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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2016/1927 of 4 November 2016 on templates for monitoring plans, emissions reports and documents of compliance pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on monitoring, reporting and verification of carbon dioxide emissions from maritime transport ⁽¹⁾ 1**
- ★ **Commission Implementing Regulation (EU) 2016/1928 of 4 November 2016 on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport ⁽¹⁾ 22**
- ★ **Commission Implementing Regulation (EU) 2016/1929 of 4 November 2016 approving *Bacillus thuringiensis* subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, as an active substance for use in biocidal products of product-type 18 ⁽¹⁾ 26**
- ★ **Commission Implementing Regulation (EU) 2016/1930 of 4 November 2016 approving chlorocresol as an existing active substance for use in biocidal products of product-types 1, 2, 3, 6 and 9 ⁽¹⁾ 29**
- ★ **Commission Implementing Regulation (EU) 2016/1931 of 4 November 2016 approving chlorocresol as an existing active substance for use in biocidal products of product-type 13 ⁽¹⁾ 33**
- ★ **Commission Implementing Regulation (EU) 2016/1932 of 4 November 2016 approving calcium magnesium oxide (burnt dolomitic lime) as an existing active substance for use in biocidal products of product-types 2 and 3 ⁽¹⁾ 36**
- ★ **Commission Implementing Regulation (EU) 2016/1933 of 4 November 2016 approving calcium magnesium tetrahydroxide (hydrated dolomitic lime) as an existing active substance for use in biocidal products of product-types 2 and 3 ⁽¹⁾ 39**

⁽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.

The titles of all other acts are printed in bold type and preceded by an asterisk.

| | |
|--|----|
| ★ Commission Implementing Regulation (EU) 2016/1934 of 4 November 2016 approving coco alkyltrimethylammonium chloride (ATMAC/TMAC) as an existing active substance for use in biocidal products of product-type 8 ⁽¹⁾ | 42 |
| ★ Commission Implementing Regulation (EU) 2016/1935 of 4 November 2016 approving calcium dihydroxide (hydrated lime) as an existing active substance for use in biocidal products of product-types 2 and 3 ⁽¹⁾ | 45 |
| ★ Commission Implementing Regulation (EU) 2016/1936 of 4 November 2016 approving calcium oxide (burnt lime) as an existing active substance for use in biocidal products of product-types 2 and 3 ⁽¹⁾ | 48 |
| ★ Commission Implementing Regulation (EU) 2016/1937 of 4 November 2016 approving cyfluthrin as an existing active substance for use in biocidal products of product-type 18 ⁽¹⁾ | 51 |
| ★ Commission Implementing Regulation (EU) 2016/1938 of 4 November 2016 approving citric acid as an existing active substance for use in biocidal products of product-type 2 ⁽¹⁾ | 54 |
| Commission Implementing Regulation (EU) 2016/1939 of 4 November 2016 establishing the standard import values for determining the entry price of certain fruit and vegetables | 57 |

DECISIONS

| | |
|---|----|
| ★ Commission Implementing Decision (EU) 2016/1940 of 6 October 2016 on the establishment of market conditions for terminal air navigation services in the United Kingdom under Article 3 of Implementing Regulation (EU) No 391/2013 (<i>notified under document C(2016) 6336</i>) | 59 |
| ★ Commission Implementing Decision (EU) 2016/1941 of 3 November 2016 amending Implementing Decision 2014/190/EU setting out the annual breakdown by Member State of global resources for the European Regional Development Fund, the European Social Fund and the Cohesion Fund under the Investment for growth and jobs goal and the European territorial cooperation goal, the annual breakdown by Member State of resources from the specific allocation for the Youth Employment Initiative together with the list of eligible regions, and the amounts to be transferred from each Member State's Cohesion Fund and Structural Funds allocations to the Connecting Europe Facility and to aid for the most deprived for the period 2014-2020 (<i>notified under document C(2016) 6909</i>) | 61 |
| ★ Commission Implementing Decision (EU) 2016/1942 of 4 November 2016 on the specifications of the European Investment Project Portal and repealing Implementing Decision (EU) 2015/1214 | 86 |
| ★ Commission Implementing Decision (EU) 2016/1943 of 4 November 2016 pursuant to Article 3(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council on the use of paraffin oil for coating eggs to control the population size of nesting birds ⁽¹⁾ | 90 |

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1927

of 4 November 2016

on templates for monitoring plans, emissions reports and documents of compliance pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on monitoring, reporting and verification of carbon dioxide emissions from maritime transport

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC ⁽¹⁾, and in particular Articles 6(5), 12(2), and 17(5) thereof,

Whereas:

- (1) Articles 6(1) and 6(3) of Regulation (EU) 2015/757 require companies to submit to the verifier a monitoring plan consisting of complete and transparent documentation of the monitoring method to be applied for each ship falling under the scope of that Regulation.
- (2) In order to ensure that those monitoring plans contain standardised information allowing for harmonised implementation of the monitoring and reporting obligations, it is necessary to lay down templates, including technical rules for their uniform application.
- (3) The monitoring plan should contain at least the elements laid down in Article 6(3) of Regulation (EU) 2015/757. It should also use the units for determining 'cargo carried' as specified in Commission Implementing Regulation (EU) 2016/1928 ⁽²⁾. Given the two distinct transport services that ro-pax ships provide, such ships will need to differentiate between fuel consumption and CO₂ emissions data for freight and for passengers. This would allow for a better determination of their average operational energy efficiency indicators.
- (4) Without prejudice to Article 6(3) of Regulation (EU) 2015/757, and in accordance with the last paragraph of Article 10 of that Regulation, the monitoring plan should allow for the monitoring and reporting of fuel consumption and CO₂ emitted on the basis of other voluntary criteria. This would make it possible to better understand the average reported energy efficiency. This concerns in particular differentiated monitoring of fuel consumption for cargo heating and for dynamic positioning as well as differentiated monitoring of laden voyages and when navigating through ice.
- (5) To make it easier to prepare monitoring plans for companies with several ships, it is appropriate to allow companies to indicate which procedures described of the monitoring plan would apply in a relevant manner to all ships under the company's responsibility.

⁽¹⁾ OJ L 123, 19.5.2015, p. 55.

⁽²⁾ Commission Implementing Regulation (EU) 2016/1928 of 4 November 2016 on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (see page 22 of this Official Journal).

- (6) When providing information on elements and procedures as part of the monitoring plan pursuant to Article 6(3) of Regulation (EU) 2015/757, companies should be able to also refer to procedures or systems effectively implemented as part of their existing management systems, such as the International Safety Management Code (ISM Code) ⁽¹⁾, the Ship Energy Efficiency Management Plan (the SEEMP) ⁽²⁾, or to systems and controls covered by harmonised quality, environmental or energy management standards, such as EN ISO 9001:2015, EN ISO 14001:2015 or EN ISO 50001:2011.
- (7) To make monitoring easier, it is appropriate to allow the use of default values for the level of uncertainty associated with fuel monitoring.
- (8) To make the entire compliance cycle (including monitoring, reporting and verification) easier, information on management, in particular on appropriate data management and control activities, should be considered as useful information. A dedicated section in the monitoring template should help companies to structure the necessary management elements.
- (9) It is necessary to lay down specifications for an electronic template for emissions reports. This is needed to ensure that verified emissions reports are submitted electronically and that they contain complete and standardised aggregated annual information, which can be made publicly available and which enables the Commission to prepare the reports required under Article 21 of Regulation (EU) 2015/757.
- (10) The emissions report should cover the minimum content as laid down in Article 11(3) of Regulation (EU) 2015/757, including the results of the annual monitoring. It should also allow for the reporting of additional information that can help understanding of the average operational energy efficiency indicators reported on a voluntary basis. This concerns in particular the elements for voluntary monitoring of fuel consumed and CO₂ emissions emitted, differentiated on the basis of criteria specified in the monitoring plan.
- (11) It is necessary to lay down technical rules establishing an electronic template for documents of compliance. This ensures that standardised, easily processable information can be included in the documents of compliance sent by the verifiers pursuant to their obligation under Article 17(4) of Regulation (EU) 2015/757 to inform without delay the Commission and the authorities of the flag State of the issuance of a document of compliance.
- (12) Thetis MRV, a dedicated Union information system developed and operated by the European Maritime Safety Agency, should be available for companies and accredited verifiers so that they can use it to electronically submit satisfactorily verified emissions reports and related documents of compliance to the Commission and flag States. It should be designed in a flexible way so as to consider the event of a global monitoring, reporting and verification system for greenhouse gas emissions.
- (13) The Commission has consulted parties concerned on best practices on matters addressed by this Regulation. The consultation was carried out through the 'Shipping MRV experts' subgroups' set up under the umbrella of the European Sustainable Shipping Forum.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee established by Article 26 of Regulation (EU) No 525/2013 of the European Parliament and of the Council ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down templates and technical rules for the submission of monitoring plans, emissions reports and documents of compliance pursuant to Regulation (EU) 2015/757.

⁽¹⁾ Adopted by the International Maritime Organisation (IMO) by Assembly Resolution A.741(18).

⁽²⁾ Regulation 22 Marpol Annex VI.

⁽³⁾ Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

*Article 2***Template of the monitoring plan**

1. Companies shall draw up the monitoring plan referred to in Article 6 of Regulation (EU) 2015/757 using a template corresponding to the model set out in Annex I.
2. Companies may split the monitoring plan into a company-specific part and a ship-specific part, provided that all elements set out in Annex I are covered.

The information contained in the company-specific part, which may include Tables B.2, B.5, D, E and F.1 of Annex I, shall be applicable to each of the ships for which the company is to submit a monitoring plan pursuant to Article 6 of Regulation (EU) 2015/757.

*Article 3***Electronic template of the emissions report**

1. For the purposes of submitting the emissions report pursuant to Article 11(1) of Regulation (EU) 2015/757, companies shall use the electronic version of the template available in the Thetis MRV automated Union information system operated by the European Maritime Safety Agency (hereinafter referred to as 'Thetis MRV').
2. The electronic version of the template of the emissions report referred to in paragraph 1 shall contain the information set out in Annex II.

*Article 4***Electronic template of document of compliance**

1. For the purposes of issuing a document of compliance pursuant to Article 17(4) of Regulation (EU) 2015/757, the verifier shall provide relevant data using the electronic version of the template available in Thetis MRV.
2. The electronic version of the template of the document of compliance referred to in paragraph 1 shall contain the information set out in Annex III.

*Article 5***Entry into force**

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, 4 November 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Template for monitoring plans**Part A Revision record sheet**

| Version No | Reference date | Status at reference date ⁽¹⁾ | Reference to Chapters where revisions or modifications have been made, including a brief explanation of changes |
|------------|----------------|---|---|
| | | | |

⁽¹⁾ Select one of the following categories: 'Working draft', 'Final draft submitted to the verifier', 'Assessed', 'Modified without need for re-assessment'.

Part B Basic data**Table B.1. Identification of the ship**

| | |
|---|--|
| Name of the ship | |
| IMO identification number | |
| Port of registry | |
| Home port (if not identical with port of registry) | |
| Name of the shipowner | |
| IMO unique company and registered owner identification number | |
| Type of the ship ⁽¹⁾ | |
| Deadweight (in metric tonnes) | |
| Gross Tonnage | |
| Classification Society (voluntary) | |
| Ice class (voluntary) ⁽²⁾ | |
| Flag State (voluntary) | |
| Voluntary open description field for additional information about the characteristics of the ship | |

⁽¹⁾ Select one of the following categories: 'Passenger ship', 'Ro-ro ship', 'Container ship', 'Oil tanker', 'Chemical tanker', 'LNG carrier', 'Gas carrier', 'Bulk carrier', 'General cargo ship', 'Refrigerated cargo ship', 'Vehicle carrier', 'Combination carrier', 'Ro-pax ship', 'Container/ro-ro cargo ship', 'Other ship types'.

⁽²⁾ Select one of the Polar Classes PC1 — PC7 or one of the Finnish-Swedish Ice Classes (IC, IB, IA or IA Super).

Table B.2. Company information

| | |
|-----------------------|--|
| Name of the company | |
| Address Line 1 | |
| Address Line 2 | |
| City | |
| State/Province/Region | |
| Postcode/ZIP | |
| Country | |
| Contact person | |
| Telephone number | |
| Email address | |

Table B.3. Emission sources and fuel types used

| Emission source reference no. | Emission source (name, type) | Technical description of emission source (performance/power, specific fuel oil consumption (SFOC), year of installation, identification number in case of multiple identical emission sources, etc.) | (Potential) Fuel types used ⁽¹⁾ |
|-------------------------------|------------------------------|--|--|
| | | | |

⁽¹⁾ Select one of the following categories: 'Heavy Fuel Oil (HFO)', 'Light Fuel Oil (LFO)', 'Diesel/Gas Oil (MDO/MGO)', 'Liquefied Petroleum Gas (Propane, LPG)', 'Liquefied Petroleum Gas (Butane, LPG)', 'Liquefied Natural Gas (LNG)', 'Methanol', 'Ethanol', 'Other fuel with non-standard emission factor'

Table B.4. Emission factors

| Fuel type | IMO emission factors (in tonnes of CO ₂ /tonne fuel) |
|---|--|
| Heavy Fuel Oil (Reference: ISO 8217 Grades RME through RMK) | 3,114 |
| Light Fuel Oil (Reference: ISO 8217 Grades RMA through RMD) | 3,151 |
| Diesel/Gas Oil (Reference: ISO 8217 Grades DMX through DMB) | 3,206 |
| Liquefied Petroleum Gas (Propane) | 3,000 |
| Liquefied Petroleum Gas (Butane) | 3,030 |
| Liquefied Natural Gas | 2,750 |

| Fuel type | IMO emission factors (in tonnes of CO ₂ /tonne fuel) |
|--|--|
| Methanol | 1,375 |
| Ethanol | 1,913 |
| Other fuel with non-standard emission factor | |
| | |

In case of use of non-standard emission factors:

| Non-standard fuel | Emission factor | Methodologies for determining the emission factor (methodology for sampling, methods of analysis and a description of the laboratories used, if any) |
|-------------------|-----------------|--|
| | | |

Table B.5. Procedures, systems and responsibilities used to update the completeness of emission sources

| Title of procedure | Managing the completeness of the list of emission sources |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Part C Activity data

Table C.1. Conditions of exemption related to Article 9(2)

| Item | Confirmation field |
|---|--------------------|
| Minimum number of expected voyages per reporting period falling under the scope of the EU MRV Regulation according to the ship's schedule | |
| Are there expected voyages per reporting period not falling under the scope of the EU MRV Regulation according to the ship's schedule? ⁽¹⁾ | |
| Conditions of Article 9(2) fulfilled? ⁽²⁾ | |
| If yes, do you intend to make use of the derogation for monitoring the amount of fuel consumed on a per-voyage basis? ⁽³⁾ | |

⁽¹⁾ Select either 'Yes' or 'No'.

⁽²⁾ Select either 'Yes' or 'No'.

⁽³⁾ Select 'Yes', 'No' or 'Not applicable'.

Table C.2. Monitoring of fuel consumption

C.2.1. Methods used to determine fuel consumption of each emission source:

| Emission source ⁽¹⁾ | Chosen methods for fuel consumption ⁽²⁾ |
|---|--|
| | |
| ⁽¹⁾ Select one of the following categories: 'All sources', 'Main engines', 'Auxiliary engines', 'Gas turbines', 'Boilers' or 'Inert gas generators'. ⁽²⁾ Select one or more of the following categories: 'Method A: BDN and periodic stocktakes of fuel tanks', 'Method B: Bunker fuel tank monitoring on-board', 'Method C: Flow meters for applicable combustion processes' or 'Method D: Direct CO ₂ emissions measurement'. | |

C.2.2. Procedures for determining fuel bunkered and fuel in tanks:

| Title of procedure | Determining fuel bunkered and fuel in tanks |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

C.2.3. Regular cross-checks between bunkering quantity as provided by BDN and bunkering quantity indicated by on-board measurement:

| Title of procedure | Regular cross-checks between bunkering quantity as provided by BDNs and bunkering quantity indicated by on-board measurement |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |

C.2.4. Description of the measurement instruments involved:

| Measurement equipment (name) | Elements applied to (e.g. emission sources, tanks) | Technical description (specification, age, maintenance intervals) |
|------------------------------|--|---|
| | | |

C.2.5. Procedures for recording, retrieving, transmitting and storing information regarding measurements:

| Title of procedure | Recording, retrieving, transmitting and storing information regarding measurements |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

C.2.6. Method for determination of density:

| Fuel type/tank | Method to determine actual density values of fuel bunkered ⁽¹⁾ | Method to determine actual density values of fuel in tanks ⁽²⁾ |
|----------------|---|---|
| | | |

⁽¹⁾ Select one of the following categories: 'On-board measurement equipment', 'Fuel supplier' or 'Laboratory test'.

⁽²⁾ Select one of the following categories: 'Measurement equipment', 'Fuel supplier', 'Laboratory test'.

C.2.7. Level of uncertainty associated with fuel monitoring:

| Monitoring method ⁽¹⁾ | Approach used ⁽²⁾ | Value |
|----------------------------------|------------------------------|-------|
| | | |

⁽¹⁾ Select one or more of the following categories: 'Method A: BDN and periodic stocktakes of fuel tanks', 'Method B: Bunker fuel tank monitoring on-board', 'Method C: Flow meters for applicable combustion processes' or 'Method D: Direct CO₂ emissions measurement'.

⁽²⁾ Select one of the following categories: 'Default value' or 'Ship specific estimate'.

C.2.8. Procedures for ensuring quality assurance of measuring equipment:

| Title of procedure | Ensuring quality assurance of measuring equipment |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

C.2.9. Method for determining the split of fuel consumption into freight and passenger part (for ro-pax ships only):

| Title of method | Determining the split of fuel consumption into freight and passenger part |
|--|---|
| Applied allocation method according to EN 16258 ⁽¹⁾ | |
| Description of method to determine the mass of freight and passengers including the possible use of default values for the weight of cargo units/lane meters (if mass method is used) | |
| Description of method to determine the deck area assigned to freight and passengers including the consideration of hanging decks and of passenger cars on freight decks (if area method is used) | |
| Split of fuel consumption (in %) into freight and passenger part (if area method is used only) | |
| Name of person or position responsible for this method | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |
| ⁽¹⁾ Select either 'Mass method' or 'Area method'. | |

C.2.10. Procedures for determining and recording the fuel consumption on laden voyages (voluntary monitoring):

| Title of procedure | Determining and recording the fuel consumption on laden voyages |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

C.2.11. Procedures for determining and recording the fuel consumption for cargo heating (voluntary monitoring for chemical tankers):

| Title of procedure | Determining and recording the fuel consumption for cargo heating |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |

| Title of procedure | Determining and recording the fuel consumption for cargo heating |
|---|--|
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

C.2.12. Procedures for determining and recording the fuel consumption for dynamic positioning (voluntary monitoring for oil tankers and 'other ship types'):

| Title of procedure | Determining and recording the fuel consumption for dynamic positioning |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table C.3. List of voyages

| Title of procedure | Recording and safeguarding completeness of voyages |
|--|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording voyages, monitoring voyages etc.) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table C.4. Distance travelled

| Title of procedure | Recording and determining the distance per voyage made |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and managing distance information) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Procedures for determining and recording the distance travelled when navigating through ice (voluntary monitoring):

| Title of procedure | Determining and recording the distance travelled when navigating through ice |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and managing distance and winter conditions information) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table C.5. Amount of cargo carried & Number of passengers

| Title of procedure | Recording and determining the amount of cargo carried and/or the number of passengers |
|--|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and determining the amount of cargo carried and/or the number of passengers and the use of default values for the mass of cargo units, if applicable) if not already existing outside the MP | |

| Title of procedure | Recording and determining the amount of cargo carried and/or the number of passengers |
|---|---|
| Unit of cargo/passengers ⁽¹⁾ | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

⁽¹⁾ For passenger ships, the 'Unit of cargo/passengers' shall be specified as 'passengers'.
For ro-ro ships, container ships, oil tankers, chemical tankers, gas carriers, bulk carriers, refrigerated cargo ships, combination carriers, the 'Unit of cargo/passengers' shall be specified as 'tonnes'.
For LNG carriers, container/ro-ro cargo ships, the 'Unit of cargo/passengers' shall be specified as 'cubic metres'.
For general cargo ships, the 'Unit of cargo/passengers' shall be specified by selecting one of the following categories: 'tonnes of deadweight carried', 'tonnes of deadweight carried and tonnes'.
For vehicle carriers, the 'Unit of cargo/passengers' shall be specified by selecting one of the following categories: 'tonnes', 'tonnes and tonnes of deadweight carried'.
For ro-pax ships, the 'Unit of cargo/passengers' shall be specified as 'tonnes' and as 'passengers'.
For other ship types, the 'Unit of cargo/passengers' shall be specified by selecting one of the following categories: 'tonnes', 'tonnes of deadweight carried'.

Procedures for determining and recording the average density of the cargoes transported (voluntary monitoring for chemical tankers, bulk carriers and combination carriers):

| Title of procedure | Determining and recording the average density of the cargoes transported |
|--|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and managing cargo density information) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table C.6. Time spent at sea

| Title of procedure | Determining and recording the time spent at sea from berth of port of departure to berth of the port of arrival |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and managing port departure and arrival information) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |

| Title of procedure | Determining and recording the time spent at sea from berth of port of departure to berth of the port of arrival |
|---|---|
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Procedures for determining and recording the time spent at sea when navigating through ice (voluntary monitoring):

| Title of procedure | Determining and recording the time spent at sea when navigating through ice |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures (including recording and managing port departure and arrival and winter conditions information) if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Formulae and data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Part D Data gaps

Table D.1. Methods to be used to estimate fuel consumption

| Title of method | Method to be used to estimate fuel consumption |
|--|--|
| Back-up monitoring method ⁽¹⁾ | |
| Formulae used | |
| Description of method to estimate fuel consumption | |
| Name of person or position responsible for this method | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

⁽¹⁾ Select one of the following categories: 'Method A: BDN and periodic stocktakes of fuel tanks', 'Method B: Bunker fuel tank monitoring on-board', 'Method C: Flow meters for applicable combustion processes', 'Method D: Direct CO₂ emissions measurement' or 'Not applicable'. The selected category must be different from the category selected under 'Chosen methods for fuel consumption' in table C.2. (Monitoring of fuel consumption — Methods used to determine fuel consumption of each emission source).

Table D.2. Methods to be used to treat data gaps regarding distance travelled

| Title of method | Method to treat data gaps regarding distance travelled |
|--|--|
| Formulae used | |
| Description of method to treat data gaps | |
| Name of person or position responsible for this method | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table D.3. Methods to be used to treat data gaps regarding cargo carried

| Title of method | Method to treat data gaps regarding cargo carried |
|--|---|
| Formulae used | |
| Description of method to treat data gaps | |
| Name of person or position responsible for this method | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table D.4. Methods to be used to treat data gaps regarding time spent at sea

| Title of method | Method to treat data gaps regarding time spent at sea |
|--|---|
| Formulae used | |
| Description of method to treat data gaps | |
| Name of person or position responsible for this method | |
| Data sources | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Part E Management**Table E.1. Regular check of the adequacy of the monitoring plan**

| Title of procedure | Regular check of the adequacy of the monitoring plan |
|---|--|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table E.2. Control activities: Quality assurance and reliability of information technology

| Title of procedure | Information Technology Management (e.g. access controls, back up, recovery and security) |
|---|--|
| Reference for procedure | |
| Brief description of procedure | |
| Name of person or position responsible for data maintenance | |
| Location where records are kept | |
| Name of system used (where applicable) | |
| List of relevant existing management systems | |

Table E.3. Control activities: Internal reviews and validation of EU MRV relevant data

| Title of procedure | Internal reviews and validation of EU MRV relevant data |
|---|---|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table E.4. Control activities: Corrections and corrective actions

| Title of procedure | Corrections and corrective actions |
|---|------------------------------------|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table E.5. Control activities: Outsourced activities (if applicable)

| Title of procedure | Outsourced activities |
|---|-----------------------|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Table E.6. Control activities: Documentation

| Title of procedure | Documentation |
|---|---------------|
| Reference to existing procedure | |
| Version of existing procedure | |
| Description of EU MRV procedures if not already existing outside the MP | |
| Name of person or position responsible for this procedure | |
| Location where records are kept | |
| Name of IT system used (where applicable) | |

Part F Further information**Table F.1. List of definitions and abbreviations**

| Abbreviation, acronym, definition | Explanation |
|-----------------------------------|-------------|
| | |

Table F.2. Additional information

| |
|--|
| |
| |

ANNEX II

Template for emissions reports**Part A Data identifying the ship and the company**

1. Name of the ship
2. IMO identification number
3. a) Port of registry OR
b) Home port
4. Ship category [drop down menu: 'Passenger ship', 'Ro-ro ship', 'Container ship', 'Oil tanker', 'Chemical tanker', 'LNG carrier', 'Gas carrier', 'Bulk carrier', 'General cargo ship', 'Refrigerated cargo carrier', 'Vehicle carrier', 'Combination carrier', 'Ro-pax ship', 'Container/ro-ro cargo ship', 'Other ship types']
5. Ice class of the ship (non-mandatory — only if included in the monitoring plan) [drop down menu: Polar Class PC1 — PC7, Finnish-Swedish Ice Class IC, IB, IA or IA Super]
6. Technical efficiency of the ship
 - a) Energy Efficiency Design Index (EEDI), where required by MARPOL, Annex VI, Chapter 4, Regulations 19 and 20, expressed in grams CO₂/tonne-nautical mile OR
 - b) Estimated Index Value (EIV), calculated in accordance with IMO Resolution MEPC.215 (63), expressed in grams CO₂/tonne-nautical mile
7. Name of the shipowner
8. Address of the shipowner and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country
9. Name of the company (only if not the shipowner)
10. Address of the company (only if not the shipowner) and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country
11. Contact person
 - a) Name: title, first name, surname, job title
 - b) Address: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country
 - c) Telephone
 - d) email

Part B Verification

1. Name of the verifier
2. Address of the verifier and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country
3. Accreditation number
4. Verifier's statement

Part C Information on the monitoring method used and the related level of uncertainty

1. Emission source [drop down menu: 'All sources', 'Main engines', 'Auxiliary engines', 'Gas turbines', 'Boilers', 'Inert gas generators']
2. Monitoring method(s) used (per emission source) [drop down menu: 'Method A: BDN and periodic stocktakes of fuel tanks', 'Method B: Bunker fuel tank monitoring on-board', 'Method C: Flow meters for applicable combustion processes', 'Method D: Direct CO₂ emissions measurement']
3. Related level of uncertainty, expressed as % (per monitoring method used)

Part D Results from annual monitoring of the parameters in accordance with Article 10*FUEL CONSUMPTION AND CO₂ EMITTED*

1. Amount and emission factor for each type of fuel consumed in total:
 - a) Fuel type [drop down menu: 'Heavy Fuel Oil (HFO)', 'Light Fuel Oil (LFO)', 'Diesel/Gas Oil (MDO/MGO)', 'Liquefied Petroleum Gas (Propane, LPG)', 'Liquefied Petroleum Gas (Butane, LPG)', 'Liquefied Natural Gas (LNG)', 'Methanol', 'Ethanol', 'Other fuel with non-standard emission factor']
 - b) Emission factor, expressed in tonnes CO₂/tonne fuel
 - c) Total fuel consumption, expressed in tonnes fuel
2. Total aggregated CO₂ emitted within the scope of this Regulation, expressed in tonnes CO₂
3. aggregated CO₂ emissions from all voyages between ports under a Member State's jurisdiction, expressed in tonnes CO₂
4. aggregated CO₂ emissions from all voyages which departed from ports under a Member State's jurisdiction, expressed in tonnes CO₂
5. aggregated CO₂ emissions from all voyages to ports under a Member State's jurisdiction, expressed in tonnes CO₂
6. CO₂ emissions which occurred within ports under a Member State's jurisdiction at berth, expressed in tonnes CO₂
7. Total fuel consumption and total aggregated CO₂ emitted assigned to passenger transport (for ro-pax ships), expressed in tonnes fuel and in tonnes CO₂
8. Total fuel consumption and total aggregated CO₂ emitted assigned to freight transport (for ro-pax ships), expressed in tonnes fuel and in tonnes CO₂
9. Total fuel consumption and total aggregated CO₂ emitted on laden voyages (voluntary), expressed in tonnes fuel and in tonnes CO₂
10. Total fuel consumption for cargo heating (for chemical tankers, voluntary), expressed in tonnes fuel
11. Total fuel consumption for dynamic positioning (for oil tankers and 'other ship types', voluntary), expressed in tonnes fuel

DISTANCE TRAVELLED, TIME SPENT AT SEA AND TRANSPORT WORK

1. Total distance travelled, expressed in nautical miles
2. Total distance travelled when navigating through ice (voluntary), expressed in nautical miles
3. Total time spent at sea, expressed in hours
4. Total time spent at sea when navigating through ice (voluntary), expressed in hours

5. Total transport work, expressed in
 - passenger-nautical miles (for passenger ships)
 - tonne-nautical miles (for ro-ro ships, container ships, oil tankers, chemical tankers, gas carriers, bulk carriers, refrigerated cargo carriers, vehicle carriers, combination carriers)
 - cubic meter-nautical miles, (for LNG carriers, container/ro-ro cargo ships)
 - deadweight-tonne carried-nautical miles (for general cargo ships)
 - passenger-nautical miles AND tonne-nautical miles (for ro-pax ships)
 - tonne-nautical miles OR deadweight-tonne carried-nautical miles (for other ship types)
6. Second parameter for total transport work (voluntary), expressed in
 - tonne-nautical miles (for general cargo ships)
 - deadweight-tonne carried-nautical miles (for vehicle carriers)
7. Average density of the cargoes transported in the reporting period (for chemical tankers, bulk carriers and combination carriers, voluntary), expressed in tonnes per cubic meter

ENERGY EFFICIENCY

1. Average energy efficiency
 - a) Fuel consumption per distance, expressed in kilogram per nautical mile
 - b) Fuel consumption per transport work, expressed in grams per passenger-nautical mile, grams per tonne-nautical mile, grams per cubic meter-nautical mile, grams per deadweight-tonne carried-nautical mile or grams per passenger-nautical mile AND grams per tonne-nautical mile, as applicable to relevant ship category
 - c) CO₂ emissions per distance, expressed in kilograms CO₂ per nautical mile
 - d) CO₂ emissions per transport work, expressed in grams CO₂ per passenger-nautical mile, grams CO₂ per tonne-nautical mile, grams CO₂ per cubic meter-nautical mile, grams CO₂ per deadweight-tonne carried-nautical mile or grams CO₂ per passenger-nautical mile AND grams CO₂ per tonne-nautical mile, as applicable to relevant ship category
 2. Second parameter for average energy efficiency per transport work (voluntary), expressed in
 - grams per tonne-nautical mile and grams CO₂ per tonne-nautical mile (for general cargo ships)
 - grams per deadweight-tonne carried-nautical mile and grams CO₂ per deadweight-tonne carried-nautical mile (for vehicle carriers)
 3. Differentiated average energy efficiency (fuel consumption and CO₂ emitted) of laden voyages (voluntary), expressed in
 - kilograms per nautical mile
 - grams per tonne-nautical mile, grams per cubic meter-nautical mile, grams per deadweight-tonne carried-nautical mile or grams per passenger-nautical mile, as applicable to relevant ship category
 - kilograms CO₂ per nautical mile
 - grams CO₂ per tonne-nautical mile, grams CO₂ per cubic meter-nautical mile, grams CO₂ per deadweight-tonne carried-nautical mile or grams CO₂ per passenger-nautical mile, as applicable to relevant ship category
 4. Additional information to facilitate the understanding of the reported average operational energy efficiency indicators of the ship (voluntary)
-

ANNEX III

Template for documents of compliance

This is to certify that the ship 'NAME' emissions report covering the reporting period 'YEAR N – 1' has been considered as satisfactory regarding the requirements of Regulation (EU) 2015/757.

This document of compliance has been issued on 'DAY/MONTH/YEAR N'

This document of compliance is linked to emissions report No. 'NUMBER' and is valid until 30 JUNE 'YEAR N + 1'

I) Ship particulars

1. Name of the ship
2. IMO identification number
3. a) Port of registry OR
b) Home port
4. Ship category [drop down menu: 'Passenger ship', 'Ro-ro ship', 'Container ship', 'Oil tanker', 'Chemical tanker', 'LNG carrier', 'Gas carrier', 'Bulk carrier', 'General cargo ship', 'Refrigerated cargo carrier', 'Vehicle carrier', 'Combination carrier', 'Ro-pax ship', 'Container/ro-ro cargo ship', 'Other ship types']
5. Flag State/Registry
6. Gross tonnage

II) Ship owner details

1. Name of the shipowner
2. Address of the shipowner and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country

III) Details of company fulfilling the obligations under Regulation (EU) 2015/757 (voluntary field)

1. Name of the company
2. Address of the company and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country

IV) Verifier

1. Accreditation number
 2. Name of the verifier
 3. Address of the company and its principal place of business: address line 1, address line 2, city, state/province/region, postcode/ZIP, Country
-

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1928**of 4 November 2016****on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC ⁽¹⁾, and in particular paragraph 2 of Part A of Annex II thereof,

Whereas:

- (1) The rules on the monitoring of cargo carried and other relevant information are laid down in Annex II to Regulation (EU) 2015/757. In particular, the determination of cargo carried for categories of ships other than passenger ships, ro-ro ships and container ships is to be done in accordance with the parameters set out in point (g) of paragraph 1 of Part A to that Annex.
- (2) In the case of oil tankers, chemical tankers, gas carriers, bulk carriers, refrigerated cargo ships and combination carriers, it is appropriate to ensure that the determination of the average operational energy efficiency indicator is in line with the IMO Guidelines for voluntary use of the Ship Energy Efficiency Operational Indicator (EEOI) ⁽²⁾ since those Guidelines reflect industry practices.
- (3) In the case of LNG carriers and container/ro-ro cargo ships, the parameter to be used for calculating cargo carried should reflect industry practices and ensure that the information provided is accurate and comparable over time.
- (4) In the case of general cargo ships, the determination of cargo carried should follow a specifically developed approach that takes into account variations in cargo density significant for this ship category. It is appropriate to allow these data to be supplemented on a voluntary basis with additional data in line with the IMO Guidelines for voluntary use of the Ship Energy Efficiency Operational Indicator (EEOI).
- (5) In the case of vehicle carriers, the determination of cargo carried should follow a flexible approach based on two different options. In order to better reflect the special relevance of volume, it is appropriate to allow for data on a different additional parameter to be provided on a voluntary basis.
- (6) Ro-pax ships should be considered as a specific case in which particular conditions should apply. In view of the mixed service offered by ro-pax ships and to better reflect industry practices, two parameters should be applied to express cargo carried.
- (7) For other ship types not falling under any of the above categories nor under those in points (d), (e) and (f) of paragraph 1 of Part A of Annex II to Regulation (EU) 2015/757, a flexible approach should be permitted so as to fully reflect the diversity of ships carrying very different types of cargo. In order to ensure consistency and comparability of data over time in accordance with Article 4(3) of Regulation (EU) 2015/757, the company's choice concerning the most appropriate cargo carried parameter is to be documented in the ship's monitoring plan and applied accordingly.

⁽¹⁾ OJ L 123, 19.5.2015, p. 55.

⁽²⁾ MEPC.1/Circ.684.

- (8) The Commission has consulted parties concerned on the best industry practices on matters addressed by this Regulation. The consultation was carried out through the 'Shipping MRV monitoring subgroup' set up under the umbrella of the European Sustainable Shipping Forum.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee established by Article 26 of Regulation (EU) No 525/2013 of the European Parliament and of the Council ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down rules specifying the parameters applicable to the determination of cargo carried for categories of ships other than passenger ships, ro-ro ships and container ships for the purposes of monitoring of other relevant information on a per-voyage basis pursuant to Article 9(1) of Regulation (EU) 2015/757.

Article 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

- (1) 'Oil tanker' means a ship constructed or adapted primarily to carry crude oil or petroleum products in bulk in its cargo spaces, other than combination carriers, noxious liquid substances (NLS) tankers or gas tankers;
- (2) 'Chemical tanker' means a ship constructed or adapted for the carriage in bulk of any liquid product listed in Chapter 17 of the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk ⁽²⁾ or a ship constructed or adapted to carry a cargo of NLS in bulk;
- (3) 'LNG carrier' means a tanker for the bulk carriage of liquefied natural gas (LNG) (primarily methane) in independent insulated tanks;
- (4) 'Gas carrier' means a tanker for the bulk carriage of liquefied gases other than LNG;
- (5) 'Bulk carrier' means a ship which is intended primarily to carry dry cargo in bulk, including types such as ore carriers as defined in Regulation 1 of Chapter XII of the 1998 International Convention for the Safety of Life at Sea (the SOLAS Convention), but excluding combination carriers;
- (6) 'General cargo ship' means a ship with a multi-deck or single-deck hull designed primarily for the carriage of general cargo excluding specialised dry cargo ships, which are not included in the calculation of reference lines for general cargo ships, namely livestock carrier, barge carrier, heavy load carrier, yacht carrier, nuclear fuel carrier;
- (7) 'Refrigerated cargo ship' means a ship designed exclusively for the carriage of refrigerated cargoes in holds;
- (8) 'Vehicle carrier' means a multi-deck roll-on-roll-off cargo ship designed for the carriage of empty cars and trucks;
- (9) 'Combination carrier' means a ship designed to load 100 % deadweight with both liquid and dry cargo in bulk;
- (10) 'Ro-pax ship' means a ship, which carries more than 12 passengers and which has roll-on/roll-off cargo space on board;

⁽¹⁾ Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

⁽²⁾ As amended by MEPC.225(64) and MSC.340(91).

- (11) 'Container/ro-ro cargo ship' means a hybrid of a container ship and a ro-ro cargo ship in independent sections;
- (12) 'Deadweight carried' means, in metric tonnes, the measured volume displacement of a ship at a load draught condition multiplied by the relative water density at departure reduced by the ship's lightweight and by the weight of the fuel on board determined at the departure of the laden voyage concerned;
- (13) 'Measured volume displacement' means, in cubic meters, the volume of the moulded displacement of the ship, excluding appendages, in a ship with a metal shell, and means the volume of displacement to the outer surface of the hull in a ship with a shell of any other material;
- (14) 'Lightweight' means, in metric tonnes, the actual weight of the ship with no fuel, passengers, cargo, water and other consumables on board.

Article 3

Parameters to determine the 'cargo carried' per ship category

'Cargo carried' for the purpose of monitoring of other relevant information on a per-voyage basis pursuant to Article 9(1) of Regulation (EU) 2015/757, shall be determined as follows:

- (a) for oil tankers, as the mass of the cargo on board;
- (b) for chemical tankers, as the mass of the cargo on board;
- (c) for LNG carriers, as the volume of the cargo on discharge, or if the cargo is discharged at several occasions during a voyage, the sum of the cargo discharged during a voyage and the cargo discharged at all subsequent ports of call until new cargo is loaded;
- (d) for gas carriers, as the mass of the cargo on board;
- (e) for bulk carriers, as the mass of the cargo on board;
- (f) for general cargo ships, as deadweight carried for laden voyages and as zero for ballast voyages;
- (g) for refrigerated cargo ships, as the mass of the cargo on board;
- (h) for vehicle carriers, as the mass of the cargo on board, determined as the actual mass or as the number of cargo units or occupied lane meters multiplied by default values for their weight;
- (i) for combination carriers, as the mass of the cargo on board;
- (j) for ro-pax ships, as the number of passengers and as the mass of the cargo on board, determined as the actual mass or the number of cargo units (trucks, cars, etc.) or occupied lane meters multiplied by default values for their weight;
- (k) for container/ro-ro cargo ships, as the volume of the cargo on board, determined as the sum of the number of cargo units (cars, trailers, trucks and other standard units) multiplied by a default area and by the height of the deck (the distance between the floor and the structural beam), of the number of occupied lane-metres multiplied by the height of the deck (for other ro-ro cargo) and of the number of TEUs multiplied by 38,3 m³;
- (l) for other ship types not falling under any of the categories mentioned in points (a) to (k) nor under those in points (d), (e) and (f) of paragraph 1 of Part A of Annex II to Regulation (EU) 2015/757, as mass of cargo on board or as deadweight carried for laden voyages and zero for ballast voyages.

For the purposes of point (f) of the first paragraph, the mass of the cargo on board can be used on a voluntary basis as an additional parameter.

For the purposes of point (h) of the first paragraph, deadweight carried for laden voyages and zero for ballast voyages can be used on a voluntary basis as an additional parameter.

*Article 4***Entry into force**

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, 4 November 2016.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1929**of 4 November 2016****approving *Bacillus thuringiensis* subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, as an active substance for use in biocidal products of product-type 18****(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 90(2) thereof,

Whereas:

- (1) France received on 30 January 2013 an application, in accordance with Article 11(1) of Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾, for the inclusion of the active substance *Bacillus thuringiensis* subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, in Annex I of that Directive for use in products of product-type 18, insecticides, acaricides and products to control other arthropods, as defined in Annex V to that Directive, which corresponds to product-type 18 as defined in Annex V to Regulation (EU) No 528/2012.
- (2) France submitted the assessment report together with its recommendations on 29 May 2015 in accordance with Article 90(2) of Regulation (EU) No 528/2012.
- (3) The opinion of the European Chemicals Agency was formulated on 16 February 2016 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (4) According to that opinion, biocidal products of product-type 18 and containing *Bacillus thuringiensis* subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, 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 *Bacillus thuringiensis* subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, for use in biocidal products of product-type 18, subject to compliance with certain specifications and conditions.
- (6) 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

Bacillus thuringiensis subsp. *kurstaki*, serotype 3a3b, strain ABTS-351, is approved as an active substance for use in biocidal products of product-type 18, 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⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

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

Done at Brussels, 4 November 2016.

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 |
|---|--------------------------------------|--|------------------|----------------------------|-----------------|---|
| <i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i> , serotype 3a3b, strain ABTS-351 | Not applicable | No relevant impurities | 1 March 2017 | 28 February 2027 | 18 | <p>The authorisations of biocidal products are subject to the following conditions:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> (a) professional users; (b) general population exposed to spray drift; (c) soil compartment when the product is applied before a rain event. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 90(2) of Regulation (EU) No 528/2012. The active substance in the product placed on the market can be of equal or different purity if it has been proven technically equivalent with the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1930**of 4 November 2016****approving chlorocresol as an existing active substance for use in biocidal products of product-types 1, 2, 3, 6 and 9****(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 chlorocresol.
- (2) Chlorocresol has been evaluated for use in products of product-type 1, human hygiene, of product-type 2, disinfectants and algacides not intended for direct application to humans or animals, of product-type 3, veterinary hygiene, of product-type 6, preservatives for products during storage, and of product-type 9, fibre, leather, rubber and polymerised materials preservatives, as described in Annex V to Regulation (EU) No 528/2012.
- (3) France was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 8 October 2013, 15 November 2013 and 18 December 2013.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 13 April 2016 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, 3, 6 and 9 and containing chlorocresol 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 chlorocresol for use in biocidal products of product-types 1, 2, 3, 6 and 9, 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

Chlorocresol is approved as an active substance for use in biocidal products of product-types 1, 2, 3, 6 and 9, 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, 4 November 2016.

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 |
|--------------|--|---|------------------|----------------------------|-----------------|--|
| Chlorocresol | IUPAC Name: 4-chloro-3-methyl- phenol EC No: 200-431-6 CAS No: 59-50-7 | 99,8 % w/w | 1 May 2018 | 30 April 2028 | 1 | 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. |
| | | | | | 2 | 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) children for products used in private and institutional areas. |
| | | | | | 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: a) professional users; b) soil compartment. 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. |

| 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 |
|-------------|--------------------------------------|---|------------------|----------------------------|-----------------|---|
| | | | | | 6 | <p>The authorisations of biocidal products are subject to the following conditions:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a) professional users during the formulation of product to be preserved and during the application of the preserved product in paper production; b) infants crawling on a surface that has been cleaned with the preserved product. |
| | | | | | 9 | <p>The authorisations of biocidal products are subject to the following conditions:</p> <ol style="list-style-type: none"> 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 in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1931
of 4 November 2016
approving chlorocresol as an existing active substance for use in biocidal products of product-
type 13

(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 chlorocresol.
- (2) Chlorocresol has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 13, metalworking-fluid preservatives, as described in Annex V to that Directive, which corresponds to product-type 13 as described in Annex V to Regulation (EU) No 528/2012.
- (3) France was designated as evaluating competent authority and submitted the assessment report together with its recommendations on 24 July 2013.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 13 April 2016 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 13 containing chlorocresol may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve chlorocresol for use in biocidal products of product-type 13, 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

Chlorocresol is approved as an active substance for use in biocidal products of product-type 13, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|--------------|---|--|------------------|----------------------------|-----------------|--|
| Chlorocresol | IUPAC Name: 4-chloro-3-methylphenol EC No: 200-431-6 CAS No: 59-50-7 | 99,8 % w/w | 1 May 2018 | 30 April 2028 | 13 | 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 in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1932**of 4 November 2016****approving calcium magnesium oxide (burnt dolomitic lime) as an existing active substance for use in biocidal products of product-types 2 and 3****(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 calcium magnesium oxide (burnt dolomitic lime).
- (2) Calcium magnesium oxide (burnt dolomitic lime) has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 2, disinfectants and algaecides not intended for direct application to humans or animals, and product-type 3, veterinary hygiene, as described in Annex V to that Directive, which correspond to product-types 2 and 3 respectively, as described in Annex V to Regulation (EU) No 528/2012.
- (3) The United Kingdom was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 19 September 2011.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 14 April 2016 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 and 3 and containing calcium magnesium oxide (burnt dolomitic lime) may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve calcium magnesium oxide (burnt dolomitic lime) for use in biocidal products of product-types 2 and 3, 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

Calcium magnesium oxide (burnt dolomitic lime) is approved as an active substance for use in biocidal products of product-types 2 and 3, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|--|--|--|------------------|----------------------------|-----------------|---|
| Calcium magnesium oxide (burnt dolomitic lime) | IUPAC Name: Calcium magnesium oxide EC No: 253-425-0 CAS No: 37247-91-9 | 800 g/kg (The value provides the content of Ca and Mg expressed as the sum of CaO and MgO. The minimum value for MgO in burnt dolomitic lime is 30 % based on magnesium expressed as magnesium oxide content) | 1 May 2018 | 30 April 2028 | 2 | 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. |
| | | | | | 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 professional users. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1933**of 4 November 2016****approving calcium magnesium tetrahydroxide (hydrated dolomitic lime) as an existing active substance for use in biocidal products of product-types 2 and 3****(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 calcium magnesium tetrahydroxide (hydrated dolomitic lime).
- (2) Calcium magnesium tetrahydroxide (hydrated dolomitic lime) has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 2, disinfectants and algaecides not intended for direct application to humans or animals, and product-type 3, veterinary hygiene, as described in Annex V to that Directive, which correspond to product-types 2 and 3 respectively, as described in Annex V to Regulation (EU) No 528/2012.
- (3) The United Kingdom was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 19 September 2011.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 14 April 2016 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 and 3 and containing calcium magnesium tetrahydroxide (hydrated dolomitic lime) may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve calcium magnesium tetrahydroxide (hydrated dolomitic lime) for use in biocidal products of product-types 2 and 3, 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

Calcium magnesium tetrahydroxide (hydrated dolomitic lime) is approved as an active substance for use in biocidal products of product-types 2 and 3, 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).⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|--|---|--|------------------|----------------------------|-----------------|---|
| Calcium magnesium tetrahydroxide (hydrated dolomitic lime) | IUPAC Name: Calcium magnesium tetrahydroxide EC No: 254-454-1 CAS No: 39445-23-3 | 800 g/kg (The value provides the content of Ca and Mg expressed as Ca(OH)_2 and Mg(OH)_2 . Typical values for Mg(OH)_2 in hydrated dolomitic lime are in the range of 15 %-40 %) | 1 May 2018 | 30 April 2028 | 2 | 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. |
| | | | | | 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 professional users. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1934**of 4 November 2016****approving coco alkyltrimethylammonium chloride (ATMAC/TMAC) as an existing active substance for use in biocidal products of product-type 8****(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 coco alkyltrimethylammonium chloride (ATMAC/TMAC).
- (2) Coco alkyltrimethylammonium chloride (ATMAC/TMAC) has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 8, wood preservatives, as described in Annex V to that Directive, which corresponds to product-type 8 as described in Annex V to Regulation (EU) No 528/2012.
- (3) Italy was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 20 November 2007 and 10 June 2010.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 14 April 2016 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 8 containing coco alkyltrimethylammonium chloride (ATMAC/TMAC) may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve coco alkyltrimethylammonium chloride (ATMAC/TMAC) for use in biocidal products of product-type 8, 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

Coco alkyltrimethylammonium chloride (ATMAC/TMAC) is approved as an active substance for use in biocidal products of product-type 8, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|--|---|---|------------------|----------------------------|-----------------|--|
| Coco alkyltrimethylammonium chloride (AT-MAC/TMAC) | IUPAC Name: coco alkyltrimethylammonium chloride EC No: 263-038-9 CAS No: 61789-18-2 | 96,6 % w/w | 1 May 2018 | 30 April 2028 | 8 | <p>The authorisations of biocidal products are subject to the following conditions:</p> <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> (a) industrial and professional users; (b) soil and groundwater for wood in service that will be exposed to frequent weathering. (3) In view of the risks identified for soil, surface and ground water, labels and, where provided, safety data sheets of products authorised shall indicate that industrial or professional application shall be conducted within a contained area or on impermeable hard standing with bunding, and that freshly treated timber shall be stored after treatment under shelter or on impermeable hard standing, or both, to prevent direct losses to soil or water, and that any losses from the application of the product shall be collected for reuse or disposal. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1935
of 4 November 2016
approving calcium dihydroxide (hydrated lime) as an existing active substance for use in biocidal
products of product-types 2 and 3

(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 calcium dihydroxide (hydrated lime).
- (2) Calcium dihydroxide (hydrated lime) has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 2, disinfectants and algacides not intended for direct application to humans or animals, and product-type 3, veterinary hygiene, as described in Annex V to that Directive, which correspond to product-types 2 and 3 respectively, as described in Annex V to Regulation (EU) No 528/2012.
- (3) The United Kingdom was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 19 September 2011.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 14 April 2016 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 and 3 and containing calcium dihydroxide (hydrated lime) may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve calcium dihydroxide (hydrated lime) for use in biocidal products of product-types 2 and 3, 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

Calcium dihydroxide (hydrated lime) is approved as an active substance for use in biocidal products of product-types 2 and 3, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|-------------------------------------|---|---|------------------|----------------------------|-----------------|---|
| Calcium dihydroxide (hydrated lime) | IUPAC Name: Calcium dihydroxide EC No: 215-137-3 CAS No: 1305-62-0 | 800 g/kg (the value provides the content of Ca expressed as Ca(OH) ₂) | 1 May 2018 | 30 April 2028 | 2 | 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. |
| | | | | | 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 professional users. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1936**of 4 November 2016****approving calcium oxide (burnt lime) as an existing active substance for use in biocidal products of product-types 2 and 3****(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 calcium oxide (burnt lime).
- (2) Calcium oxide (burnt lime) has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 2, disinfectants and algacides not intended for direct application to humans or animals, and product-type 3, veterinary hygiene, as described in Annex V to that Directive, which correspond to product-types 2 and 3 respectively, as described in Annex V to Regulation (EU) No 528/2012.
- (3) The United Kingdom was designated as evaluating competent authority and submitted the assessment reports together with its recommendations on 19 September 2011.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency were formulated on 14 April 2016 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 and 3 and containing calcium oxide (burnt lime) may be expected to satisfy the conditions of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve calcium oxide (burnt lime) for use in biocidal products of product-types 2 and 3, 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

Calcium oxide (burnt lime) is approved as an active substance for use in biocidal products of product-types 2 and 3, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|-------------------------------|---|---|------------------|----------------------------|-----------------|---|
| Calcium oxide (burnt lime) | IUPAC Name: Calcium oxide EC No: 215-138-9 CAS No: 1305-78-8 | 800 g/kg (The value provides the content of Ca expressed as CaO) | 1 May 2018 | 30 April 2028 | 2 | 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. |
| | | | | | 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 professional users. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. 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) 2016/1937
of 4 November 2016
approving cyfluthrin as an existing active substance for use in biocidal products of
product-type 18

(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 cyfluthrin.
- (2) Cyfluthrin has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 18, insecticides, acaricides and products to control other arthropods, as defined in Annex V to that Directive, which corresponds to product-type 18 as defined 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 23 December 2010.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 16 February 2016 for use in products of product-type 18 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 18 containing cyfluthrin may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) It is therefore appropriate to approve cyfluthrin for use in biocidal products of product-type 18, 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

Cyfluthrin is approved as an active substance for use in biocidal products of product-type 18, 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).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, 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, 4 November 2016.

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 |
|-------------|--|--|------------------|----------------------------|-----------------|--|
| Cyfluthrin | IUPAC Name: (RS)-α-Cyano-4-fluoro- 3-phenoxybenzyl (1RS,3RS;1RS,3SR)-3- (2,2-dichlorovinyl)-2,2- dimethylcyclopropane- carboxylate EC No: 269-855-7 CAS No: 68359-37-5 | 955 g/kg (95,5 % w/w) | 1 March 2018 | 28 February 2028 | 18 | 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) surface water and sediment for products used in domestic premises and animal housing with release to a sewage treatment plant; (b) surface water and sediment for products used in animal housing with direct release to surface water; (c) surface water and sediment after manure application on agricultural soil for products used in animal housings. 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 in accordance with Article 89(1) of Regulation (EU) No 528/2012. The active substance in the product placed on the market can be of equal or different purity if it has been proven technically equivalent with 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) 2016/1938
of 4 November 2016
approving citric acid as an existing active substance for use in biocidal products of product-type 2
(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 citric acid.
- (2) Citric acid has been evaluated in accordance with Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾ for use in products of product-type 1, human hygiene biocidal products, as defined in Annex V to that Directive, which corresponds to product-type 1 as defined in Annex V to Regulation (EU) No 528/2012.
- (3) However, the evaluation covered an anti-viral tissue impregnated with citric acid which would be placed on the market with the claim 'kills 99,9 % of cold & flu viruses in the tissue'. In accordance with Article 1 of Commission Implementing Decision (EU) 2015/1985 ⁽⁴⁾, such anti-viral tissue is to be considered as a biocidal product falling within product-type 2 as defined in Annex V to Regulation (EU) No 528/2012. Therefore, this approval of citric acid as an existing active substance should only cover its use in biocidal products of product-type 2, disinfectants and algacides not intended for direct application to humans or animals.
- (4) Belgium was designated as evaluating competent authority and submitted the assessment report together with its recommendations on 23 August 2013.
- (5) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinion of the European Chemicals Agency was formulated on 16 February 2016 for use in products of product-type 2 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (6) According to that opinion, biocidal products of product-type 2 containing citric acid may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (7) It is therefore appropriate to approve citric acid for use in biocidal products of product-type 2, subject to compliance with certain specifications and conditions.
- (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⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽⁴⁾ Commission Implementing Decision (EU) 2015/1985 of 4 November 2015 pursuant to Article 3(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council on an anti-viral tissue impregnated with citric acid (OJ L 289, 5.11.2015, p. 26).

HAS ADOPTED THIS REGULATION:

Article 1

Citric acid is approved as an active substance for use in biocidal products of product-type 2, 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, 4 November 2016.

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 |
|-------------|--|---|------------------|----------------------------|--------------|--|
| Citric acid | IUPAC Name: 2-hydroxy-1,2,3-propa- netricarboxylic acid EC No: 201-069-1 CAS No: 77-92-9 | 995 g/kg | 1 March 2018 | 28 February 2028 | 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. |

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated in accordance with Article 89(1) of Regulation (EU) No 528/2012. The active substance in the product placed on the market can be of equal or different purity if it has been proven technically equivalent with the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1939**of 4 November 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed 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, 4 November 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

| (EUR/100 kg) | | |
|---|-----------------------------------|-----------------------|
| CN code | Third country code ⁽¹⁾ | Standard import value |
| 0702 00 00 | MA | 98,0 |
| | ZZ | 98,0 |
| 0707 00 05 | TR | 141,1 |
| | ZZ | 141,1 |
| 0709 93 10 | MA | 91,2 |
| | TR | 146,1 |
| | ZZ | 118,7 |
| 0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90 | JM | 103,8 |
| | PE | 139,3 |
| | TR | 71,6 |
| | ZZ | 104,9 |
| | AR | 67,2 |
| 0805 50 10 | BR | 79,0 |
| | CL | 77,0 |
| | TR | 98,1 |
| | ZA | 65,7 |
| | ZZ | 77,4 |
| 0806 10 10 | BR | 330,4 |
| | PE | 327,4 |
| | TR | 142,7 |
| | ZZ | 266,8 |
| 0808 10 80 | AR | 260,6 |
| | AU | 236,5 |
| | CL | 166,4 |
| | NZ | 144,6 |
| | ZA | 132,2 |
| | ZZ | 188,1 |
| 0808 30 90 | CN | 96,1 |
| | TR | 153,0 |
| | ZZ | 124,6 |

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2016/1940

of 6 October 2016

on the establishment of market conditions for terminal air navigation services in the United Kingdom under Article 3 of Implementing Regulation (EU) No 391/2013

(notified under document C(2016) 6336)

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European Sky (the service provision Regulation) ⁽¹⁾, and in particular Article 16(1) thereof,

Having regard to Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 391/2013 lays down a common charging scheme for air navigation services. Pursuant to Article 3(1) of that Regulation, Member States may decide that some or all of their terminal air navigation services are subject to market conditions. In such case, the provisions of that Regulation apply, but the Member State concerned may decide with regard to those services not to take the measures specified in points (a) to (d) of its Article 3(1).
- (2) On 6 May 2015, the authorities of the United Kingdom informed the Commission of the decision of that Member State that the terminal air navigation services at airports in the terminal charging zone B are subject to market conditions. Those services are provided at nine airports in the United Kingdom, namely Heathrow Airport-London, Gatwick Airport-London, Stansted Airport-London, Luton, City Airport-London, Birmingham, Manchester, Glasgow and Edinburgh.
- (3) The United Kingdom authorities submitted a report on the content and results of the assessment against the conditions of Annex I to Implementing Regulation (EU) No 391/2013, on which that decision has been based. Upon the Commission's request, those authorities submitted additional supporting evidence, including tender documents, on 2 October 2015. The Commission has verified the information provided by the United Kingdom authorities.
- (4) The information demonstrated that the assessment by those authorities included consultation with the airspace users' representatives, pursuant to Article 3(2) of Implementing Regulation (EU) No 391/2013, as well as other stakeholders such as airport operators and air navigation services providers.
- (5) In addition, the information indicated that market conditions exist in the United Kingdom terminal air navigation market concerned. In particular, the assessment report shows that the conditions listed in Annex I to Implementing Regulation (EU) No 391/2013 are met. This applies also with respect to those airports of terminal charging zone B where a tender procedure has not yet taken place but is expected to take place in the future, considering that for market conditions to exist it is not necessarily required that such a procedure has taken place within the time frame analysed.

⁽¹⁾ OJ L 96, 31.3.2004, p. 10.

⁽²⁾ OJ L 128, 9.5.2013, p. 31.

- (6) The Commission therefore agrees with the assessment of the authorities of the United Kingdom the terminal air navigation services at the airports in terminal charging zone B are subject to market conditions.
- (7) Pursuant to Article 3(5) of Implementing Regulation (EU) No 391/2013, this Decision should apply for the duration of the reference period concerned, namely the second reference period (2015-2019),

HAS ADOPTED THIS DECISION:

Article 1

The Commission finds that market conditions have been established for the provision of terminal air navigation services in charging zone B of the United Kingdom, in accordance with the requirements of Annex I to Implementing Regulation (EU) No 391/2013.

Article 2

This Decision shall apply until 31 December 2019.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 6 October 2016.

For the Commission
Violeta BULC
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2016/1941**of 3 November 2016**

amending Implementing Decision 2014/190/EU setting out the annual breakdown by Member State of global resources for the European Regional Development Fund, the European Social Fund and the Cohesion Fund under the Investment for growth and jobs goal and the European territorial cooperation goal, the annual breakdown by Member State of resources from the specific allocation for the Youth Employment Initiative together with the list of eligible regions, and the amounts to be transferred from each Member State's Cohesion Fund and Structural Funds allocations to the Connecting Europe Facility and to aid for the most deprived for the period 2014-2020

(notified under document C(2016) 6909)

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 ⁽¹⁾, and in particular Article 92(3) thereof,

Whereas:

- (1) By Implementing Decision 2014/190/EU ⁽²⁾ the Commission set out, among others, the annual breakdown by Member State of global resources allocated under the Investment for growth and jobs goal and the European territorial cooperation goal, as well as the annual breakdown by Member State of resources from the specific allocation for the Youth Employment Initiative, as referred to in Article 91(2) of Regulation (EU) No 1303/2013.
- (2) In accordance with Article 7(1) of Council Regulation (EU, Euratom) No 1311/2013 ⁽³⁾ and Article 92(3) of Regulation (EU) No 1303/2013 the Commission is to review in 2016 the total allocations of all Member States under the Investment for growth and jobs goal of cohesion policy for the years 2017 to 2020.
- (3) In accordance with Article 7(3) of Regulation (EU, Euratom) No 1311/2013 and Article 90(5) of Regulation (EU) No 1303/2013 the Commission is to review in 2016 the eligibility of Member States for the Cohesion Fund and where a Member State either becomes newly eligible to the Cohesion Fund or loses its existing eligibility, the Commission is to add the resulting amounts to or subtract them from the funds allocated to the Member State for the years 2017 to 2020.
- (4) In accordance with Article 7(3) of Regulation (EU, Euratom) No 1311/2013 and Article 92(3) of Regulation (EU) No 1303/2013 the Commission is to present the results of those two reviews in its technical adjustment of the financial framework for 2017. On 30 June 2016 the Commission adopted the results of those reviews in its Communication to the Council and the European Parliament ⁽⁴⁾. In the Communication it is mentioned that, on the basis of the most recent statistics, there is a cumulative divergence of more than +/– 5 % between the total and the revised allocations in Belgium, the Czech Republic, Denmark, Estonia, Ireland, Greece, Spain, Croatia, Italy, Cyprus, the Netherlands, Slovenia, Slovakia, Finland, Sweden and the United Kingdom. In addition, it is

⁽¹⁾ OJ L 347, 20.12.2013, p. 320.

⁽²⁾ Commission Implementing Decision 2014/190/EU of 3 April 2014 setting out the annual breakdown by Member State of global resources for the European Regional Development Fund, the European Social Fund and the Cohesion Fund under the Investment for growth and jobs goal and the European territorial cooperation goal, the annual breakdown by Member State of resources from the specific allocation for the Youth Employment Initiative together with the list of eligible regions, and the amounts to be transferred from each Member State's Cohesion Fund and Structural Funds allocations to the Connecting Europe Facility and to aid for the most deprived for the period 2014-2020 (OJ L 104, 8.4.2014, p. 13).

⁽³⁾ Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

⁽⁴⁾ Communication from the Commission to the Council and the European Parliament — Technical adjustment of the financial framework for 2017 in line with movements in GNI and adjustment of cohesion policy envelopes, COM(2016) 311 of 30 June 2016.

mentioned that, on the basis of its gross national income (GNI) per capita figures of 2012-2014, Cyprus will become fully eligible for support from the Cohesion Fund as of 1 January 2017.

- (5) In accordance with Article 7(4) and (5) of Regulation (EU, Euratom) No 1311/2013 and Article 92(3) of Regulation (EU) No 1303/2013 the allocations of those Member States are to be adjusted accordingly, provided that the total net effect of those adjustments does not exceed EUR 4 billion. The adjustments are to be spread in equal proportions over the years 2017-2020.
- (6) In accordance with Article 19 of Regulation (EU, Euratom) No 1311/2013 the multiannual financial framework (MFF) is to be revised in order to transfer to subsequent years allocations not used in 2014, in the event of late adoption of new programmes under shared management for the Structural Funds, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund.
- (7) In accordance with Council Regulation (EU, Euratom) 2015/623 ⁽¹⁾, EUR 11,2 billion in current prices of the allocation provided for the Structural Funds and the Cohesion Fund could not be committed in 2014 nor carried over to 2015. In addition, part of the specific allocation for the Youth Employment Initiative available for budgetary commitment in 2014 could not be committed in 2014 nor carried over to 2015. Regulation (EU, Euratom) No 1311/2013 has therefore been revised by transferring the related commitment appropriations not used in 2014 to subsequent years for sub-heading 1b 'Economic, social and territorial cohesion' ⁽²⁾. That transfer should be reflected in Implementing Decision 2014/190/EU.
- (8) In accordance with Article 93(2) of Regulation (EU) No 1303/2013 the Commission accepted proposals submitted by the Czech Republic, Greece, France, Italy, Poland, Portugal, Romania, Slovakia, and the United Kingdom in their Partnership Agreements to transfer up to 3 % of the total appropriations for a category of regions to other categories of regions. Those transfers should be reflected in Implementing Decision 2014/190/EU.
- (9) In accordance with Article 94(2) of Regulation (EU) No 1303/2013 the Commission accepted a proposal submitted by Denmark in its Partnership Agreement to transfer a part of its appropriations for the European territorial cooperation goal to the Investment for growth and jobs goal. This transfer should be reflected in Implementing Decision 2014/190/EU.
- (10) In accordance with Article 25(1) of Regulation (EU) No 1303/2013, the Commission accepted a request from Greece and Cyprus to transfer part of the resources provided for technical assistance at the initiative of the Member State to technical assistance at the initiative of the Commission for implementation of measures in relation to Member States. This transfer should be reflected in Implementing Decision 2014/190/EU.
- (11) The resources for the Investment for growth and jobs goal and their allocation between less developed regions, transition regions, more developed regions, Member States supported by the Cohesion Fund and outermost regions as set out in Article 92(1) of the Common Provisions Regulation should to be adjusted accordingly.
- (12) The annual breakdown of the specific allocation for the Youth Employment Initiative as set out in Article 91(1) of Regulation (EU) No 1303/2013 should be adjusted accordingly.
- (13) Resources for the European territorial cooperation goal available for budgetary commitment for the period 2014-2020 as set out in Article 92(9) of Regulation (EU) No 1303/2013 should be adjusted accordingly.
- (14) For reasons of comparability with the global breakdowns in Implementing Decision 2014/190/EU, global breakdowns should be provided in 2011 prices.
- (15) For reasons of programming by the Member States, the specific annual breakdowns should be provided in current prices to reflect the indexation of 2 % per year in accordance with Article 91(1) of Regulation (EU) No 1303/2013.

⁽¹⁾ Council Regulation (EU, Euratom) 2015/623 of 21 April 2015 amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 103, 22.4.2015, p. 1).

⁽²⁾ Ibid.

(16) Implementing Decision 2014/190/EU should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision 2014/190/EU is amended as follows:

- (1) Annexes I, II and III are replaced by the text set out in Annex I to this Decision;
- (2) Annexes V to X are replaced by the text set out in Annex II to this Decision;
- (3) Annexes XIV, XV and XVI are replaced by the text set out in Annex III to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 November 2016.

For the Commission
Corina CREȚU
Member of the Commission

GLOBAL RESOURCES BY MEMBER STATE UNDER THE INVESTMENT FOR GROWTH AND JOBS GOAL

EUR, 2011 prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| BE | 260 135 172 | 260 140 314 | 260 144 748 | 262 509 573 | 262 512 794 | 262 515 853 | 262 518 457 | 1 830 476 911 |
| BG | 579 165 669 | 1 266 488 650 | 1 010 256 034 | 1 003 519 870 | 1 021 838 098 | 1 038 192 412 | 1 052 480 952 | 6 971 941 685 |
| CZ | 103 451 422 | 5 540 414 855 | 2 959 904 273 | 2 861 077 349 | 2 861 102 132 | 2 861 120 698 | 2 861 146 337 | 20 048 217 066 |
| DK | 41 885 453 | 42 432 350 | 46 934 475 | 60 625 057 | 60 625 440 | 60 625 805 | 60 626 116 | 373 754 696 |
| DE | 2 325 644 228 | 2 325 690 213 | 2 325 729 857 | 2 325 760 026 | 2 325 788 831 | 2 325 816 165 | 2 325 839 456 | 16 280 268 776 |
| EE | 431 673 650 | 447 362 108 | 475 334 242 | 465 459 465 | 475 656 812 | 485 612 912 | 495 306 490 | 3 276 405 679 |
| IE | 123 514 163 | 123 516 606 | 123 518 710 | 124 306 212 | 124 307 742 | 124 309 193 | 124 310 430 | 867 783 056 |
| EL | 1 987 036 935 | 2 011 148 293 | 2 036 722 454 | 2 234 587 290 | 2 234 606 683 | 2 234 622 514 | 2 234 641 107 | 14 973 365 276 |
| ES | 1 569 539 137 | 5 380 102 389 | 3 493 778 680 | 3 953 099 798 | 3 953 143 064 | 3 953 184 125 | 3 953 219 111 | 26 256 066 304 |
| FR | 1 895 389 534 | 1 895 427 010 | 1 895 459 314 | 1 895 483 901 | 1 895 507 375 | 1 895 529 649 | 1 895 548 628 | 13 268 345 411 |
| HR | 945 314 544 | 1 080 891 122 | 1 146 956 712 | 1 127 613 180 | 1 150 764 677 | 1 174 649 743 | 1 198 787 316 | 7 824 977 294 |
| IT | 1 667 175 515 | 6 345 622 854 | 4 029 667 935 | 4 384 163 781 | 4 384 213 686 | 4 384 261 044 | 4 384 301 394 | 29 579 406 209 |
| CY | 184 221 308 | 172 550 003 | 73 787 815 | 70 458 683 | 68 942 184 | 67 425 500 | 65 529 889 | 702 915 382 |
| LV | 539 401 940 | 558 152 423 | 595 401 855 | 592 067 645 | 604 649 672 | 617 204 766 | 629 723 663 | 4 136 601 964 |
| LT | 830 493 172 | 857 296 604 | 911 468 202 | 903 739 689 | 919 677 236 | 935 043 867 | 949 806 399 | 6 307 525 169 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|--------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|
| LU | 5 515 692 | 5 515 801 | 5 515 895 | 5 515 966 | 5 516 035 | 5 516 099 | 5 516 155 | 38 611 643 |
| HU | 2 668 901 050 | 2 901 316 920 | 2 924 373 614 | 2 864 474 307 | 2 883 024 281 | 2 908 892 967 | 2 942 281 324 | 20 093 264 463 |
| MT | 93 531 830 | 94 199 381 | 97 732 285 | 95 155 901 | 95 156 698 | 95 157 281 | 95 158 122 | 666 091 498 |
| NL | 129 104 439 | 129 106 992 | 129 109 193 | 130 388 219 | 130 389 817 | 130 391 334 | 130 392 627 | 908 882 621 |
| AT | 126 297 049 | 126 299 545 | 126 301 698 | 126 303 336 | 126 304 901 | 126 306 384 | 126 307 650 | 884 120 563 |
| PL | 9 196 089 979 | 9 600 920 166 | 10 314 898 375 | 10 318 540 568 | 10 582 213 980 | 10 830 637 727 | 11 062 457 606 | 71 905 758 401 |
| PT | 2 750 538 466 | 2 759 342 043 | 2 805 800 232 | 2 771 959 045 | 2 771 988 368 | 2 772 013 924 | 2 772 040 192 | 19 403 682 270 |
| RO | 855 377 448 | 4 594 775 965 | 3 070 585 254 | 3 081 045 841 | 3 164 213 795 | 3 237 589 982 | 3 300 540 019 | 21 304 128 304 |
| SI | 396 738 180 | 399 483 437 | 414 011 184 | 415 487 300 | 415 490 727 | 415 493 271 | 415 496 845 | 2 872 200 944 |
| SK | 1 666 868 227 | 1 728 300 922 | 1 842 947 663 | 1 822 528 996 | 1 869 149 076 | 1 918 943 806 | 1 927 453 123 | 12 776 191 813 |
| FI | 168 203 748 | 168 207 073 | 168 209 940 | 169 457 922 | 169 460 006 | 169 461 981 | 169 463 668 | 1 182 464 338 |
| SE | 216 791 160 | 221 024 565 | 218 934 694 | 214 521 734 | 214 524 446 | 214 527 020 | 214 529 211 | 1 514 852 830 |
| UK | 485 459 491 | 2 227 999 195 | 1 365 392 414 | 1 377 907 101 | 1 377 924 013 | 1 377 940 060 | 1 377 953 734 | 9 590 576 008 |
| Urban Innovative Actions | 47 142 857 | 47 142 857 | 47 142 857 | 47 142 857 | 47 142 857 | 47 142 857 | 47 142 858 | 330 000 000 |
| Technical assistance (*) | 158 413 447 | 146 518 123 | 175 743 841 | 150 282 750 | 151 915 384 | 153 544 718 | 154 850 555 | 1 091 268 818 |
| EU28 | 32 449 014 905 | 53 457 388 779 | 45 091 764 445 | 45 855 183 362 | 46 347 750 810 | 46 823 673 657 | 47 235 369 434 | 317 260 145 392 |

(*) Technical Assistance includes transfers in accordance with Article 25(1) of the CPR.

GLOBAL RESOURCES BY MEMBER STATE UNDER THE EUROPEAN TERRITORIAL COOPERATION GOAL

EUR, 2011 prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| BE | 2 735 092 | 26 986 914 | 24 653 310 | 43 916 586 | 43 916 586 | 43 916 586 | 43 916 586 | 230 041 660 |
| BG | 2 805 241 | 14 151 174 | 15 514 515 | 29 337 465 | 27 637 039 | 27 637 039 | 27 637 038 | 144 719 511 |
| CZ | 3 491 831 | 34 868 077 | 31 818 751 | 56 680 866 | 56 680 866 | 56 680 866 | 56 680 866 | 296 902 123 |
| DK | 9 341 055 | 15 870 761 | 16 204 160 | 20 500 100 | 20 500 235 | 20 500 362 | 20 500 470 | 123 417 143 |
| DE | 21 292 489 | 87 955 439 | 90 434 007 | 161 096 131 | 161 096 131 | 161 096 131 | 161 096 131 | 844 066 459 |
| EE | 1 366 662 | 4 437 853 | 5 190 597 | 9 696 928 | 9 246 357 | 9 246 357 | 9 246 358 | 48 431 112 |
| IE | 4 859 012 | 14 261 913 | 15 809 610 | 28 162 713 | 28 162 713 | 28 162 713 | 28 162 713 | 147 581 387 |
| EL | 0 | 23 400 948 | 21 698 589 | 41 259 501 | 38 653 147 | 38 653 146 | 38 653 147 | 202 318 478 |
| ES | 10 222 031 | 57 072 561 | 60 231 448 | 112 474 799 | 107 294 294 | 107 294 294 | 107 294 295 | 561 883 722 |
| FR | 7 495 462 | 117 787 530 | 104 447 886 | 186 597 329 | 186 059 990 | 186 059 990 | 186 059 990 | 974 508 177 |
| HR | 213 733 | 14 165 446 | 13 686 141 | 26 393 920 | 24 380 039 | 24 380 039 | 24 380 038 | 127 599 356 |
| IT | 3 759 395 | 118 923 362 | 106 488 607 | 195 021 942 | 189 695 266 | 189 695 266 | 189 695 265 | 993 279 103 |
| CY | 0 | 3 575 864 | 3 066 604 | 5 572 854 | 5 462 744 | 5 462 744 | 5 462 742 | 28 603 552 |
| LV | 768 414 | 8 602 485 | 8 768 172 | 16 768 878 | 15 619 328 | 15 619 328 | 15 619 328 | 81 765 933 |
| LT | 647 526 | 9 894 559 | 10 653 404 | 21 179 822 | 18 977 618 | 18 977 618 | 18 977 617 | 99 308 164 |

EUR, 2011 prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----------------------------|--------------------|--------------------|--------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| LU | 0 | 2 274 613 | 1 890 117 | 3 366 990 | 3 366 991 | 3 366 990 | 3 366 991 | 17 632 692 |
| HU | 774 391 | 37 481 264 | 33 891 150 | 62 818 686 | 60 372 567 | 60 372 568 | 60 372 569 | 316 083 195 |
| MT | 0 | 1 871 640 | 1 593 339 | 2 882 364 | 2 838 321 | 2 838 320 | 2 838 321 | 14 862 305 |
| NL | 10 991 559 | 33 152 856 | 36 503 265 | 65 025 705 | 65 025 705 | 65 025 705 | 65 025 705 | 340 750 500 |
| AT | 2 953 653 | 26 110 183 | 24 102 839 | 42 935 996 | 42 935 995 | 42 935 996 | 42 935 996 | 224 910 658 |
| PL | 10 924 030 | 62 038 308 | 65 621 912 | 122 877 873 | 116 896 690 | 116 896 689 | 116 896 690 | 612 152 192 |
| PT | 3 284 758 | 11 235 745 | 12 040 777 | 21 481 774 | 21 449 037 | 21 449 037 | 21 449 037 | 112 390 165 |
| RO | 7 278 687 | 38 147 671 | 42 405 954 | 81 066 018 | 75 540 553 | 75 540 554 | 75 540 553 | 395 519 990 |
| SI | 167 571 | 6 925 088 | 5 891 004 | 10 494 040 | 10 494 040 | 10 494 040 | 10 494 040 | 54 959 823 |
| SK | 2 987 230 | 21 977 017 | 20 924 144 | 37 537 837 | 37 273 574 | 37 273 574 | 37 273 573 | 195 246 949 |
| FI | 4 737 086 | 10 795 672 | 15 114 612 | 29 567 311 | 26 924 667 | 26 924 667 | 26 924 666 | 140 988 681 |
| SE | 13 535 336 | 24 901 393 | 32 061 646 | 57 509 950 | 57 113 552 | 57 113 552 | 57 113 552 | 299 348 981 |
| UK | 11 427 002 | 86 378 754 | 81 086 733 | 144 445 208 | 144 445 209 | 144 445 208 | 144 445 209 | 756 673 323 |
| Interregional co-operation | 5 406 828 | 52 688 220 | 48 186 712 | 85 838 207 | 85 838 207 | 85 838 207 | 85 838 208 | 449 634 589 |
| Technical assistance | 1 579 828 | 2 261 532 | 3 166 286 | 5 640 318 | 5 640 318 | 5 640 318 | 5 640 318 | 29 568 918 |
| EU28 | 145 045 902 | 970 194 842 | 953 146 291 | 1 728 148 111 | 1 689 537 779 | 1 689 537 904 | 1 689 538 012 | 8 865 148 841 |

YOUTH EMPLOYMENT INITIATIVE — ANNUAL BREAKDOWN OF THE SPECIFIC ALLOCATION

EUR, 2011 prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|-------------|-------------|------|------|------|------|------|-------------|
| BE | 22 464 896 | 17 179 038 | 0 | 0 | 0 | 0 | 0 | 39 643 934 |
| BG | 29 216 622 | 22 342 123 | 0 | 0 | 0 | 0 | 0 | 51 558 745 |
| CZ | 0 | 12 564 283 | 0 | 0 | 0 | 0 | 0 | 12 564 283 |
| DK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IE | 36 075 815 | 27 587 388 | 0 | 0 | 0 | 0 | 0 | 63 663 203 |
| EL | 90 800 184 | 69 435 434 | 0 | 0 | 0 | 0 | 0 | 160 235 618 |
| ES | 499 481 827 | 381 956 689 | 0 | 0 | 0 | 0 | 0 | 881 438 516 |
| FR | 164 197 762 | 125 562 994 | 0 | 0 | 0 | 0 | 0 | 289 760 756 |
| HR | 35 033 821 | 26 790 569 | 0 | 0 | 0 | 0 | 0 | 61 824 390 |
| IT | 300 437 373 | 229 746 226 | 0 | 0 | 0 | 0 | 0 | 530 183 599 |
| CY | 6 126 207 | 4 684 747 | 0 | 0 | 0 | 0 | 0 | 10 810 954 |
| LV | 15 358 075 | 11 744 410 | 0 | 0 | 0 | 0 | 0 | 27 102 485 |
| LT | 16 825 553 | 12 866 600 | 0 | 0 | 0 | 0 | 0 | 29 692 153 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|----------------------|----------------------|----------|----------|----------|----------|----------|-----------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 26 345 509 | 20 146 566 | 0 | 0 | 0 | 0 | 0 | 46 492 075 |
| MT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PL | 133 639 212 | 102 194 692 | 0 | 0 | 0 | 0 | 0 | 235 833 904 |
| PT | 85 111 913 | 65 085 581 | 0 | 0 | 0 | 0 | 0 | 150 197 494 |
| RO | 56 112 815 | 42 909 800 | 0 | 0 | 0 | 0 | 0 | 99 022 615 |
| SI | 4 876 537 | 3 729 117 | 0 | 0 | 0 | 0 | 0 | 8 605 654 |
| SK | 38 209 190 | 29 218 793 | 0 | 0 | 0 | 0 | 0 | 67 427 983 |
| FI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SE | 23 379 703 | 17 878 597 | 0 | 0 | 0 | 0 | 0 | 41 258 300 |
| UK | 24 516 103 | 166 367 414 | 0 | 0 | 0 | 0 | 0 | 190 883 517 |
| EU28 | 1 608 209 117 | 1 389 991 061 | 0 | 0 | 0 | 0 | 0 | 2 998 200 178' |

ANNEX II

‘ANNEX V

LESS DEVELOPED REGIONS

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|-------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| BE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BG | 423 753 581 | 874 889 053 | 701 031 972 | 730 183 864 | 758 809 778 | 786 756 984 | 813 870 156 | 5 089 295 388 |
| CZ | 0 | 4 027 742 276 | 2 074 542 417 | 2 116 060 758 | 2 158 408 746 | 2 201 602 835 | 2 245 657 415 | 14 824 014 447 |
| DK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EE | 307 309 007 | 322 408 574 | 336 661 411 | 345 490 927 | 360 206 362 | 375 184 571 | 390 407 135 | 2 437 667 987 |
| IE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EL | 909 471 035 | 930 727 958 | 929 535 000 | 1 108 664 976 | 1 132 169 367 | 1 154 915 838 | 1 180 244 879 | 7 345 729 053 |
| ES | 54 371 079 | 500 017 977 | 285 545 634 | 319 216 082 | 325 604 160 | 332 119 881 | 338 765 441 | 2 155 640 254 |
| FR | 461 932 262 | 471 180 560 | 480 612 672 | 490 231 521 | 500 042 578 | 510 049 647 | 520 256 037 | 3 434 305 277 |
| HR | 670 382 372 | 775 939 696 | 809 636 630 | 842 012 299 | 876 574 176 | 912 755 989 | 950 231 499 | 5 837 532 661 |
| IT | 666 758 279 | 5 365 168 942 | 3 106 826 291 | 3 495 598 479 | 3 565 551 345 | 3 636 901 956 | 3 709 674 398 | 23 546 479 690 |
| CY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LV | 378 783 956 | 396 914 108 | 416 196 653 | 433 973 068 | 452 283 532 | 471 132 651 | 490 523 912 | 3 039 807 880 |
| LT | 582 500 351 | 608 972 357 | 636 611 771 | 661 702 936 | 687 136 966 | 712 879 268 | 738 892 222 | 4 628 695 871 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 1 896 587 964 | 2 108 249 341 | 2 085 760 394 | 2 136 002 392 | 2 192 924 551 | 2 256 984 865 | 2 328 707 669 | 15 005 217 176 |
| MT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PL | 6 024 257 445 | 6 384 360 407 | 6 759 920 357 | 7 102 194 153 | 7 444 979 849 | 7 786 815 724 | 8 126 165 773 | 49 628 693 708 |
| PT | 2 238 473 445 | 2 283 288 504 | 2 328 994 354 | 2 375 605 358 | 2 423 147 767 | 2 471 640 053 | 2 521 098 345 | 16 642 247 826 |
| RO | 681 255 037 | 2 936 948 339 | 1 998 264 754 | 2 102 046 894 | 2 199 624 663 | 2 295 769 970 | 2 393 170 316 | 14 607 079 973 |
| SI | 169 479 826 | 172 872 874 | 176 333 368 | 188 610 472 | 192 384 976 | 196 234 896 | 200 161 525 | 1 296 077 937 |
| SK | 1 141 906 862 | 1 198 827 027 | 1 256 504 073 | 1 296 677 643 | 1 357 224 314 | 1 422 080 653 | 1 457 095 910 | 9 130 316 482 |
| FI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| UK | 269 798 028 | 446 063 474 | 368 713 961 | 377 627 431 | 385 184 697 | 392 893 012 | 400 754 850 | 2 641 035 453 |
| EU28 | 16 877 020 529 | 29 804 571 467 | 24 751 691 712 | 26 121 899 253 | 27 012 257 827 | 27 916 718 793 | 28 805 677 482 | 181 289 837 063 |

TRANSITION REGIONS

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| BE | 139 843 427 | 142 643 221 | 145 498 658 | 148 410 629 | 151 380 786 | 154 410 285 | 157 500 125 | 1 039 687 131 |
| BG | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CZ | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DK | 9 604 018 | 9 882 422 | 10 804 408 | 13 832 944 | 14 109 710 | 14 392 008 | 14 679 938 | 87 305 448 |
| DE | 1 314 315 435 | 1 340 628 367 | 1 367 464 345 | 1 394 831 802 | 1 422 746 136 | 1 451 218 188 | 1 480 257 439 | 9 771 461 712 |
| EE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EL | 353 410 233 | 364 853 538 | 362 313 592 | 447 619 659 | 455 327 176 | 465 338 438 | 473 253 207 | 2 922 115 843 |
| ES | 593 746 235 | 3 046 946 624 | 1 875 188 441 | 2 283 534 068 | 2 329 229 426 | 2 375 837 900 | 2 423 375 418 | 14 927 858 112 |
| FR | 572 094 366 | 583 548 204 | 595 229 675 | 607 142 425 | 619 293 217 | 631 686 770 | 644 327 187 | 4 253 321 844 |
| HR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IT | 70 953 093 | 295 934 908 | 188 970 662 | 230 278 365 | 234 886 419 | 239 586 556 | 244 380 379 | 1 504 990 382 |
| CY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LV | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MT | 65 940 970 | 67 261 131 | 68 607 532 | 69 980 598 | 71 381 101 | 72 809 585 | 74 266 528 | 490 247 445 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 9 725 216 | 9 919 919 | 10 118 493 | 10 320 999 | 10 527 553 | 10 738 231 | 10 953 108 | 72 303 519 |
| PL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PT | 43 658 772 | 44 532 838 | 45 424 274 | 46 333 366 | 47 260 627 | 48 206 411 | 49 171 036 | 324 587 324 |
| RO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| UK | 95 016 348 | 594 816 628 | 355 307 540 | 374 958 114 | 382 461 753 | 390 115 477 | 397 921 577 | 2 590 597 437 |
| EU28 | 3 268 308 113 | 6 500 967 800 | 5 024 927 620 | 5 627 242 969 | 5 738 603 904 | 5 854 339 849 | 5 970 085 942 | 37 984 476 197 |

ANNEX VII

MORE DEVELOPED REGIONS

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| BE | 126 249 347 | 128 776 975 | 131 354 837 | 136 643 113 | 139 377 731 | 142 166 986 | 145 011 804 | 949 580 793 |
| BG | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CZ | 0 | 148 534 650 | 76 504 754 | 78 035 863 | 79 597 567 | 81 190 474 | 82 815 114 | 546 678 422 |
| DK | 34 312 692 | 35 504 602 | 40 461 066 | 53 875 658 | 54 953 504 | 56 052 898 | 57 174 238 | 332 334 658 |
| DE | 1 143 027 472 | 1 165 911 174 | 1 189 249 756 | 1 213 050 557 | 1 237 326 959 | 1 262 088 394 | 1 287 343 110 | 8 497 997 422 |
| EE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IE | 128 001 120 | 130 563 786 | 133 177 385 | 136 727 788 | 139 464 101 | 142 255 083 | 145 101 661 | 955 290 924 |
| EL | 321 718 722 | 332 754 240 | 345 532 277 | 367 327 441 | 374 609 684 | 381 115 281 | 387 917 299 | 2 510 974 944 |
| ES | 941 438 583 | 2 067 516 145 | 1 549 803 112 | 1 699 267 064 | 1 733 272 800 | 1 767 957 997 | 1 803 334 314 | 11 562 590 015 |
| FR | 850 348 096 | 867 372 818 | 884 735 876 | 902 442 710 | 920 503 358 | 938 924 843 | 957 713 270 | 6 322 040 971 |
| HR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IT | 940 989 124 | 1 115 272 514 | 1 059 105 570 | 1 115 343 630 | 1 137 664 445 | 1 160 431 228 | 1 183 651 581 | 7 712 458 092 |
| CY | 129 299 822 | 130 248 052 | 31 040 483 | 34 392 381 | 35 080 636 | 35 782 643 | 36 498 639 | 432 342 656 |
| LV | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----------------------|
| LU | 5 320 829 | 5 427 364 | 5 536 015 | 5 646 815 | 5 759 830 | 5 875 102 | 5 992 671 | 39 558 626 |
| HU | 62 362 887 | 63 613 985 | 64 890 344 | 66 190 566 | 67 517 780 | 68 872 541 | 70 255 336 | 463 703 439 |
| MT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NL | 136 474 196 | 139 206 443 | 141 993 002 | 146 273 253 | 149 200 554 | 152 186 343 | 155 231 615 | 1 020 565 406 |
| AT | 121 868 086 | 124 307 950 | 126 796 311 | 129 333 944 | 131 922 288 | 134 562 344 | 137 254 990 | 906 045 913 |
| PL | 504 545 294 | 515 958 359 | 527 632 348 | 539 308 411 | 551 177 491 | 563 236 684 | 575 482 178 | 3 777 340 765 |
| PT | 166 452 008 | 169 784 435 | 173 183 108 | 176 649 083 | 180 184 317 | 183 790 182 | 187 467 883 | 1 237 511 016 |
| RO | 67 415 298 | 137 770 869 | 121 391 612 | 129 215 801 | 139 922 353 | 147 861 056 | 149 459 655 | 893 036 644 |
| SI | 113 965 963 | 116 247 604 | 118 574 596 | 121 261 256 | 123 688 023 | 126 163 276 | 128 687 839 | 848 588 557 |
| SK | 41 262 981 | 43 143 512 | 45 049 772 | 46 933 534 | 48 943 721 | 51 089 982 | 52 315 318 | 328 738 820 |
| FI | 134 387 672 | 137 078 197 | 139 822 197 | 144 023 506 | 146 905 819 | 149 845 718 | 152 844 185 | 1 004 907 294 |
| SE | 201 163 376 | 209 768 456 | 211 655 946 | 210 918 972 | 215 140 093 | 219 445 549 | 223 836 765 | 1 491 929 157 |
| UK | 149 826 651 | 1 370 234 763 | 782 928 073 | 798 596 590 | 814 578 755 | 830 880 021 | 847 506 195 | 5 594 551 048 |
| EU28 | 6 320 430 219 | 9 154 996 893 | 7 900 418 440 | 8 251 457 936 | 8 426 791 809 | 8 601 774 625 | 8 772 895 660 | 57 428 765 582 |

ANNEX VIII
COHESION FUND

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|-------------|---------------|-------------|-------------|-------------|-------------|-------------|---------------|
| BE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BG | 141 914 934 | 438 239 123 | 314 223 331 | 327 476 772 | 339 922 930 | 352 709 644 | 363 820 410 | 2 278 307 144 |
| CZ | 0 | 1 691 733 250 | 876 417 385 | 867 512 052 | 884 660 544 | 903 810 913 | 919 811 951 | 6 143 946 095 |
| DK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EE | 133 273 475 | 140 305 354 | 146 966 434 | 150 619 857 | 156 921 496 | 163 630 547 | 169 817 514 | 1 061 534 677 |
| IE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EL | 430 757 665 | 444 530 393 | 448 671 883 | 471 072 832 | 480 389 519 | 490 754 009 | 499 491 452 | 3 265 667 753 |
| ES | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HR | 293 229 673 | 339 412 563 | 355 227 649 | 357 736 948 | 372 354 413 | 388 369 497 | 403 424 901 | 2 509 755 644 |
| IT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CY | 57 156 764 | 48 473 084 | 39 315 087 | 38 682 266 | 37 966 553 | 37 262 438 | 36 012 833 | 294 869 025 |
| LV | 167 454 594 | 175 995 293 | 185 012 112 | 193 047 173 | 200 965 711 | 209 486 800 | 217 453 012 | 1 349 414 695 |
| LT | 256 626 748 | 269 141 984 | 282 127 550 | 293 504 407 | 304 502 755 | 316 195 728 | 326 818 454 | 2 048 917 626 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|----------------------|-----------------------|----------------------|----------------------|----------------------|----------------------|-----------------------|-----------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 761 296 791 | 836 749 026 | 837 669 772 | 859 444 254 | 882 480 075 | 910 148 899 | 937 638 195 | 6 025 427 012 |
| MT | 29 073 581 | 29 780 219 | 30 489 732 | 31 150 428 | 31 766 417 | 32 452 438 | 33 029 294 | 217 742 109 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PL | 2 821 981 272 | 2 992 646 539 | 3 169 935 136 | 3 327 311 773 | 3 479 057 782 | 3 636 923 062 | 3 780 133 478 | 23 207 989 042 |
| PT | 382 108 422 | 391 395 624 | 400 720 618 | 409 404 001 | 417 499 836 | 426 516 083 | 434 097 580 | 2 861 742 164 |
| RO | 0 | 1 710 039 331 | 949 836 093 | 999 902 570 | 1 046 786 040 | 1 093 828 558 | 1 134 604 385 | 6 934 996 977 |
| SI | 119 552 544 | 122 458 287 | 125 375 853 | 132 624 045 | 135 247 665 | 138 161 073 | 140 627 428 | 914 046 895 |
| SK | 514 950 725 | 542 350 982 | 570 045 939 | 596 338 413 | 623 327 518 | 653 372 363 | 667 865 487 | 4 168 251 427 |
| FI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| UK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EU28 | 6 109 377 188 | 10 173 251 052 | 8 732 034 574 | 9 055 827 791 | 9 393 849 254 | 9 753 622 052 | 10 064 646 374 | 63 282 608 285 |

ANNEX IX

OUTERMOST AND NORTHERN SPARSELY POPULATED REGIONS

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|------------|-------------|------------|------------|------------|------------|------------|-------------|
| BE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BG | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CZ | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ES | 0 | 131 542 480 | 67 752 708 | 69 108 658 | 70 491 705 | 71 902 384 | 73 341 166 | 484 139 101 |
| FR | 59 632 621 | 60 826 476 | 62 044 064 | 63 285 766 | 64 552 281 | 65 844 100 | 67 161 654 | 443 346 962 |
| HR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LV | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PT | 15 559 845 | 15 871 355 | 16 189 058 | 16 513 054 | 16 843 524 | 17 180 596 | 17 524 383 | 115 681 815 |
| RO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FI | 41 068 819 | 41 891 023 | 42 729 572 | 43 584 729 | 44 456 975 | 45 346 646 | 46 254 043 | 305 331 807 |
| SE | 27 832 202 | 28 389 407 | 28 957 689 | 29 537 226 | 30 128 343 | 30 731 272 | 31 346 211 | 206 922 350 |
| UK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EU28 | 144 093 487 | 278 520 741 | 217 673 091 | 222 029 433 | 226 472 828 | 231 004 998 | 235 627 457 | 1 555 422 035 |

ANNEX X

YOUTH EMPLOYMENT INITIATIVE — SPECIFIC ALLOCATION

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|-------------|-------------|------|------|------|------|------|-------------|
| BE | 23 839 927 | 18 595 143 | 0 | 0 | 0 | 0 | 0 | 42 435 070 |
| BG | 31 004 913 | 24 183 832 | 0 | 0 | 0 | 0 | 0 | 55 188 745 |
| CZ | 0 | 13 599 984 | 0 | 0 | 0 | 0 | 0 | 13 599 984 |
| DK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| EE | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IE | 38 283 943 | 29 861 476 | 0 | 0 | 0 | 0 | 0 | 68 145 419 |
| EL | 96 357 882 | 75 159 147 | 0 | 0 | 0 | 0 | 0 | 171 517 029 |
| ES | 530 054 111 | 413 442 204 | 0 | 0 | 0 | 0 | 0 | 943 496 315 |
| FR | 174 247 979 | 135 913 423 | 0 | 0 | 0 | 0 | 0 | 310 161 402 |
| HR | 37 178 171 | 28 998 973 | 0 | 0 | 0 | 0 | 0 | 66 177 144 |
| IT | 318 826 544 | 248 684 704 | 0 | 0 | 0 | 0 | 0 | 567 511 248 |
| CY | 6 501 180 | 5 070 921 | 0 | 0 | 0 | 0 | 0 | 11 572 101 |
| LV | 16 298 112 | 12 712 527 | 0 | 0 | 0 | 0 | 0 | 29 010 639 |
| LT | 17 855 411 | 13 927 222 | 0 | 0 | 0 | 0 | 0 | 31 782 633 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|----------------------|----------------------|----------|----------|----------|----------|----------|-----------------------|
| LU | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HU | 27 958 065 | 21 807 291 | 0 | 0 | 0 | 0 | 0 | 49 765 356 |
| MT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PL | 141 819 001 | 110 618 821 | 0 | 0 | 0 | 0 | 0 | 252 437 822 |
| PT | 90 321 443 | 70 450 726 | 0 | 0 | 0 | 0 | 0 | 160 772 169 |
| RO | 59 547 368 | 46 446 947 | 0 | 0 | 0 | 0 | 0 | 105 994 315 |
| SI | 5 175 020 | 4 036 516 | 0 | 0 | 0 | 0 | 0 | 9 211 536 |
| SK | 40 547 898 | 31 627 361 | 0 | 0 | 0 | 0 | 0 | 72 175 259 |
| FI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SE | 24 810 728 | 19 352 368 | 0 | 0 | 0 | 0 | 0 | 44 163 096 |
| UK | 26 016 685 | 180 081 439 | 0 | 0 | 0 | 0 | 0 | 206 098 124 |
| EU28 | 1 706 644 381 | 1 504 571 025 | 0 | 0 | 0 | 0 | 0 | 3 211 215 406' |

EUROPEAN TERRITORIAL COOPERATION — CROSS-BORDER COOPERATION

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|------------|-------------|------------|-------------|-------------|-------------|-------------|-------------|
| BE | 2 902 501 | 24 227 340 | 22 994 759 | 41 781 342 | 42 616 968 | 43 469 308 | 44 338 693 | 222 330 911 |
| BG | 2 976 944 | 12 055 520 | 14 364 325 | 28 014 847 | 26 621 889 | 27 154 327 | 27 697 414 | 138 885 266 |
| CZ | 2 439 127 | 34 551 814 | 31 352 847 | 56 967 938 | 58 107 296 | 59 269 442 | 60 454 832 | 303 143 296 |
| DK | 8 308 365 | 12 259 940 | 13 578 726 | 17 512 612 | 17 862 983 | 18 220 356 | 18 584 862 | 106 327 844 |
| DE | 14 442 888 | 65 129 605 | 67 444 196 | 122 545 704 | 124 996 616 | 127 496 550 | 130 046 479 | 652 102 038 |
| EE | 1 175 827 | 4 402 888 | 5 158 490 | 9 880 362 | 9 560 404 | 9 751 612 | 9 946 646 | 49 876 229 |
| IE | 5 007 621 | 13 358 262 | 15 566 596 | 28 284 411 | 28 850 099 | 29 427 101 | 30 015 644 | 150 509 734 |
| EL | 0 | 18 744 762 | 18 375 521 | 36 323 394 | 34 055 979 | 34 737 099 | 35 431 838 | 177 668 593 |
| ES | 10 847 701 | 42 320 328 | 50 009 117 | 96 700 356 | 92 683 591 | 94 537 263 | 96 428 008 | 483 526 364 |
| FR | 5 947 540 | 89 873 541 | 81 729 096 | 149 106 412 | 151 471 308 | 154 500 734 | 157 590 749 | 790 219 380 |
| HR | 0 | 13 327 966 | 13 218 818 | 26 286 470 | 24 498 885 | 24 988 862 | 25 488 635 | 127 809 636 |
| IT | 0 | 102 059 363 | 91 588 048 | 172 413 641 | 169 743 238 | 173 138 103 | 176 600 863 | 885 543 256 |
| CY | 0 | 3 349 655 | 2 944 209 | 5 473 610 | 5 456 600 | 5 565 731 | 5 677 046 | 28 466 851 |
| LV | 421 325 | 8 736 136 | 8 858 960 | 17 391 257 | 16 418 610 | 16 746 983 | 17 081 923 | 85 655 194 |
| LT | 0 | 9 706 842 | 10 329 376 | 21 248 455 | 19 143 783 | 19 526 660 | 19 917 191 | 99 872 307 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|--------------------|--------------------|--------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| LU | 0 | 1 891 384 | 1 603 101 | 2 912 823 | 2 971 080 | 3 030 501 | 3 091 111 | 15 500 000 |
| HU | 0 | 36 338 429 | 33 134 648 | 62 960 186 | 61 409 567 | 62 637 759 | 63 890 514 | 320 371 103 |
| MT | 0 | 1 818 637 | 1 583 483 | 2 926 779 | 2 934 722 | 2 993 416 | 3 053 285 | 15 310 322 |
| NL | 11 664 330 | 26 123 749 | 32 028 488 | 58 195 575 | 59 359 487 | 60 546 677 | 61 757 611 | 309 675 917 |
| AT | 1 916 948 | 25 162 283 | 22 951 870 | 41 703 410 | 42 537 479 | 43 388 228 | 44 255 994 | 221 916 212 |
| PL | 4 960 088 | 57 467 793 | 58 621 861 | 113 251 360 | 108 645 886 | 110 818 803 | 113 035 177 | 566 800 968 |
| PT | 3 485 811 | 7 140 659 | 9 038 051 | 16 458 951 | 16 750 525 | 17 085 537 | 17 427 247 | 87 386 781 |
| RO | 7 724 201 | 32 089 620 | 39 019 604 | 77 120 959 | 72 316 355 | 73 762 683 | 75 237 937 | 377 271 359 |
| SI | 0 | 6 652 978 | 5 638 945 | 10 245 927 | 10 450 846 | 10 659 862 | 10 873 057 | 54 521 615 |
| SK | 2 727 473 | 21 509 096 | 20 794 716 | 38 081 477 | 38 539 550 | 39 310 342 | 40 096 547 | 201 059 201 |
| FI | 3 109 706 | 8 886 024 | 12 689 807 | 26 033 350 | 23 518 450 | 23 988 819 | 24 468 596 | 122 694 752 |
| SE | 11 414 360 | 20 805 655 | 27 687 467 | 50 754 373 | 51 314 124 | 52 340 407 | 53 387 217 | 267 703 603 |
| UK | 10 842 107 | 63 874 342 | 63 328 303 | 115 067 149 | 117 368 492 | 119 715 862 | 122 110 179 | 612 306 434 |
| EU28 | 112 314 863 | 763 864 611 | 775 633 428 | 1 445 643 130 | 1 430 204 812 | 1 458 809 027 | 1 487 985 295 | 7 474 455 166 |

EUROPEAN TERRITORIAL COOPERATION — TRANSNATIONAL COOPERATION

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|----|-----------|------------|------------|------------|------------|------------|------------|-------------|
| BE | 0 | 4 984 164 | 4 224 487 | 7 675 867 | 7 829 385 | 7 985 972 | 8 145 692 | 40 845 567 |
| BG | 0 | 3 262 167 | 2 764 953 | 5 023 903 | 5 124 382 | 5 226 869 | 5 331 406 | 26 733 680 |
| CZ | 1 266 432 | 3 190 514 | 3 777 625 | 6 863 923 | 7 001 202 | 7 141 226 | 7 284 050 | 36 524 972 |
| DK | 1 604 437 | 4 919 083 | 4 311 976 | 5 573 830 | 5 685 343 | 5 799 086 | 5 915 098 | 33 808 853 |
| DE | 8 152 872 | 30 076 191 | 32 402 255 | 58 874 705 | 60 052 201 | 61 253 243 | 62 478 310 | 313 289 777 |
| EE | 274 486 | 400 787 | 572 349 | 1 039 954 | 1 060 754 | 1 081 969 | 1 103 607 | 5 533 906 |
| IE | 148 802 | 2 079 292 | 1 888 491 | 3 431 378 | 3 500 006 | 3 570 006 | 3 641 405 | 18 259 380 |
| EL | 0 | 6 585 176 | 5 581 475 | 10 141 505 | 10 344 336 | 10 551 222 | 10 762 250 | 53 965 964 |
| ES | 0 | 19 456 847 | 16 491 268 | 29 964 536 | 30 563 827 | 31 175 103 | 31 798 606 | 159 450 187 |
| FR | 2 006 704 | 37 623 469 | 33 589 809 | 61 032 487 | 62 253 136 | 63 498 199 | 64 768 162 | 324 771 966 |
| HR | 226 815 | 2 005 169 | 1 891 788 | 3 437 371 | 3 506 116 | 3 576 240 | 3 647 768 | 18 291 267 |
| IT | 3 989 500 | 26 667 109 | 25 983 980 | 47 212 741 | 48 156 996 | 49 120 135 | 50 102 539 | 251 233 000 |
| CY | 0 | 520 976 | 441 569 | 802 329 | 818 376 | 834 744 | 851 438 | 4 269 432 |
| LV | 394 122 | 575 471 | 821 810 | 1 493 223 | 1 523 088 | 1 553 549 | 1 584 620 | 7 945 883 |
| LT | 687 160 | 1 003 346 | 1 432 842 | 2 603 465 | 2 655 535 | 2 708 645 | 2 762 819 | 13 853 812 |

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|
| LU | 0 | 570 731 | 483 741 | 878 955 | 896 534 | 914 465 | 932 755 | 4 677 181 |
| HU | 821 790 | 4 232 497 | 4 283 920 | 7 783 858 | 7 939 536 | 8 098 327 | 8 260 293 | 41 420 221 |
| MT | 0 | 207 286 | 175 692 | 319 231 | 325 616 | 332 128 | 338 771 | 1 698 724 |
| NL | 0 | 9 761 969 | 8 274 067 | 15 033 930 | 15 334 608 | 15 641 300 | 15 954 126 | 80 000 000 |
| AT | 1 217 492 | 3 100 219 | 3 659 612 | 6 649 495 | 6 782 484 | 6 918 134 | 7 056 496 | 35 383 932 |
| PL | 6 632 580 | 9 684 466 | 13 830 032 | 25 129 084 | 25 631 666 | 26 144 300 | 26 667 188 | 133 719 316 |
| PT | 0 | 5 021 273 | 4 255 940 | 7 733 016 | 7 887 676 | 8 045 429 | 8 206 337 | 41 149 671 |
| RO | 0 | 9 202 646 | 7 799 995 | 14 172 545 | 14 455 996 | 14 745 115 | 15 040 017 | 75 416 314 |
| SI | 177 828 | 842 960 | 865 200 | 1 572 066 | 1 603 508 | 1 635 578 | 1 668 292 | 8 365 432 |
| SK | 442 599 | 2 279 534 | 2 307 230 | 4 192 225 | 4 276 070 | 4 361 590 | 4 448 823 | 22 308 071 |
| FI | 1 917 328 | 2 799 558 | 3 997 946 | 7 264 244 | 7 409 529 | 7 557 720 | 7 708 873 | 38 655 198 |
| SE | 2 949 447 | 6 148 414 | 7 711 181 | 14 011 171 | 14 291 395 | 14 577 222 | 14 868 765 | 74 557 595 |
| UK | 1 284 319 | 29 624 799 | 26 198 003 | 47 601 616 | 48 553 650 | 49 524 722 | 50 515 217 | 253 302 326 |
| EU28 | 34 194 713 | 226 826 113 | 220 019 236 | 397 512 653 | 405 462 951 | 413 572 238 | 421 843 723 | 2 119 431 627 |

ANNEX XVI

EUROPEAN TERRITORIAL COOPERATION — INTERREGIONAL COOPERATION

EUR, current prices

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|-------------|------------------|-------------------|-------------------|-------------------|-------------------|--------------------|--------------------|---------------------|
| EU28 | 5 737 769 | 57 031 424 | 53 202 024 | 96 667 763 | 98 601 118 | 100 573 140 | 102 584 604 | 514 397 842' |

COMMISSION IMPLEMENTING DECISION (EU) 2016/1942
of 4 November 2016
on the specifications of the European Investment Project Portal and repealing Implementing
Decision (EU) 2015/1214

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments ⁽¹⁾, and in particular Article 15(1) thereof,

Whereas:

- (1) Regulation (EU) 2015/1017 entrusts the Commission with the responsibility to create, with the support of the European Investment Bank (EIB), a European Investment Project Portal (EIPP). The EIPP is a publicly available web portal of investment projects which acts as a platform to promote projects to potential investors worldwide.
- (2) The EIPP was created by Commission Implementing Decision (EU) 2015/1214 ⁽²⁾ and became operational in June 2016.
- (3) Experience gained in managing the EIPP indicates that certain amendments, especially with regard to admission criteria and processing fee, are required to be made in order to provide for greater flexibility in the selection of projects for inclusion in the EIPP and to clarify the scope of the fee exemption.
- (4) In that context, it is appropriate to exempt in addition to public project promoters also private project promoters whose project is supported by a public authority of a Member State in pursuit of public investment priorities from the payment of the application processing fees in order to duly implement Article 15(4) of Regulation (EU) 2015/1017 and to attract an increased number of high quality projects with a specific link to such investment priorities.
- (5) In the interests of clarity, given the volume of amendments, and in order to simplify the implementation of the EIPP, Implementing Decision (EU) 2015/1214 should be repealed and replaced by this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Technical specifications of the European Investment Project Portal (EIPP), as set out in the Annex, are hereby adopted.

Article 2

Projects shall be included in the EIPP subject to compliance with the following admission criteria:

- (a) the project (or the programme consisting of smaller projects) shall have a minimum total project cost of EUR 5 000 000;
- (b) the project shall be implemented within the geographical scope of Article 8 of Regulation (EU) 2015/1017 and shall support one or more of the objectives and sectors listed in Article 9(2) of that Regulation;

⁽¹⁾ OJ L 169, 1.7.2015, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2015/1214 of 22 July 2015 creating the European Investment Project Portal and setting out its technical specifications (OJ L 196, 24.7.2015, p. 23).

- (c) the promoter shall be a legal entity established in a Member State and shall not be subject to insolvency proceedings;
- (d) the project shall be compatible with Union law and the law of the relevant Member State and shall not entail legal, reputational or national security risks for the Member State or the Commission;
- (e) the project implementation shall have commenced or shall be expected to commence within three years of the date of submission to the EIPP;
- (f) the project shall be clearly described in the project application as an investment project and the information provided therein shall be accurate and shall specify the amount of financing necessary for undertaking the project.

Article 3

An application processing fee of up to EUR 250 per project shall be charged to private project promoters.

The State, regional or local authorities, bodies governed by public law as defined in Article 2(1)(4) of Directive 2014/24/EU of the European Parliament and of the Council ⁽¹⁾, associations formed by such authorities or bodies and entities controlled by such authorities or bodies (public project promoters) shall be exempt from payment of the application processing fee.

Private project promoters shall also be exempt from payment of the application processing fee in respect of projects which are supported by a public authority of a Member State in pursuit of public investment priorities.

The authorising officer responsible may decide in exceptional and justified cases that a private project promoter shall also be exempt from payment of the application processing fee.

The revenue derived from the application processing fee shall give rise to the provision of additional appropriations in accordance with Article 21(4) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽²⁾ and Article 15(4) of Regulation (EU) 2015/1017.

Article 4

Implementing Decision (EU) 2015/1214 is repealed.

Article 5

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

Done at Brussels, 4 November 2016.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

⁽²⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

ANNEX

TECHNICAL SPECIFICATIONS OF THE EUROPEAN INVESTMENT PROJECT PORTAL (EIPP)**1. GENERAL DESCRIPTION**

The EIPP, created pursuant to Article 15 of Regulation (EU) 2015/1017, is a publicly available web portal of investment projects which acts as a platform to promote projects to potential investors worldwide. EIPP's main goal is to catalyse and accelerate the development and the fruition of investment projects in the Union, and through this, to contribute to higher employment and economic growth. The publication of a project on the EIPP does not amount to endorsement of such project by the Commission or by the EIB and is not a condition to receive financing support by the Union or the EIB.

The EIPP's main components are:

- (a) a publicly available web site that includes a database of project fiches (structured summary information web pages on individual EIPP projects);
- (b) interactive project lists and map;
- (c) dedicated sections for investors and project promoters.

The EIPP will also include a non-public module for project processing.

Projects in the EIPP are grouped in sectors derived from the objectives and categories of Article 9(2) of Regulation (EU) 2015/1017.

2. MANAGEMENT OF THE EIPP AND RELATIONS WITH PROJECT PROMOTERS, WEBSITE USERS AND PROVIDERS OF SIMILAR SERVICES

The EIPP is managed by the Commission. Member States may contribute to its management. The EIPP content is generated by project promoters, i.e. by private and public legal entities.

Participation of project promoters and other registered website users in the EIPP is subject to their acceptance of the EIPP Terms and Conditions which aim at ensuring the quality of published information received from project promoters while making clear that the Commission does not guarantee the accuracy of the information published and cannot be held liable for any claims based on the publication of the project.

A disclaimer should alert the website users that the Commission cannot guarantee the accuracy of the information published and that potential investors have to carry out their own usual due diligence, including on financial aspects and any other aspect relevant for their decision on whether to invest in a project. The Commission may decide to remove a project from the EIPP after three years of its initial publication.

The EIPP may cooperate with other providers of similar services at national or international level aimed at stimulating or facilitating investment activity.

3. PROJECT SCREENING

A project screening shall be performed by the services of the Commission on the basis of the admission criteria set out in Article 2 of this Decision. The Commission shall have a broad discretion when performing the project screening and assessing whether or not to include a project in the EIPP. The screening of compatibility with the law of the relevant Member State and the screening of potential risks for this Member State shall be performed on the basis of information provided by the Member State, where available. Some technical aspects of the project screening and validation, such as the verification of project promoters' identity, may be outsourced to third parties.

The Member States will be invited to appoint one or more contact points and to define their contribution for the purposes of the screening. The role of the EIB in promoting the EIPP will be, where appropriate, set out in a service level agreement.

4. PROCESSING FEE

In order to claim an exemption from the payment of the application processing fee in accordance with the second or third paragraph of Article 3 of this Decision, the project application shall be accompanied either by a project promoter's self-declaration of the public project promoter status at the time of the submission of the application, or by a written confirmation of the project's support from the relevant public authority. Standardised forms will be available from the EIPP for this purpose.

Cases which are deemed to justify exemption from the payment of the application processing fee, in accordance with the fourth paragraph of Article 3 of this Decision, shall include projects which benefit from the support of a programme of the Union or projects included, *inter-alia*, in the list of projects of common interest referred to in Regulation (EU) No 347/2013 of the European Parliament and of the Council ⁽¹⁾ or projects compatible with the guidelines for the development of the trans-European transport network referred to in Regulation (EU) No 1315/2013 of the European Parliament and of the Council ⁽²⁾, as confirmed by the relevant Commission services.

⁽¹⁾ Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39).

⁽²⁾ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

COMMISSION IMPLEMENTING DECISION (EU) 2016/1943**of 4 November 2016****pursuant to Article 3(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council on the use of paraffin oil for coating eggs to control the population size of nesting birds****(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 3(3) thereof,

Whereas:

- (1) On 3 March 2016, the United Kingdom requested the Commission to decide, pursuant to Article 3(3) of Regulation (EU) No 528/2012, whether paraffin oil used for coating the eggs of nesting birds such as geese and gulls in order to control their population sizes and limit the possibility of birds striking aircraft in and around airfields and airports is a biocidal product for the purposes of Article 3(1)(a) of that Regulation.
- (2) According to the information provided by the United Kingdom, egg oiling deprives the developing embryo of oxygen by physically blocking the pores in egg shells, resulting in the asphyxiation of the bird embryo.
- (3) It is important to consider first whether paraffin oil used for egg oiling meets the definition of a biocidal product as provided for in Article 3(1)(a) of Regulation (EU) No 528/2012.
- (4) Paraffin oil meets the condition under Article 3(1)(a) of that Regulation to be a 'substance' or a 'mixture' within the meaning of Article 3(2) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽²⁾.
- (5) Paraffin oil is intended to control the population size of nesting birds such as geese and gulls which meet the definition of a harmful organism laid down in Article 3(1)(g) of Regulation (EU) No 528/2012 since they may have a detrimental effect on animals or humans.
- (6) The information provided indicates that paraffin oil is used in egg oiling operations with the intention of destroying, deterring, rendering harmless, preventing the action of, or otherwise exerting a controlling effect on harmful organisms.
- (7) As paraffin oil only constitutes a physical contact barrier to the respiratory capabilities of the target organism and no chemical or biological action of paraffin oil occurs at any moment, it cannot be regarded as being intended to act chemically on that organism.
- (8) Since paraffin oil exerts a controlling effect on harmful organisms by mere physical or mechanical action, it does not meet the definition of a biocidal product as provided for under Article 3(1)(a) of Regulation (EU) No 528/2012.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

Article 1

Paraffin oil, when used for coating eggs in order to control the population size of nesting birds, is not a biocidal product for the purposes of Article 3(1)(a) of Regulation (EU) No 528/2012.

⁽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).

Article 2

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

Done at Brussels, 4 November 2016.

For the Commission
The President
Jean-Claude JUNCKER

