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Legislation

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⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2001

of 8 November 2017

approving propan-1-ol as an existing active substance for use in biocidal products of product-type 1, 2 and 4**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes propan-1-ol.
- (2) Propan-1-ol has been evaluated for use in products of product-type 1, human hygiene, product-type 2, disinfectants and algaecides not intended for direct application to humans or animals, and product-type 4, food and feed area, as described in Annex V to Regulation (EU) No 528/2012.
- (3) Germany was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 18 July 2016.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 27 April 2017 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (5) According to those opinions, biocidal products of product-types 1, 2 and 4 and containing propan-1-ol may be expected to satisfy the criteria of Article 19(1)(b) of Regulation (EU) No 528/2012, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve propan-1-ol for use in biocidal products of product-types 1, 2 and 4, subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Propan-1-ol is approved as an active substance for use in biocidal products of product-types 1, 2 and 4, subject to the specifications and conditions set out in the Annex.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Propan-1-ol	IUPAC Name: Propan-1-ol EC No: 200-746-9 CAS No: 71-23-8	≥ 995 g/kg	1 May 2019	30 April 2029	1	The authorisations of biocidal products are subject to the following conditions: (1) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance; (2) in view of the risks identified for the uses assessed, the product assessment shall pay particular attention to professional users.
					2	The authorisations of biocidal products are subject to the following condition: the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance.
					4	The authorisations of biocidal products are subject to the following conditions: (1) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance; (2) in view of the risks identified for the uses assessed, the product assessment shall pay particular attention to professional users; (3) for products that may lead to residues in food or feed, the need to set new or to amend existing maximum residue levels (MRLs) in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽³⁾ shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

⁽²⁾ Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

⁽³⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2002**of 8 November 2017****approving L(+) lactic acid as an existing active substance for use in biocidal products of product-types 2, 3 and 4****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes L(+) lactic acid.
- (2) L(+) lactic acid has been evaluated for use in products of product-type 2, disinfectants and algaecides not intended for direct application to humans or animals, product-type 3, veterinary hygiene, and product type 4, food and feed area, as described in Annex V to Regulation (EU) No 528/2012.
- (3) Germany was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 3 May 2016.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 27 April 2017 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (5) According to those opinions, biocidal products of product-types 2, 3 and 4 and containing L(+) lactic acid may be expected to satisfy the criteria of Article 19(1)(b) of Regulation (EU) No 528/2012, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve L(+) lactic acid for use in biocidal products of product-types 2, 3 and 4, subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

L(+) lactic acid is approved as an active substance for use in biocidal products of product-types 2, 3 and 4, subject to the specifications and conditions set out in the Annex.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
L(+) lactic acid	IUPAC Name: (S)-2-Hydroxypropanoic acid EC No: 201-196-2 CAS No: 79-33-4	≥ 955 g/kg (dry weight)	1 May 2019	30 April 2029	2	The authorisations of biocidal products are subject to the following condition: The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance.
					3	The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. 2. In view of the risks identified for the uses assessed, the product assessment shall pay particular attention to groundwater for products used in animal housings leading to exposure of the environment via the application of manure on agricultural land.
					4	The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. 2. In view of the risks identified for the uses assessed, the product assessment shall pay particular attention to professional users.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2003**of 8 November 2017****approving fludioxonil as an active substance for use in biocidal products of product-types 7, 9 and 10****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Denmark received on 8 October 2014 an application for the approval of the active substance fludioxonil for use in biocidal products of product-type 7, film preservatives, product-type 9, fibre, leather, rubber and polymerised materials preservatives, and product-type 10, construction material preservatives, as described in Annex V to Regulation (EU) No 528/2012.
- (2) Denmark submitted the assessment reports together with its recommendations on 5 April 2016 in accordance with Article 8(1) of Regulation (EU) No 528/2012.
- (3) The opinions of the European Chemicals Agency were formulated on 2 March 2017 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (4) According to those opinions, biocidal products of product-types 7, 9 and 10 and containing fludioxonil may be expected to satisfy the criteria of Article 19(1)(b) of Regulation (EU) No 528/2012, provided that certain specifications and conditions concerning their use are complied with.
- (5) It is therefore appropriate to approve fludioxonil for use in biocidal products of product-types 7, 9 and 10, subject to compliance with certain specifications and conditions.
- (6) Since fludioxonil meets the criteria laid down in Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽²⁾ for being very persistent, treated articles treated with or incorporating fludioxonil should be appropriately labelled when placed on the market.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Fludioxonil is approved as an active substance for use in biocidal products of product-types 7, 9 and 10, subject to the specifications and conditions set out in the Annex.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.⁽¹⁾ OJ L 167, 27.6.2012, p. 1.⁽²⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Fludioxonil	IUPAC Name: 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1H-pyrrole-3-carbonitrile EC No: Not available CAS No: 131341-86-1	950 g/kg	1 April 2018	31 March 2028	7	The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. 2. In view of the risks identified for the uses assessed, the product assessment shall pay particular attention to industrial and professional users. The placing on the market of treated articles is subject to the following condition: The person responsible for the placing on the market of a treated article treated with or incorporating fludioxonil shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.
					9	The authorisations of biocidal products are subject to the following condition: The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. The placing on the market of treated articles is subject to the following condition: The person responsible for the placing on the market of a treated article treated with or incorporating fludioxonil shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
					10	The authorisations of biocidal products are subject to the following condition: The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. The placing on the market of treated articles is subject to the following condition: The person responsible for the placing on the market of a treated article treated with or incorporating fludioxonil shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2004**of 8 November 2017****approving 2-methylisothiazol-3(2H)-one as an existing active substance for use in biocidal products of product-type 12****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes 2-methylisothiazol-3(2H)-one.
- (2) 2-methylisothiazol-3(2H)-one has been evaluated for use in products of product-type 12, slimicides, as described in Annex V to Regulation (EU) No 528/2012.
- (3) Slovenia was designated as evaluating competent authority and submitted the assessment report together with its recommendations on 7 April 2016.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 2 March 2017 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (5) According to that opinion, biocidal products of product-type 12 containing 2-methylisothiazol-3(2H)-one may be expected to satisfy the criteria of Article 19(1)(b) of Regulation (EU) No 528/2012, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve 2-methylisothiazol-3(2H)-one for use in biocidal products of product-type 12, subject to compliance with certain specifications and conditions.
- (7) Since 2-methylisothiazol-3(2H)-one meets the criteria for classification as skin sensitiser sub-category 1A as specified in Annex I to Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾, treated articles treated with or incorporating 2-methylisothiazol-3(2H)-one should be appropriately labelled when placed on the market.
- (8) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

2-methylisothiazol-3(2H)-one is approved as an active substance for use in biocidal products of product-type 12, subject to the specifications and conditions set out in the Annex.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
2-methylisothiazol- 3(2H)-one	IUPAC Name: 2-methylisothiazol-3(2H)- one EC No: 220-239-6 CAS No: 2682-20-4	950 g/kg	1 April 2019	31 March 2029	12	The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. 2. In view of the risks identified for the uses assessed, the product assessment shall pay particular attention to: (a) industrial and professional users; (b) surface water and sewage treatment plants. The placing on the market of treated articles is subject to the following condition: The person responsible for the placing on the market of a treated article treated with or incorporating 2-methylisothiazol-3(2H)-one shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2005**of 8 November 2017****approving margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide as an existing active substance for use in biocidal products of product-type 19****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide.
- (2) Margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide has been evaluated for use in products of product-type 19, repellents and attractants, as described in Annex V to Regulation (EU) No 528/2012.
- (3) Germany was designated as evaluating competent authority and submitted the assessment report together with its recommendations on 3 December 2015.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 3 March 2017 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (5) According to that opinion, biocidal products of product-type 19 containing margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide may be expected to satisfy the criteria of Article 19(1)(b) of Regulation (EU) No 528/2012, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide for use in biocidal products of product-type 19, subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Margosa extract, cold-pressed oil of *Azadirachta indica* seeds without shells extracted with super-critical carbon dioxide is approved as an active substance for use in biocidal products of product-type 19, subject to the specifications and conditions set out in the Annex.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Margosa extract, cold-pressed oil of <i>Azadirachta indica</i> seeds without shells extracted with super-critical carbon dioxide	IUPAC Name: Not applicable EC No: 283-644-7 CAS No: 84696-25-3	1 000 g/kg	1 April 2019	31 March 2029	19	The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any use covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance. 2. In view of the risks identified for the uses assessed, the product assessment shall pay particular attention to surface water, sediment and soil. 3. For products that may lead to residues in food or feed, the need to set new or to amend existing maximum residue levels (MRLs) in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽³⁾ shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

⁽²⁾ Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

⁽³⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2006**of 8 November 2017****amending Council Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2015/1333/CFSP of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP ⁽¹⁾,

Having regard to Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011 ⁽²⁾, and in particular Article 20(b) thereof,

Whereas:

- (1) Annex V to Regulation (EU) 2016/44 lists vessels designated by the United Nations Sanctions Committee in accordance with paragraph 11 of United Nations Security Council Resolution (UNSCR) 2146 (2014). Those vessels are subject to a number of prohibitions under that Regulation, including the prohibition to load, transport or discharge crude oil from Libya and to access ports in the territory of the Union.
- (2) On 31 October 2017, the United Nations Security Council Committee renewed and amended the listing of vessel Lynn S subject to restrictive measures. Therefore, Annex V to Regulation (EU) 2016/44 should be amended accordingly.
- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Council Regulation (EU) 2016/44 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 November 2017.

For the Commission,

On behalf of the President,

Head of the Service for Foreign Policy Instruments

⁽¹⁾ OJ L 206, 1.8.2015, p. 34.

⁽²⁾ OJ L 12, 19.1.2016, p. 1.

ANNEX

Annex V to Council Regulation (EU) 2016/44 is amended as follows:

The entry:

'2. Name: Lynn S

Listed pursuant to paragraphs 10(a) and 10 (b) of resolution 2146 (2014), as extended and modified by paragraph 2 of resolution 2362 (2017) (prohibition to load, transport or discharge; prohibition to enter ports). Pursuant to paragraph 11 of resolution 2146, this designation is valid from 2 August 2017 to 2 November 2017, unless terminated earlier by the Committee pursuant to paragraph 12 of resolution 2146. Flag State: Saint Vincent and the Grenadines.

Additional information

IMO: 8706349. As of 26 July 2017, the vessel was located in international waters approximately 50 nautical miles southeast of Cyprus.'

is replaced by the following:

'2. Name: Lynn S

Listed pursuant to paragraphs 10(a) and 10 (b) of resolution 2146 (2014), as extended and modified by paragraph 2 of resolution 2362 (2017) (prohibition to load, transport or discharge; prohibition to enter ports). Pursuant to paragraph 11 of resolution 2146, this designation was renewed by the Committee on 31 October 2017 and is valid until 29 January 2018, unless terminated earlier by the Committee pursuant to paragraph 12 of resolution 2146. Flag State: Saint Vincent and the Grenadines.

Additional information

Listed on 2 August 2017. IMO: 8706349. As of 6 October 2017, the vessel was located in the territorial waters of Lebanon, when it set sail heading West.'

DECISIONS

COUNCIL DECISION (EU) 2017/2007

of 8 November 2017

on the financial contributions to be paid by Member States to finance the European Development Fund, including the third instalment for 2017

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, as last amended ('ACP-EU Partnership Agreement'),

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽²⁾ and in particular Article 7(2) thereof,

Having regard to the Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund ⁽³⁾ ('the 11th EDF Financial Regulation'), and in particular Article 21(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Article 21(5) of the 11th EDF Financial Regulation, the Commission is to present a proposal by 10 October 2017 specifying (a) the amount of the third instalment of the contribution for 2017, (b) a revised annual amount of the contribution for 2017, in cases where the amount deviates from actual needs.
- (2) In accordance with Article 52 of the 11th EDF Financial Regulation, the European Investment Bank (EIB) sent to the Commission its updated estimates of commitments and payments under the instruments it manages.
- (3) Article 22(1) of the 11th EDF Financial Regulation provides that calls for contributions first use up the amounts provided for in previous European Development Funds (EDFs). Therefore a call for funds under the 11th EDF should be made.
- (4) By means of Decision (EU) 2016/2026 ⁽⁴⁾, the Council has adopted, on 15 November 2016, on a proposal by the Commission, the Decision to set the annual amount of the Member States' EDF contributions for 2017 at EUR 3 850 000 000 for the Commission, and at EUR 150 000 000 for the EIB.
- (5) By means of Decision (EU) 2017/1206 ⁽⁵⁾, the Council has adopted, on 4 July 2017, a reduction of contribution from the Eighth and Ninth EDF decommitted funds for an amount of EUR 200 000 000,

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 210, 6.8.2013, p. 1.

⁽³⁾ OJ L 58, 3.3.2015, p. 17.

⁽⁴⁾ Council Decision (EU) 2016/2026 of 15 November 2016 on the financial contributions to be paid by Member States to finance the European Development Fund, including the ceiling for 2018, the annual amount for 2017, the first instalment for 2017 and an indicative and non-binding forecast for the expected annual amounts for the years 2019 and 2020 (OJ L 313, 19.11.2016, p. 25).

⁽⁵⁾ Council Decision (EU) 2017/1206 of 4 July 2017 on the financial contributions to be paid by Member States to finance the European Development Fund, including the second instalment for 2017 (OJ L 173, 6.7.2017, p. 15).

HAS ADOPTED THIS DECISION:

Article 1

The individual EDF contributions to be paid by the Member States to the Commission and the EIB as the third instalment for 2017 are set out in the table in the Annex to this Decision.

Payments of those contributions may be combined with adjustments under the implementation of the reduction of contributions for an amount of EUR 200 000 000 from decommitted funds under the Eighth and Ninth EDF, following an adjustment plan communicated by each Member State.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 8 November 2017.

For the Council

The President

M. MAASIKAS

ANNEX

MEMBER STATES	Key 10th EDF %	Key 11th EDF %	3rd instalment 2017 (EUR)		Total
			Commission 11th EDF	EIB 10th EDF	
BELGIUM	3,53	3,24927	27 618 795,00	0,00	27 618 795,00
BULGARIA	0,14	0,21853	1 857 505,00	0,00	1 857 505,00
CZECH REPUBLIC	0,51	0,79745	6 778 325,00	0,00	6 778 325,00
DENMARK	2,00	1,98045	16 833 825,00	0,00	16 833 825,00
GERMANY	20,50	20,57980	174 928 300,00	0,00	174 928 300,00
ESTONIA	0,05	0,08635	733 975,00	0,00	733 975,00
IRELAND	0,91	0,94006	7 990 510,00	0,00	7 990 510,00
GREECE	1,47	1,50735	12 812 475,00	0,00	12 812 475,00
SPAIN	7,85	7,93248	67 426 080,00	0,00	67 426 080,00
FRANCE	19,55	17,81269	151 407 865,00	0,00	151 407 865,00
CROATIA	0,00	0,22518	1 914 030,00	0,00	1 914 030,00
ITALY	12,86	12,53009	106 505 765,00	0,00	106 505 765,00
CYPRUS	0,09	0,11162	948 770,00	0,00	948 770,00
LATVIA	0,07	0,11612	987 020,00	0,00	987 020,00
LITHUANIA	0,12	0,18077	1 536 545,00	0,00	1 536 545,00
LUXEMBOURG	0,27	0,25509	2 168 265,00	0,00	2 168 265,00
HUNGARY	0,55	0,61456	5 223 760,00	0,00	5 223 760,00
MALTA	0,03	0,03801	323 085,00	0,00	323 085,00
NETHERLANDS	4,85	4,77678	40 602 630,00	0,00	40 602 630,00
AUSTRIA	2,41	2,39757	20 379 345,00	0,00	20 379 345,00
POLAND	1,30	2,00734	17 062 390,00	0,00	17 062 390,00
PORTUGAL	1,15	1,19679	10 172 715,00	0,00	10 172 715,00
ROMANIA	0,37	0,71815	6 104 275,00	0,00	6 104 275,00
SLOVENIA	0,18	0,22452	1 908 420,00	0,00	1 908 420,00
SLOVAKIA	0,21	0,37616	3 197 360,00	0,00	3 197 360,00
FINLAND	1,47	1,50909	12 827 265,00	0,00	12 827 265,00
SWEDEN	2,74	2,93911	24 982 435,00	0,00	24 982 435,00
UNITED KINGDOM	14,82	14,67862	124 768 270,00	0,00	124 768 270,00
TOTAL EU-28	100,00	100,00	850 000 000,00	0,00	850 000 000,00

COUNCIL IMPLEMENTING DECISION (CFSP) 2017/2008
of 8 November 2017
implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation
in Libya

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision (CFSP) 2015/1333 of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP ⁽¹⁾, and in particular Article 12(1) thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 31 July 2015, the Council adopted Decision (CFSP) 2015/1333.
- (2) On 31 October 2017, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 1970 (2011) renewed and amended the listing of a vessel subject to restrictive measures.
- (3) Annex V to Decision (CFSP) 2015/1333 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex V to Decision (CFSP) 2015/1333 is hereby amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Brussels, 8 November 2017.

For the Council
The President
M. MAASIKAS

⁽¹⁾ OJ L 206, 1.8.2015, p. 34.

ANNEX

In section B (Entities) of Annex V to Decision (CFSP) 2015/1333, entry 2 is replaced by the following:

‘2. **Name:** LYNN S

A.k.a.: n.a. **F.k.a.:** n.a. **Address:** n.a. **Listed on:** 2 August 2017

Additional information

IMO: 8706349. Listed pursuant to paragraphs 10(a) and 10 (b) of Resolution 2146 (2014), as extended and modified by paragraph 2 of Resolution 2362 (2017) (prohibition to load, transport or discharge; prohibition to enter ports). Pursuant to paragraph 11 of Resolution 2146 (2014), this designation was renewed by the Committee on 31 October 2017 and is valid until 29 January 2018, unless terminated earlier by the Committee pursuant to paragraph 12 of Resolution 2146 (2014). Flag State: Saint Vincent and the Grenadines. As of 6 October 2017, the vessel was located in the territorial waters of Lebanon, when it set sail heading West.’

