declared performance, declaration of performance of** construction products which have been placed on the market ~~shall not be affected by the subsequent expiry or repeal of the implementing act, which has laid down those common specifications, unless there is sufficient reason to believe that construction products covered by those common specifications present a risk or do not achieve the declared performance~~**in compliance with the standards or common specifications referred to in paragraph 1 shall remain valid after the expiry or repeal of the implementing act adopted pursuant to paragraph 2 and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI**

	Commission Proposal	EP Mandate	Council Mandate
			Regulation].
Article 5, first paragraph, point (1), amending provision, numbered paragraph (5)			
265	5. When a Member State considers that a common specification referred to in paragraph 1 is incorrect in terms of criteria and methods for the assessment of performance in relation to essential characteristics, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information and, if appropriate, amend or withdraw the implementing at establishing the common specification in question	5. When a Member State considers that a common specification referred to in paragraph 1 is incorrect in terms of criteria and methods for the assessment of performance in relation to essential characteristics, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information***. The Commission may*** ~~*and, if appropriate,*~~ amend***, where appropriate,*** ~~*or withdraw*~~ the implementing at establishing the common specification in question**.**	5. When a Member State considers that a **standard or** common specification referred to in paragraph 1 is incorrect in terms of criteria and methods for the assessment of performance in relation to essential characteristics, it shall inform the Commission thereof ~~with~~**by submitting** a detailed explanation and the Commission shall assess that ~~information~~**detailed explanation** and, if appropriate, amend or ~~withdraw~~**repeal** the implementing ~~at~~**act listing the standard or** establishing the common specification in question**.**
Article 5, first paragraph, point (1), amending provision, Article			
266	Article 59eAdoption of mandatory common	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	specifications		
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
267	*1.* In duly justified cases, the Commission is empowered to adopt implementing acts establishing mandatory common specifications to cover the methods and the criteria for assessing the performance of construction products which have been designated as crisis-relevant goods.	*deleted*	*deleted*
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2)			
268	*2.* The implementing acts referred to in paragraph 1 of this Article shall be adopted following a consultation of the Standing Committee on Construction and in accordance with the examination procedure referred to in Article 64(2a). They shall apply to construction products placed on the market until the last day	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	of the period for which the Single Market emergency remains active. In the early preparation of the draft implementing acts establishing the common specifications, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectoral Union legislation. Based on that consultation, the Commission shall prepare the draft implementing act.		
Article 5, first paragraph, point (1), amending provision, numbered paragraph (3)			
269	*3.* By way of derogation from Article 59a(3), first subparagraph, unless there is sufficient reason to believe that the construction products covered by the mandatory common specifications referred to in paragraph 1 of this Article present a risk to the health or safety of persons, the construction products in compliance with those common specifications which have been placed on the market shall be	*deleted*	*deleted*

	Commission Proposal	EP Mandate	Council Mandate
	deemed compliant with this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 of this Article and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].		
Article 5, first paragraph, point (1), amending provision, Article			
270	Article 59fPrioritisation of market surveillance activities and mutual assistance among authorities	Article 59fPrioritisation of market surveillance activities and mutual assistance among authorities	**Article 59f**~~Article 59f~~Prioritisation of market surveillance activities and mutual assistance among authorities
Article 5, first paragraph, point (1), amending provision, numbered paragraph (1)			
271	1. Member States shall prioritise the market surveillance activities for construction products designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for construction products designated as crisis-relevant goods.	1. Member States shall prioritise the market surveillance activities for construction products designated as crisis-relevant goods. **The Commission shall facilitate coordination of these efforts through the Union Product Compliance Network established under**

	Commission Proposal	EP Mandate	Council Mandate
			Article 29 of Regulation (EU) 2019/1020.
Article 5, first paragraph, point (1), amending provision, numbered paragraph (2)			
272	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for construction products designated as crisis-relevant goods.'	2. The market surveillance authorities of the Member States shall ~~*deploy their*~~***ensure*** best efforts ***are made*** to provide assistance to other market surveillance authorities during ~~*a Single*~~***an internal*** market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for construction products designated as crisis-relevant goods.'	2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for construction products designated as crisis-relevant goods.'
Article 5, first paragraph, point (2)			
273	(2) In Article 64, the following paragraph 2a is inserted:	(2) In Article 64, the following paragraph 2a is inserted:	(2) In Article 64, the following paragraph 2a is inserted:

	Commission Proposal	EP Mandate	Council Mandate
Article 5, first paragraph, point (2), amending provision, first paragraph			
274	‘2a. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.’	‘2a. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.’	‘2a. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.’
Article 5a			
274a			**Article 5aAmendments to Regulation (EU) 2023/1230**
Article 5a, first paragraph			
274b			**Regulation (EU) 2023/1230 is amended as follows:**
Article 5a, first paragraph, point (1)			
274c			**(1) In Article 3 the following points is are added:**

	Commission Proposal	EP Mandate	Council Mandate
Article 5a, first paragraph, point (1), amending provision, first paragraph			
274d			**"(37) 'crisis-relevant goods' means 'crisis-relevant goods' within the meaning of Article 3, point (6) of Regulation (EU) …/…. [SMEI Regulation];**
Article 5a, first paragraph, point (1), amending provision, second paragraph			
274e			**(38) 'Single Market Emergency' means 'Single Market Emergency' within the meaning of Article 3, point (3) of Regulation (EU) …/… [SMEI Regulation].;"**
Article 5a, first paragraph, point (2)			
274f			**(2) The following Chapter IVa is inserted after Chapter IV:**
Article 5a, first paragraph, point (2), amending provision, chapter i			

	Commission Proposal	EP Mandate	Council Mandate
274g			**Chapter IVa"EMERGENCY PROCEDURES**
Article 5a, first paragraph, point (2), amending provision, article			
274h			**Article 25aApplication of emergency procedures**
Article 5a, first paragraph, point (2), amending provision, article(1)			
274i			**1. Articles 25b to 25e shall only apply if the Commission has adopted an implementing act pursuant to Article 23 of [the SMEI Regulation] activating Article 26 of [the SMEI Regulation] with respect to machinery and related products covered by this Regulation.**
Article 5a, first paragraph, point (2), amending provision, article(2)			
274j			**2. Articles 25b to 25e apply exclusively to**

	Commission Proposal	EP Mandate	Council Mandate
			machinery and related products, which have been designated as crisis-relevant goods pursuant to Article 14 of [the SMEI Regulation].
Article 5a, first paragraph, point (2), amending provision, article(3), first subparagraph			
274k			**3. Articles 25b to 25e, except as regards the power of the Commission in Article 25d(5), shall apply only during the Single Market emergency mode activated in accordance with Article 14 of [the SMEI Regulation].**
Article 5a, first paragraph, point (2), amending provision, article(3), second subparagraph			
274l			**However, Article 25c(4) shall apply during the Single Market emergency mode and after its deactivation or expiry.**
Article 5a, first paragraph, point (2), amending provision, article(4)			

	Commission Proposal	EP Mandate	Council Mandate
274m			**4. The Commission may adopt implementing acts regarding the corrective or restrictive actions to be taken, the procedures to be followed and the specific labelling and traceability requirements with respect to machinery and related products placed on the market or put into service in accordance with Articles 25c to 25d. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(3).**
Article 5a, first paragraph, point (2), amending provision, article			
274n			**Article 25bPrioritisation of the conformity assessment of crisis-relevant machinery and related products**
Article 5a, first paragraph, point (2), amending provision, article(1)			
274o			**1. This Article shall apply to all types of**

	Commission Proposal	EP Mandate	Council Mandate
			machinery and related products designated as crisis-relevant goods, which are subject to conformity assessment procedures in accordance with Article 25 requiring mandatory involvement of a notified body.
Article 5a, first paragraph, point (2), amending provision, article(2)			
274p			**2. The notified bodies shall process all applications for conformity assessment of machinery and related products designated as crisis-relevant goods as a matter of priority, irrespective of whether they have been lodged before or after the activation of the emergency procedures pursuant to Article 25a.**
Article 5a, first paragraph, point (2), amending provision, article(3)			
274q			**3. The prioritisation of applications for conformity assessment of machinery and**

	Commission Proposal	EP Mandate	Council Mandate
			related products pursuant to paragraph 2 shall not give rise to disproportionate additional costs for the manufacturers, who have lodged those applications.
Article 5a, first paragraph, point (2), amending provision, article			
274r			**Article 25cDerogation from conformity assessment procedures requiring mandatory involvement of a notified body**
Article 5a, first paragraph, point (2), amending provision, article(1)			
274s			**1. By way of derogation from Article 25, any competent national authority may authorise, on a duly justified request, the placing on the market or putting into service within the territory of the Member State concerned, of specific machinery and related products which have been designated as crisis-relevant goods and for which the conformity**

	Commission Proposal	EP Mandate	Council Mandate
			assessment procedures requiring the mandatory involvement of a notified body, referred to in Article 25, have not been carried out by a notified body but for which the compliance with all the applicable essential requirements has been demonstrated in accordance with procedures referred to in that authorisation.
Article 5a, first paragraph, point (2), amending provision, article(2), first subparagraph			
274t			**1a. The Member State shall immediately inform the Commission and the other Member States of any authorisation granted in accordance with paragraph 1. Unless the requirements set in the authorisation do not ensure the conformity with the essential requirements laid down in Annex III to this Regulation, the Commission shall without delay adopt an implementing act extending for a limited period of time the validity of the**

	Commission Proposal	EP Mandate	Council Mandate
			authorisation granted by a Member State in accordance with paragraph 1 to the territory of the Union and set the conditions under which the specific machinery or the related products may be placed on the market or put into service. When preparing the draft implementing act, the Commission may request national market surveillance authorities to provide relevant information or comments regarding the technical assessment that served as the basis for the authorisation referred to in paragraph 1. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 48(3).
Article 5a, first paragraph, point (2), amending provision, article(2), second subparagraph			
274u			**The specific machinery or the related products subject to the extension of validity referred to in the first subparagraph shall**

	Commission Proposal	EP Mandate	Council Mandate
			bear the information that they are placed on the market or put into service as a "crisis-relevant goods". The implementing act referred to in the first subparagraph shall specify the modalities of that information. That information, as well as any labelling, shall be clear, understandable and intelligible and, where relevant, in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned.
Article 5a, first paragraph, point (2), amending provision, article(3)			
274v			**1b. On duly justified imperative grounds of urgency relating to the need to preserve the health and safety of persons, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 48(4).**

	Commission Proposal	EP Mandate	Council Mandate
Article 5a, first paragraph, point (2), amending provision, article(4), first subparagraph			
274w			**1c. As long as an implementing act referred to in paragraphs 1a or 1b is not adopted, the authorisation granted by a competent national authority in one Member State shall be valid only on the territory of the issuing Member State, as well as on the territories of any other Member States whose competent national authorities have recognised the validity of that authorisation before the adoption of the said implementing act.**
Article 5a, first paragraph, point (2), amending provision, article(4), second subparagraph			
274x			**Member States shall inform the Commission and the other Member States of any decision to recognise the validity of that authorisation.**
Article 5a, first paragraph, point (2), amending provision, article(5)			

	Commission Proposal	EP Mandate	Council Mandate
274y			**2. The manufacturer of machinery or the related products subject to the authorisation procedure referred to in paragraph 1 shall declare on his sole responsibility that the machinery or the related products concerned comply with all the applicable essential requirements set out in Annex III and shall be responsible for the fulfilment of all the conformity assessment procedures indicated by the competent national authority.**
Article 5a, first paragraph, point (2), amending provision, article(6)			
274z			**3. Any authorisation issued by a national competent authority pursuant to paragraph 1 shall set out the conditions and requirements under which the machinery or the related products may be placed on the market or put into service. The authorisation shall at least set out the following:**

	Commission Proposal	EP Mandate	Council Mandate
Article 5a, first paragraph, point (2), amending provision, article(6), point (a)			
274aa			**(a) a description of the procedures, by means of which compliance with the applicable essential requirements was successfully demonstrated;**
Article 5a, first paragraph, point (2), amending provision, article(6), point (b)			
274ab			**(b) any specific requirements regarding the traceability of the machinery and the related products concerned;**
Article 5a, first paragraph, point (2), amending provision, article(6), point (c)			
274ac			**(c) an end date of validity of the authorisation, which cannot go beyond the last day of the period for which the Single Market emergency mode has been activated in accordance with Article 14 [the SMEI Regulation];**

	Commission Proposal	EP Mandate	Council Mandate
Article 5a, first paragraph, point (2), amending provision, article(6), point (d)			
274ad			**(d) any specific requirements regarding the need to ensure the continuous conformity assessment with respect to the machinery and the related products concerned;**
Article 5a, first paragraph, point (2), amending provision, article(6), point (e)			
274ae			**(e) measures to be taken with respect to the machinery or the related products placed on the market upon expiry of the Single Market emergency.**
Article 5a, first paragraph, point (2), amending provision, article(7)			
274af			**4. By way of derogation from Articles 4, 23 and 24, machinery or the related products, for which an authorisation has been granted in accordance with paragraph 1 shall not bear the CE marking and Article 4 shall not**

	Commission Proposal	EP Mandate	Council Mandate
			apply.
Article 5a, first paragraph, point (2), amending provision, article(8), first subparagraph			
274ag			**5. The market surveillance authorities of a Member State, where an authorisation pursuant to paragraphs 1, 1a and 1c is valid shall be entitled to take all corrective and restrictive actions at national level provided for under Regulation (EU) 2019/1020 and under this Regulation with respect to such machinery and the related products.**
Article 5a, first paragraph, point (2), amending provision, article(8), second subparagraph			
274ah			**They shall immediately inform the Commission and the market surveillance authorities of other Member States of these actions.**
Article 5a, first paragraph, point (2), amending provision, article(9)			

	Commission Proposal	EP Mandate	Council Mandate
274ai			**6. The use of the authorisation procedure set out in paragraphs 1 to 1c does not affect the application of the relevant conformity assessment procedures laid down in Article 25 on the territory of the Member State concerned.**
Article 5a, first paragraph, point (2), amending provision, article			
274aj			**Article 25dPresumption of conformity based on standards and common specifications**
Article 5a, first paragraph, point (2), amending provision, article(1)			
274ak			**1. Where machinery or the related products have been designated as crisis-relevant goods, the Commission is empowered to adopt implementing acts, listing appropriate standards or establishing common specifications for such machinery or the related products to cover the essential**

	Commission Proposal	EP Mandate	Council Mandate
			requirements set out in Annex III in either of the following cases:
Article 5a, first paragraph, point (2), amending provision, article(1), point (a)			
274al			**(a) no reference to harmonised standards covering the relevant essential requirements set out in Annex III is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;**
Article 5a, first paragraph, point (2), amending provision, article(1), point (b)			
274am			**(b) severe disruptions in the functioning of the Single Market, which led to the activation of the Single Market emergency mode in accordance with Article 14 of [the SMEI Regulation], significantly restrict the possibilities of manufacturers to make use of the harmonised standards covering the**

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			relevant essential requirements set out in Annex I in this Regulation and already published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012.
Article 5a, first paragraph, point (2), amending provision, article(2)			
274an			**1a. The implementing acts referred to in paragraph 1 may:**
Article 5a, first paragraph, point (2), amending provision, article(2), point (a)			
274ao			**(a) publish the references to relevant applicable international standards that provide presumption of conformity in accordance with paragraph 3;**
Article 5a, first paragraph, point (2), amending provision, article(2), point (b)			
274ap			**(b) if there is no relevant applicable**

	Commission Proposal	EP Mandate	Council Mandate
			international standards as referred to in point a of this paragraph that cover the essential requirements set out in Annex III to this Regulation, publish the references to the European standards that provide presumption of conformity in accordance with paragraph 3;
Article 5a, first paragraph, point (2), amending provision, article(2), point (c)			
274aq			**(c) if there is no relevant applicable international or European standard as referred to in points a and b, that cover the essential requirements set out in Annex III to this Regulation, establish common specifications established by the Commission that provide presumption of conformity in accordance with paragraph 3;**
Article 5a, first paragraph, point (2), amending provision, article(2), point (d)			

	Commission Proposal	EP Mandate	Council Mandate
274ar			**(d) if there is no relevant applicable international standard, European standard or common specifications as referred to in points a, b and c, publish the reference to national standards that provide presumption of conformity in accordance with paragraph 3.**
Article 5a, first paragraph, point (2), amending provision, article(3)			
274as			**2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 48(3). They shall apply until the last day of the period for which the Single Market emergency mode remains active, unless amended or repealed in accordance with paragraph 5.**
Article 5a, first paragraph, point (2), amending provision, article(4)			

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274at			**2a. Before preparing the draft implementing act referred to in paragraph 1, the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 have been fulfilled. When preparing the draft implementing act referred to in paragraph 1, the Commission shall take into account the views of relevant bodies or expert group established under the Regulation.**
Article 5a, first paragraph, point (2), amending provision, article(5)			
274au			**3. Without prejudice to Article 20, machinery and the related products which are in conformity with the standards or common specifications referred to in paragraph 1, or parts thereof, shall be presumed to be in conformity with the essential requirements set out in Annex III**

	Commission Proposal	EP Mandate	Council Mandate
			covered by those standards, common specifications or parts thereof. The presumption of conformity provided by the standards or the common specifications referred to in the implementing act referred to in paragraph 1 shall automatically cease to apply on the date the Single Market Emergency mode expires or is deactivated.
Article 5a, first paragraph, point (2), amending provision, article(6)			
274av			**4. By way of derogation from Article 25a(3), first subparagraph, unless there is sufficient reason to believe that the machinery and the related products covered by the standards or common specifications referred to in paragraph 1 present a risk to the health or safety of persons, the machinery and the related products which are in conformity with those standards or common specifications and which have been placed on**

	Commission Proposal	EP Mandate	Council Mandate
			the market or put into service shall be deemed compliant with the essential requirements set out in Annex III to this Regulation after the expiry or repeal of an implementing act adopted pursuant to paragraph 2 and after the expiry or deactivation of the Single Market Emergency mode in accordance with [the SMEI Regulation].
Article 5a, first paragraph, point (2), amending provision, article(7)			
274aw			**5. When a Member State considers that a standard or common specification referred to in paragraph 1 does not entirely satisfy the essential requirements set out in Annex III, it shall inform the Commission thereof by submitting a detailed explanation. The Commission shall assess that detailed explanation and, if appropriate, amend or repeal the implementing act listing the**

	Commission Proposal	EP Mandate	Council Mandate
			standard or establishing the common specification in question.
Article 5a, first paragraph, point (2), amending provision, article			
274ax			**Article 25ePrioritisation of market surveillance activities and mutual assistance among authorities**
Article 5a, first paragraph, point (2), amending provision, article(1)			
274ay			**1. The Member States shall prioritise the market surveillance activities for machinery and the related products designated as crisis-relevant goods. The Commission shall facilitate coordination of these efforts through the Union Product Compliance Network established under Article 29 of Regulation (EU) 2019/1020.**
Article 5a, first paragraph, point (2), amending provision, article(2)			

	Commission Proposal	EP Mandate	Council Mandate
274az			**2. The market surveillance authorities of the Member States shall deploy their best efforts to provide assistance to other market surveillance authorities during a Single Market emergency, including by mobilising and dispatching expert teams to temporarily reinforce the staff of market surveillance authorities requesting assistance or by providing logistical support such as reinforcement of the testing capacity for machinery and the related products designated as crisis-relevant goods."**
Article 6			
275	Article 6Entry into force	Article 6Entry into force	Article 6Entry into force
Article 6, first paragraph			
276	This Regulation shall enter into force on the twentieth day following that of its publication in	This Regulation shall enter into force on the twentieth day following that of its publication in	This Regulation shall enter into force on the twentieth day following that of its publication in

	Commission Proposal	EP Mandate	Council Mandate
	the Official Journal of the European Union.	the Official Journal of the European Union.	the Official Journal of the European Union.
Article 6, second paragraph			
277	It shall apply from [OP- please insert the date identical to that of the entry into application of the SMEI Regulation].	It shall apply from [OP- please insert the date identical to ~~*that of the entry into*~~***the date of*** application of the ~~*SMEI*~~***IMERA*** Regulation].	It shall apply from [***OP- please insert the date identical to that of the entry into application of the SMEI Regulation***~~OP- please insert the date identical to that of the entry into application of the SMEI Regulation~~].
Article 6, third paragraph			
278	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
Formula			
279	Done at Brussels,	Done at Brussels,	Done at Brussels,
Formula			

	Commission Proposal	EP Mandate	Council Mandate
280	For the European Parliament	For the European Parliament	For the European Parliament
Formula			
281	The President	The President	The President
Formula			
282	For the Council	For the Council	For the Council
Formula			
283	The President	The President	