

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2023 OF THE JOINT COMMITTEE ESTABLISHED BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE UNITED STATES OF AMERICA

of 26 May 2023

on the mutual recognition of certificates of conformity for marine equipment amending Annexes I, II and III [2023/1146]

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community and the United States of America on the mutual recognition of certificates of conformity for marine equipment, and in particular Article 7 thereof;

Whereas:

- (1) Pursuant to Article 7(3)(d) of the Agreement between the European Community and the United States of America on the mutual recognition of certificates of conformity for marine equipment ('the Agreement'), the Joint Committee established under Article 7(1) of the Agreement may amend the Annexes thereto.
- (2) In order to support the proper implementation of the legislation that is within the scope of the Agreement it is important to include interpretations developed by the notified body coordination group established under Directive 2014/90/EU of the European Parliament and of the Council ⁽¹⁾ as well as policy guidance issued by the U. S. Coast Guard in the list of laws, regulations and administrative provisions listed in Annex I.
- (3) Therefore, Annex I to the Agreement should be amended accordingly.
- (4) In accordance with Article 7(3)(a) of the Agreement, the Joint Committee is responsible for developing and maintaining the list in Annex II of products and associated legislative, regulatory and administrative provisions that the Parties have determined to be equivalent.
- (5) Taking into account technical progress and changes to the international instruments, the European Union and the United States of America have agreed on the modification of the product coverage for mutual recognition.
- (6) Therefore, Annex II of the Agreement should be amended accordingly.
- (7) The list of regulatory authorities and their addresses should be updated and the regulatory authority of the United Kingdom should be removed.
- (8) Therefore, Annex III of the Agreement should be amended accordingly,

⁽¹⁾ Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ L 257, 28.8.2014, p. 146).

HAS DECIDED AS FOLLOWS:

Annexes I, II and III of the Agreement are replaced by the text in the Annex to this Decision.

This Decision, done in duplicate, shall be signed by representatives of the Joint Committee who are authorised to act on behalf of the Parties for purposes of amending the Agreement. This Decision shall be effective from the date of the later of these signatures.

On behalf of the United States of America

Sushan DEMIRJIAN

Signed in Brussels, on 26 May 2023

On behalf of the European Union

Lucian CERNAT

Signed in Brussels, on 26 May 2023

ANNEX

'ANNEX I

LEGISLATION, REGULATIONS AND ADMINISTRATIVE PROVISIONS

EU legislation, regulations and administrative provisions:

- Directive 2014/90/EU (hereinafter referred to as 'MED') and the implementing acts adopted in accordance with Articles 35(2) and (3) of that Directive, which are published in the Official Journal of the European Union and made available on <https://portal.med.emsa.europa.eu/>.
- Guidelines for the implementation of, in particular, conformity assessment procedures falling under the MED are provided by:
 - The 'Blue Guide' on the implementation of EU product rules 2022; and
 - Interpretations developed by the notified body coordination group established under Directive 2014/90/EU (MarED), approved by the Committee on Safe Seas and prevention of pollution from ships established under Council Regulation (EC) No 2099/2002 (COSS) and made available to the public on <https://portal.med.emsa.europa.eu/>.

U.S. legislation, regulations and administrative provisions:

- United States Code, Title 46 (46 U.S.C. 3306), provides statutory authority to the United States Coast Guard (through delegation by the Secretary of the Department of Homeland Security) to issue regulations for approval of marine equipment.
- United States Code of Federal Regulations
 - Title 46, Subpart 2.75 and Part 159, related to the authorities and procedures for U.S. Coast Guard approval of marine equipment;
 - Title 46, Parts 160 to 164, for lifesaving equipment, electrical equipment, engineering systems;
 - Title 47, Part 80 for radio equipment. Equipment which includes a radio transmitter is regulated by the U.S. Federal Communications Commission (FCC) and requires FCC type-certification before such equipment may be marketed, sold or used in the United States. These items are identified by ‡ in Annex II.
- Policy guidance issued by the U.S. Coast Guard
 - Navigation and Vessel Inspection Circular (NVIC) 02-19 pertaining to approvals issued by the U.S. Coast Guard under the MRA;
 - NVIC 08-01, for approval of navigation equipment;
 - Additional guidance posted on: <https://www.dco.uscg.mil/CG-ENG-4/Equipment/>.

ANNEX II

PRODUCT COVERAGE FOR MUTUAL RECOGNITION**Lifesaving appliances**

Product item identification	EU item number	U.S. item
Position- indicating lights for life- saving appliances: for survival craft and rescue boats	MED/1.2a	161.101
Position- indicating lights for life- saving appliances: for lifebuoys	MED/1.2b	161.110
Position- indicating lights for life- saving appliances: for lifejackets	MED/1.2c	161.112
Lifebuoy self- activating smoke signals Note: Expiration date not to exceed 48 months after month of manufacture.	MED/1.3	160.157
Rocket parachute flares (pyrotechnics) Note: Expiration date not to exceed 48 months after month of manufacture.	MED/1.8	160.136
Hand flares (pyrotechnics) Note: Expiration date not to exceed 48 months after month of manufacture.	MED/1.9	160.121
Buoyant smoke signals (pyrotechnics) Note: Expiration date not to exceed 48 months after month of manufacture.	MED/1.10	160.122
Line-throwing appliances Note: Expiration date not to exceed 48 months after month of manufacture.	MED/1.11	160.040
Rigid liferafts Note: The emergency pack is not covered by the Agreement	MED/1.13	160.118
Automatically self- righting liferafts (rigid liferafts only/inflatable liferafts not covered) Note: The emergency pack is not covered by the Agreement	MED/1.14b	160.118
Canopied reversible liferafts (rigid liferafts only/inflatable liferafts not covered) Note: The emergency pack is not covered by the Agreement	MED/1.15	160.118
Float- free arrangements for liferafts (hydrostatic release units)	MED/1.16	160.162
Release mechanism for: Lifeboats and rescue boats (launched by a fall or falls) Limited to Davit-launched liferaft automatic release hook	MED/1.26a	160.170

Product item identification	EU item number	U.S. item
Release mechanism for: Liferafts (launched by a fall or falls) Limited to Davit-launched liferaft automatic release hook	MED/1.26b	160.170
Marine evacuation systems	MED/1.27	160.175
Embarkation Ladders	MED/1.29	160.117
Retro-reflective materials	MED/1.30	164.018

Fire protection

Product item identification	EU item number	U.S. item number
Primary deck coverings	MED/3.1	164.106
'A' & 'B' Class divisions fire integrity: 'A' class divisions: A-60 deck assemblies	MED/3.11a	164.105
'A' & 'B' Class divisions fire integrity: 'A' class divisions: A-60 structural insulation	MED/3.11a	164.107
'A' & 'B' Class divisions fire integrity: 'B' class divisions. - bulkheads.	MED/3.11b	164.108
'A' & 'B' Class divisions fire integrity: 'B' class divisions. - ceilings.	MED/3.11b	164.110
Non-combustible materials	MED/3.13	164.109
Fire doors Limited to fire doors without windows or with total window area no more than 645 cm ² in each door leaf, unless hose stream, heat flux, and/or temperature rise tests are conducted according to USCG approval guidance. Approval limited to maximum door size tested. Doors must be used with a fire tested frame design.	MED/3.16	164.136
Fire door control systems components.	MED/3.17	164.146
Surface materials and floor coverings with low flame-spread characteristics: decorative veneers.	MED/3.18a	164.112
Surface materials and floor coverings with low flame-spread characteristics: paint systems.	MED/3.18b	164.112
Surface materials and floor coverings with low flame-spread characteristics: floor coverings.	MED/3.18c	164.117
Surface materials and floor coverings with low flame-spread characteristics: combustible ducts membrane.	MED/3.18f	164.112

Product item identification	EU item number	U.S. item number
Draperies, curtains and other suspended textile materials and films	MED/3.19	164.111
Upholstered furniture: Cover material for flame-retardant filling material	MED/3.20b	164.144
Upholstered furniture: Cover material for flame-retardant filling material (tested in specific combination as intended for the later application).	MED/3.20c	164.144
Bedding components	MED/3.21	164.142
Fire dampers	MED/3.22	164.139
Penetrations through 'A' class electric cable transits.	MED/3.26a	164.138
Penetrations through 'A' class pipe, duct, trunk, etc. penetrations	MED/3.26b	164.138
Fire restricting materials (except furniture) for high-speed craft	MED/3.32	164.201
Fire restricting materials for furniture for high-speed craft	MED/3.33	164.201
Fire resisting divisions for high-speed craft	MED/3.34	164.207
C class divisions	MED/3.64	164.109

Navigation equipment

Product item identification	EU item	US item number
Magnetic compass Class A for ships	MED/4.1	165.101
Transmitting heading device THD (magnetic method)	MED/4.2	165.102
Echo-sounding equipment	MED/4.6	165.107
Speed and distance measuring equipment (SDME)	MED/4.7	165.105
Rate- of- turn- indicator	MED/4.9	165.106
Heading control system (HCS)	MED/4.16	165.110
Rudder Angle Indicator	MED/4.20	165.167
Propeller revolution indicator	MED/4.21	165.168
Pitch Indicator	MED/4.22	165.169
Voyage data recorder (VDR)	MED/4.29	165.150
Electronic chart display and information system (ECDIS) with backup, and raster chart display system (RCDS)	MED/4.30	165.123 165.124
Universal automatic identification system equipment (AIS)	MED/4.32	165.155
Track control system (working at ship's speed from minimum manoeuvring speed up to 30 knots)	MED/4.33	165.112

Product item identification	EU item	US item number
Radar reflector passive type	MED/4.39	165.160
Heading control system for high-speed craft	MED/4.40	165.210
Transmitting heading device THD (GNSS method)	MED/4.41	165.102
Searchlight for high-speed craft	MED/4.42	165.252
Night vision equipment for high-speed craft	MED/4.43	165.251
Transmitting heading device THD (Gyroscopic method)	MED/4.46	165.102
Simplified voyage data recorder (S- VDR)	MED/4.47	165.151
Pilot ladder	MED/4.49	163.003
Daylight signaling lamp	MED/4.52	165.166
Bridge Navigational Watch Alarm System (BNWAS)	MED/4.57	165.142
Sound reception system	MED/4.58	165.165
Integrated navigation system	MED/4.59	165.141
GPS equipment	MED/4.63	165.130
GLONASS equipment	MED/4.63	165.131
DGPS equipment	MED/4.63	165.132
DGLONASS equipment	MED/4.63	165.133
Radar equipment CAT 1 (Radar equipment used with ARPA must have separate EU and USA certifications) †	MED/4.64	165.115
Radar equipment CAT 2 (Radar equipment used with ATA must have separate EU and USA certifications) †	MED/4.64	165.116
Radar equipment CAT 3 (Radar equipment used with EPA must have separate EU and USA certifications) †	MED/4.64	165.117
Radar equipment for high-speed craft applications (CAT 1H) †	MED/4.64	165.216
Radar equipment for high-speed craft applications (CAT 2H) †	MED/4.64	165.217
Gyro compass	MED/4.65	165.103
Gyro compass for high-speed craft	MED/4.65	165.203'

ANNEX III

REGULATORY AUTHORITIES

EUROPEAN UNION

Belgium	SPF Mobilité (FPS Mobility) Rue du Progrès 56 1210 Bruxelles FOD Mobiliteit (FPS Mobility) Vooruitgangstraat 56 1210 Brussel
Bulgaria	Министерство на транспорта, информационните технологии и съобщенията ул. "Дякон Игнатий" № 9 София 1000, Ministry of Transport, Information Technology and Communications 9, Dyakon Ignatij str. Sofia 1000
Czech Republic	Ministerstvo dopravy (Ministry of Transport) P.O. Box 9 Nábřeží Ludvíka Svobody 12 110 15 Praha 1
Denmark	Erhvervsministeriet (Ministry of Industry, Business and Financial Affairs) Slotsholmsgade 10-12 DK-1216 Copenhagen K
Germany	Bundesministerium für Verkehr und digitale Infrastruktur (Ministry of Transport and Digital Infrastructure) Invalidenstr. 44, 10115 Berlin
Estonia	Majandus- ja Kommunikat- siooniministeerium (Ministry of Economic Affairs and Infrastructure) Suur- Ameerika 1 10122 Tallinn
Ireland	Department of Transport Leeson Lane Dublin D02 TR60 An Roinn Iompair Lána Liosáin Baile Átha Cliath D02 TR60
Greece	Υπουργείο Ναυτιλίας & Νησιωτικής Πολιτικής Ακτή Βασιλειάδη, Πύλη Ε 1 - Ε 2, Τ.Κ. 185 10, Πειραιάς Ministry of Shipping and Island Policy Akti Vassiliadi, Gates E1- E2 18510 Piraeus
Spain	Ministerio de Fomento (Ministry of Public Works) Paseo de la Castellana, 67 28071 Madrid

France	Ministère de la transition écologique et solidaire 246, Boulevard St. Germain 75007 Paris
Croatia	Ministarstvo mora, prometa i infrastrukture (Ministry of the Sea, Transport and Infrastructure) Prisavlje 14, 10 000 Zagreb
Italy	Ministero delle Infrastrutture e dei Trasporti (Ministry for Infrastructure and Transport) Piazzale di Porta Pia 1 00198 Roma
Cyprus	Υπουργείο Μεταφορών, Επικοινωνιών και Έργων Αχαιών 28, 1424 Λευκωσία Ministry of Transport, Communications and Works Axaion 28 1424 Nicosia
Latvia	Satiksmes ministrija (Ministry for Transport and Communications) Gogola iela 3, Riga 1743
Lithuania	Susisiekimo ministerija (Ministry of Transport and Communications) Gedimino av. 17 01505 Vilnius
Luxembourg	Ministère du Développement durable et des Infrastructures 4, Place de l'Europe 1499 Luxembourg
Hungary	Nemzeti Fejlesztési Minisztérium (Ministry of National Development) Fő u. 44- 50. 1011 Budapest
Malta	Ministeru għat- Trasport, Infrastruttura u Proġetti Kapitali/ Ministry for Transport, Infrastructure and Capital Projects Triq Francesco Buonamici Floriana FRN1700
Netherlands	Ministerie van Infrastructuur en Waterstaat (Ministry of Infrastructure and Water Management) Rijnstraat 8, 2515 XP 's Gravenhage Postbus 20901 2500 EX's Gravenhage
Austria	Bundesministerium für Verkehr, Innovation und Technologie (Ministry for Transport, Innovation and Technology) Radetzkystraße 2 1030 Wien
Poland	Ministerstwo Infrastruktury (Ministry of Infrastructure and Construction) ul. Chałubińskiego 4/6 00 928 Warszawa
Portugal	Direção-Geral de Recursos Naturais, Segurança e Serviços Marítimos (Directorate-General for Natural Resources, Safety and Maritime Services) Av. Brasília 1449- 030 Lisboa

Romania	Ministerul Transporturilor (Ministry of Transport) 38, Blvd. Dinicu Golescu Sector 1 – București
Slovenia	Ministrstvo za infrastrukturo (Ministry of Infrastructure) Langusova 4 SI -1535 Ljubljana
Slovakia	Ministerstvo dopravy a výstavby (Ministry of Transport and Construction) Námestie slobody 6 810 05 Bratislava
Finland	Liikenne- ja viestintäministeriö (Ministry of Transport and Communications) Eteläesplanadi 16, Helsinki P.O. Box 31 00023 Government Kommunikationsministeriet (Ministry of Transport and Communications) Södra esplanaden 16, Helsingfors PB 31, 00023 Statsrådet
Sweden	Närings-departementet (Ministry of Enterprise and Innovation) Mäster Samuelsgatan 70, Stockholm 103 33 Stockholm
European Commission	Directorate General Mobility and Transport (DG MOVE) Maritime Safety Unit 200, rue de la Loi 1049 Brussels, Belgium
UNITED STATES OF AMERICA	United States Coast Guard Office of Design and Engineering Standards (CG- ENG) 2703 Martin Luther King Jr Ave SE STOP 7509 Washington DC 20593-7509
