Commission Regulation (EC) No 245/2009 of 18 March 2009 implementing Directive 2005/32/EC of...
ANNEX IV
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Verification procedure for market surveillance purposes

When performing the market surveillance checks referred to in Article 3(2) of Directive 2005/32/EC, the authorities of the Member States shall apply the following verification procedure for the requirements set out in Annex III.

[**F1**Member States authorities shall use reliable, accurate and reproducible measurement procedures, which take into account the generally recognised state of the art measurement methods, including methods set out in documents the reference numbers of which have been published for that purpose in the *Official Journal of the European Union*.]

Textual Amendments

F1 Inserted by Commission Regulation (EU) No 347/2010 of 21 April 2010 amending Commission Regulation (EC) No 245/2009 as regards the ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps (Text with EEA relevance).

For lamps

Member State authorities shall test a sample batch of minimum twenty lamps of the same model from the same manufacturer, randomly selected.

The batch shall be considered to comply with the provisions set out in Annex III Part 1, as applicable, to this Regulation if the average results of the batch do not vary from the limit, threshold or declared values by more than 10 %.

Otherwise, the model shall be considered not to comply.
For ballasts and luminaires

Member State authorities shall test one single unit.

The model shall be considered to comply with the provisions set out in Annex III Parts 2 and 3, as applicable, to this Regulation if the results do not exceed the limit values.

Otherwise, three more units shall be tested. The model shall be considered to comply with this Regulation if the average of the results of the latter three tests does not exceed the limit values.

Otherwise, the model shall be considered not to comply.

Changes to legislation:
There are outstanding changes not yet made to Commission Regulation (EC) No 245/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :
–   Regulation revoked by S.I. 2021/1095 reg. 19(b)
–   Annex 4 words omitted by S.I. 2019/539 Sch. 2 para. 4(8)(b)
–   Annex 4 words omitted by S.I. 2019/539 Sch. 2 para. 4(8)(c)
–   Annex 4 words substituted by S.I. 2019/539 Sch. 2 para. 4(8)(a)
–   Annex 4 words substituted in earlier amending provision S.I. 2019/539, Sch. 2 para. 4(8)(a) by S.I. 2020/1528 reg. 6(1)reg. 6(2)(b)(iv)

Changes and effects yet to be applied to the whole legislation item and associated provisions
–   Annex 1 para. 2(b) substituted by S.I. 2019/539 Sch. 2 para. 4(6)(b)
–   Annex 1 para. 2(c) substituted by S.I. 2019/539 Sch. 2 para. 4(6)(c)
–   Annex 1 para. 2(e)(f) substituted for Annex 1 para. 2(e) by S.I. 2019/539 Sch. 2 para. 4(6)(d)
–   Annex 1 para. 1 words substituted by S.I. 2019/539 Sch. 2 para. 4(6)(a)
–   Annex 1 para. 2(b) words substituted in earlier amending provision S.I. 2019/539, Sch. 2 para. 4(6)(b) by S.I. 2020/1528 reg. 4
–   Annex 1 para. 2(c) words substituted in earlier amending provision S.I. 2019/539, Sch. 2 para. 4(6)(c) by S.I. 2020/1528 reg. 4
–   Annex 1 para. 2(e) words substituted in earlier amending provision S.I. 2019/539, Sch. 2 para. 4(6)(d) by S.I. 2020/1528 reg. 4
–   Annex 1 para. 2(f) words substituted in earlier amending provision S.I. 2019/539, Sch. 2 para. 4(6)(d) by S.I. 2020/1528 reg. 4
–   Annex 3 para. 1.3 words substituted by S.I. 2019/539 Sch. 2 para. 4(7)(a)
–   Annex 3 para. 2.2 words substituted by S.I. 2019/539 Sch. 2 para. 4(7)(b)
–   Annex 3 para. 3.2 words substituted by S.I. 2019/539 Sch. 2 para. 4(7)(c)