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COMMISSION STAFF WORKING DOCUMENT

For the Council Shipping Working party

IMO – Union submission to be submitted to the 100th session of the Committee on Maritime Safety (MSC 100) of the IMO in London from 3 – 7 December 2018 concerning clarification of the requirement for accelerated weathering of retro-reflective materials for life saving appliances

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IMO – Union submission to be submitted to the 100th session of the Committee on Maritime Safety (MSC 100) of the IMO in London from 3 – 7 December 2018 concerning clarification of the requirement for accelerated weathering of retro-reflective materials for life saving appliances

PURPOSE

The document in Annex contains a draft Union submission to the 100th session of the Committee on Maritime Safety (MSC 100) of the IMO concerning clarification of the requirement for accelerated weathering of retro-reflective materials for life saving appliances. It is hereby submitted to the appropriate technical body of the Council with a view to achieving agreement on transmission of the document to the IMO prior to the required deadline of 28 September 2018[1].

Retro-reflective materials are included in Commission Implementing Regulation (EU) 2018/773 of 15 May 2018 on design, construction and performance requirements and testing standards for marine equipment and repealing Implementing Regulation (EU) 2017/306)[2]. Reference is made in that Implementing Regulation to IMO Resolution A.658(16) on "Use and fitting of retro-reflective materials on life-saving appliances". This equipment therefore falls in the scope of 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[3] and therefore the said draft Union submission falls under EU exclusive competence.

MARITIME SAFETY COMMITTEE MSC 100/19/X

[1] The submission of proposals or information papers to the IMO, on issues falling under external exclusive EU competence, are acts of external representation. Such submissions are to be made by an EU actor who can represent the Union externally under the Treaty, which for non-CFSP (Common Foreign and Security Policy) issues is the Commission or the EU Delegation in accordance with Article 17(1) TEU and Article 221 TFEU. IMO internal rules make such an arrangement absolutely possible as regards existing agenda and work programme items. This way of proceeding is in line with the General Arrangements for EU statements in multilateral organisations endorsed by COREPER on 24 October 2011.

[2] OJ L 133, 30.5.2018, p. 1.

[3] OJ L 257, 28.8.2014, p. 146.

ANY OTHER BUSINESS

Accelerated weathering tests of retro-reflective materials on life-saving appliances

Submitted by the European Commission on behalf of the European Union

SUMMARY	
Executive summary:	IMO Resolution A.658(16) on "*Use and fitting of retro-reflective materials on life-saving appliances"* requires the use of carbon arc testers for the accelerated weathering tests for retro-reflective materials.
Strategic Direction, if applicable:	Not applicable
Output:	Not applicable
Action to be taken:	Paragraph 6
Related documents:	Res. A.658(16), C/ES.27/D

General

1 The purpose of this document is to highlight the potential issue concerning the technical mean used for the for the accelerated weathering tests of retro-reflective materials, as provided for in IMO Resolution A.658(16) on "*Use and fitting of retro-reflective materials on life-saving appliances"*, Annex I, para 4.10 Accelerated weathering.

2 Paragraph 4.10 Accelerated weathering states:

> "The photometric performance of the material should be determined according to section 4.2 after the material has been exposed in a sunshine carbon arc weatherometer for the following periods:
>
> Type I material: 750 h
> Type II material: 1,500 h
>
> After exposure, the material should be examined for the requirements and characteristics in section 3.2"

Issue

3 Paragraph 4.10 clearly states that the photometric performances should be achieved by exposing the retro-reflective material to a sunshine carbon arc weatherometer. Resolution

A.658(16) dates back to 19 October 1989 and since then, nearly 30 years after, carbon arc lamps are becoming more and more rare in most regions of the world as the technology is evolving. The new testing equipment and standard are based largely on xenon arc devices.

4 Evidence from has been gathered from the Market Surveillance Authorities and the notified bodies under 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, of increasing difficulties for the economic operators (manufacturers and the notified bodies) to perform the accelerated weathering tests as required by the Resolution because of the continuously decreasing number of testing laboratories using this old carbon arc technology for their testers.

5 Xenon arc devices and Fluorescent UV testers represent the current state of the art in terms of weathering tests, in comparison to carbon arc testers which technology was developed in the '30s of the past century. In particular, the range of xenon arc tester, stimulates more realistically full sun spectrum while carbon arc testers has certain limitation in the short wavelength range; for this reason xenon arc testers fulfil with the goal of simulating solar degradation.

Proposal

6 In line with the Council recommendation (C/ES.27/D, para 3.2.(vi) - "*…it is understood that minor corrections/issues could continue to be considered by the committees under the agenda item "Any other business"*), it is proposed to address the issue in a pragmatic way, by allowing testing equipment also based on xenon arc technologies by a minor amendment as provided in the annex to this submission.

Action requested of the Committee

The Committee is invited to consider the minor editorial amendment proposed in paragraph 6 and in the Annex and take action as appropriate.

ANNEX

DRAFT AMENDMENTS TO RESOLUTION A.658(16)

Two alternatives are presented:

Alternative 1:

4.10 Accelerated weathering

The photometric performance of the material should be determined according to section 4.2 after the material has been exposed in a sunshine ~~carbon arc~~ weatherometer based on sources such as carbon arc or xenon arc, for the following periods:

Type I material: 750 h
Type II material: 1,500 h

After exposure, the material should be examined for the requirements and characteristics in section 3.2

Alternative 2:

4.10 Accelerated weathering

The photometric performance of the material should be determined according to section 4.2 after the material has been exposed in a sunshine ~~carbon arc~~ weatherometer for the following periods:

Type I material: 750 h
Type II material: 1,500 h

After exposure, the material should be examined for the requirements and characteristics in section 3.2

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