
Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1275/2008. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F1}ANNEX III

Product compliance verification by market surveillance authorities

Textual Amendments

F1 Substituted by Commission Regulation (EU) 2016/2282 of 30 November 2016 amending Regulations (EC) No 1275/2008, (EC) No 107/2009, (EC) No 278/2009, (EC) No 640/2009, (EC) No 641/2009, (EC) No 642/2009, (EC) No 643/2009, (EU) No 1015/2010, (EU) No 1016/2010, (EU) No 327/2011, (EU) No 206/2012, (EU) No 547/2012, (EU) No 932/2012, (EU) No 617/2013, (EU) No 666/2013, (EU) No 813/2013, (EU) No 814/2013, (EU) No 66/2014, (EU) No 548/2014, (EU) No 1253/2014, (EU) 2015/1095, (EU) 2015/1185, (EU) 2015/1188, (EU) 2015/1189 and (EU) 2016/2281 with regard to the use of tolerances in verification procedures (Text with EEA relevance).

The verification tolerances defined in this Annex relate only to the verification of the measured parameters by Member State authorities and shall not be used by the manufacturer or importer as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.

1. VERIFICATION PROCEDURE

When verifying the compliance of a product model with the requirements laid down in this Regulation pursuant to Article 3(2) of Directive 2009/125/EC, for the requirements referred to in this Annex, the authorities of the Member States shall apply the following procedure:

- (1) The Member State authorities shall verify one single unit of the model.
- (2) The model shall be considered to comply with the applicable requirements if:
 - (a) the values given in the technical documentation pursuant to point 2 of Annex IV to Directive 2009/125/EC (declared values), and, where applicable, the values used to calculate these values, are not more favourable for the manufacturer or importer than the results of the corresponding measurements carried out pursuant to paragraph (g) thereof; and
 - (b) the declared values meet any requirements laid down in this Regulation, and any required product information published by the manufacturer or importer does not contain values that are more favourable for the manufacturer or importer than the declared values; and
 - (c) when the Member State authorities test the unit of the model, the determined values (the values of the relevant parameters as measured in testing and the values calculated from these measurements) comply with the respective verification tolerances as given in the table below.
- (3) If the results referred to in point 2(a) or (b) are not achieved, the model shall be considered not to comply with this Regulation.
- (4) If the result referred to in point 2(c) is not achieved, the Member State authorities shall select three additional units of the same model for testing.
- (5) The model shall be considered to comply with the applicable requirements if, for these three units, the arithmetical mean of the determined values complies with the respective verification tolerances given in the table below.

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- (6) If the result referred to in point 5 is not achieved, the model shall be considered not to comply with this Regulation.
- (7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 and 6.

The Member State authorities shall use the measurement and calculation methods set out in point 8 of Annex II and in part 2 of this Annex. The Member State authorities shall only apply the verification tolerances that are set out in the table below and shall only use the procedure described in points 1 to 7 for the requirements referred to in this Annex. No other tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.

VERIFICATION TOLERANCES

Type of requirement	Category	Tolerance
Annex II, points 1(a) and (b), or points 2(a) and (b)	For power consumption requirements above 1,00 W	The determined value shall not exceed the declared value by more than 10 %.
	For power consumption requirements less than or equal to 1,00 W	The determined value shall not exceed the declared value by more than 0,10 W.
Annex II, points 3(c) and 4(a)	n/a	The determined value shall not exceed the declared value by more than 10 %.

2. TEST PROCEDURE FOR NETWORKED EQUIPMENT

To test compliance with the requirements set out in points 3(c) and 4(a) of Annex II, Member State authorities shall use the procedure set out in part 1 of this Annex, after having deactivated and/or disconnected, as applicable, all network ports of the unit.

To test compliance with the other requirements set out in points 3 and 4 of Annex II, Member State authorities shall test one single unit as follows:

If the equipment has, as indicated in the technical documentation, one type of network port and if two or more ports of that type are available, one of these ports is randomly chosen and that port is connected to the appropriate network complying with the maximum specification of the port. In the event of multiple wireless network ports of the same type, the other wireless ports shall be deactivated if possible. In the event of multiple wired network ports of the same type for verifying requirements set out in Annex II, point 3, the other network ports shall be deactivated if possible. If only one network port is available, that port is connected to the appropriate network complying with the maximum specification of the port.

The unit is put in on mode. Once the unit in on mode is working properly, it is allowed to go into the condition providing networked standby and the power consumption is measured. Then the appropriate trigger is given to the equipment through the network port and a check is made on whether the equipment is reactivated.

If the equipment has, as indicated in the technical documentation, more than one type of network port for each type of network port the following procedure is repeated. If two or more network ports of a type are available, one port is chosen randomly for each type of network port and

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that port is connected to the appropriate network complying with the maximum specification of the port.

If for a certain type of network port only one port is available, that port is connected to the appropriate network complying with the maximum specification of the port. Wireless ports not used shall be deactivated if possible. In the event of verification of requirements set out in Annex II, point 3, the wired network ports not used shall be deactivated if possible.

The unit is put in on mode. Once the unit in on mode is working properly, it is allowed to go into the condition providing networked standby and the power consumption is measured. Then the appropriate trigger is given to the equipment through the network port and a check is made whether the equipment is reactivated. If one physical network port is shared by two or more types of (logical) network ports this procedure is repeated for each type of logical network port, with the other logical network ports being logical-disconnected.]

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Changes and effects yet to be applied to :

- Annex 3 words substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(a\)](#)
- Annex 3 words substituted in earlier amending provision [S.I. 2019/539, Sch. 2 para. 1\(6\)\(a\)](#) by [S.I. 2020/1528 reg. 6\(1\)reg. 6\(2\)\(b\)\(i\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 para. 2 substituted by [S.I. 2021/745 reg. 53\(3\)](#)
- Annex 1 para. 1 words omitted by [S.I. 2021/745 reg. 53\(2\)\(a\)](#)
- Annex 1 para. 1 words omitted by [S.I. 2021/745 reg. 53\(2\)\(b\)](#)
- Annex 1 para. 3 words substituted by [S.I. 2021/745 reg. 53\(4\)](#)
- Annex 3 s. 1(7) omitted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(iii\)](#)
- Annex 3 s. 1 word substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(iv\)\(aa\)](#)
- Annex 3 s. 1 word substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(iv\)\(bb\)](#)
- Annex 3 s. 1 words substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(i\)](#)
- Annex 3 s. 1(2)(a) words substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(ii\)\(aa\)](#)
- Annex 3 s. 1(2)(a) words substituted by [S.I. 2019/539 Sch. 2 para. 1\(6\)\(b\)\(ii\)\(bb\)](#)
- Annex 3 s. 1 words substituted in earlier amending provision [S.I. 2019/539, Sch. 2 para. 1\(6\)\(b\)](#) by [S.I. 2020/1528 reg. 6\(3\)reg. 6\(4\)\(b\)\(i\)](#)
- Art. 2(6) words substituted by [S.I. 2019/539 Sch. 2 para. 1\(2\)\(b\)](#)