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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) 2018/1847 of 26 November 2018 amending Annex V to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products ⁽¹⁾** 1
- ★ **Commission Implementing Regulation (EU) 2018/1848 of 26 November 2018 on the reimbursement, in accordance with Article 26(5) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council, of the appropriations carried over from financial year 2018** 4

DECISIONS

- ★ **Commission Implementing Decision (EU) 2018/1849 of 23 November 2018 amending Implementing Decision 2014/190/EU as regards the annual breakdown of the resources from the specific allocation for the Youth Employment Initiative by Member State (notified under document C(2018) 7100)** 7

⁽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.

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2018/1847**of 26 November 2018****amending Annex V to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products ⁽¹⁾, and in particular Article 31(1) thereof,

Whereas:

- (1) The substance Biphenyl-2-ol and its salts, which have been assigned the names o-phenylphenol, MEA o-phenylphenate, potassium o-phenylphenate and sodium o-phenylphenate under the International Nomenclature of Cosmetics Ingredients (INCI), are currently allowed as preservatives in cosmetic products with a maximum concentration of 0,2 % (as phenol) in ready for use preparation under entry 7 of Annex V to Regulation (EC) No 1223/2009.
- (2) The Scientific Committee on Consumer Safety (SCCS) concluded in its opinion of 25 June 2015, revision of 15 December 2015, ⁽²⁾ as regards the use of o-phenylphenol as a preservative, that a maximum concentration of 0,2 % in leave-on cosmetic products is not safe, while a maximum concentration of 0,15 % in such products can be considered safe, and that a maximum concentration of 0,2 % in rinse-off cosmetic products is considered safe. The SCCS also concluded that there might be a potential of injury to the vision system attributable to o-phenylphenol.
- (3) Following concerns raised by several Member States regarding the use of MEA o-phenylphenate, potassium o-phenylphenate and sodium o-phenylphenate, the SCCS indicated in an addendum to the above-mentioned opinion, adopted on 21-22 February 2018, ⁽³⁾ that the same conclusions on the safe use levels of o-phenylphenol cannot be applied as such to sodium o-phenylphenate, potassium o-phenylphenate or MEA o-phenylphenate. The SCCS stated that sodium o-phenylphenate, potassium o-phenylphenate and MEA o-phenylphenate may have potentially more potent toxic effects than o-phenylphenol due to greater skin penetration. The SCCS concluded that a potential risk to human health from the use of these substances as preservatives in cosmetic products cannot be excluded.
- (4) In light of the above-mentioned SCCS opinions and in view of the potential risk to human health arising from the use of those substances, the use of o-phenylphenol as a preservative should be allowed with a maximum

⁽¹⁾ OJ L 342, 22.12.2009, p. 59.

⁽²⁾ SCCS (Scientific Committee on Consumer Safety), Opinion on o-Phenylphenol, Sodium o-phenylphenate and Potassium o-phenylphenate, 25 June 2015, SCCS/1555/15, revision of 15 December 2015

⁽³⁾ SCCS (Scientific Committee on Consumer Safety), Addendum to the scientific opinion on the use as preservative of o-Phenylphenol, Sodium ophenylphenate and Potassium o-phenylphenate (SCCS/1555/15) Here: the use as preservative of Sodium o-phenylphenate, Potassium o-phenylphenate, MEA o-Phenylphenate 21-22/02/2018, SCCS/1597/18

concentration of 0,15 % in leave-on and 0,2 % in rinse-off cosmetic products. In addition, it should be indicated that contact with eyes should be avoided. The use of sodium o-phenylphenate, potassium o-phenylphenate and MEA o-phenylphenate as preservatives should not be allowed.

- (5) Annex V to Regulation (EC) No 1223/2009 should therefore be amended accordingly.
- (6) The industry should be allowed a reasonable period of time to adapt to the new requirements by making the necessary adjustments to product formulations to ensure that only products complying with those requirements are placed on the market. The industry should also be allowed a reasonable period of time to withdraw products which do not comply with the new requirements from the market.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex V to Regulation (EC) No 1223/2009, entry 7 is replaced by the text set out in the Annex to this Regulation.

Article 2

1. From 17 June 2019 cosmetic products containing Biphenyl-2-ol and not complying with the conditions laid down in this Regulation shall not be placed on the Union market.

From 17 September 2019 cosmetic products containing Biphenyl-2-ol and not complying with the conditions laid down in this Regulation shall not be made available on the Union market.

2. From 17 June 2019 cosmetic products containing Sodium 2-biphenylate, Potassium 2-biphenylate or 2-aminoethan-1-ol; 2-phenylphenol as preservatives shall not be placed on the Union market.

From 17 September 2019 cosmetic products containing Sodium 2-biphenylate, Potassium 2-biphenylate or 2-aminoethan-1-ol; 2-phenylphenol as preservatives shall not be made available on the Union market.

Article 3

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

Article 1 shall apply from 17 June 2019.

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

Done at Brussels, 26 November 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Reference number	Substance Identification				Conditions			Wording of conditions of use and warnings
	Chemical name/INN	Name of Common Ingredients Glossary	CAS number	EC number	Product type, Body parts	Maximum concentration in ready for use preparation	Other	
a	b	c	d	e	f	g	h	i
'7	Biphenyl-2-ol (*)	o-Phenylphenol	90-43-7	201-993-5	(a) Rinse-off Products (b) Leave-on products	(a) 0,2 % (as phenol) (b) 0,15 % (as phenol)		Avoid contact with eyes

(*) From 17 June 2019 cosmetic products containing Biphenyl-2-ol and not complying with those conditions shall not be placed on the Union market. From 17 September 2019 cosmetic products containing Biphenyl-2-ol and not complying with those conditions shall not be made available on the Union market.'

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1848**of 26 November 2018****on the reimbursement, in accordance with Article 26(5) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council, of the appropriations carried over from financial year 2018**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽¹⁾, and in particular Article 26(6) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) In accordance with point (d) of the first subparagraph of Article 12(2) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽²⁾ non-committed appropriations relating to the actions financed by the European Agricultural Guarantee Fund (EAGF) as referred to in Article 4(1) of Regulation (EU) No 1306/2013 may be carried over to the following financial year. Such carryover is limited to 2 % of the initial appropriations voted by the European Parliament and by the Council and to the amount of the adjustment of direct payments as referred to in Article 8 of Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁽³⁾ which was applied during the preceding financial year.
- (2) In accordance with Article 26(5) of Regulation (EU) No 1306/2013, by way of derogation from the third subparagraph of Article 12(2) of Regulation (EU, Euratom) 2018/1046, Member States are to reimburse the carryover referred to in point (d) of the first subparagraph of Article 12(2) of Regulation (EU, Euratom) 2018/1046 to the final recipients who are subject to the adjustment rate in the financial year to which the appropriations are carried over. That reimbursement only applies to final beneficiaries in those Member States where financial discipline applied ⁽⁴⁾ in the preceding financial year.
- (3) When setting the amount of the carryover to be reimbursed, in accordance with Article 26(7) of Regulation (EU) No 1306/2013 the amounts of the reserve for crises in the agricultural sector referred to in Article 25 of that Regulation, not made available for crisis measures by the end of the financial year, are to be taken into account.
- (4) In accordance with Article 1(1) of Commission Implementing Regulation (EU) 2017/1236 ⁽⁵⁾, financial discipline is applied to direct payments in respect of calendar year 2017 to establish the crisis reserve. The crisis reserve has not been called on in financial year 2018.
- (5) In order to ensure that the reimbursement to the final recipients of unused appropriations as a result of the application of financial discipline remains proportionate to the amount of the financial discipline adjustment, it is appropriate that the Commission determines the amounts available to the Member States for the reimbursement. However, in the case of Romania, further clarification of the amount is required with reference to the threshold of EUR 2 000 that applies to financial discipline in accordance with Article 8(1) of Regulation (EU) No 1307/2013. Therefore, with a view to sound financial management, at this stage no amount should be made available to Romania for reimbursement.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

⁽³⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

⁽⁴⁾ Financial discipline does not apply in financial year 2018 in Croatia in accordance with Article 8(2) of Regulation (EU) No 1307/2013.

⁽⁵⁾ Commission Implementing Regulation (EU) 2017/1236 of 7 July 2017 fixing the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2017 (OJ L 177, 8.7.2017, p. 34).

- (6) To avoid compelling Member States to make an additional payment for that reimbursement, this Regulation needs to apply from 1 December 2018. Consequently, the amounts established by this Regulation are definitive and apply, without prejudice to the application of reductions in accordance with Article 41 of Regulation (EU) No 1306/2013, to any other corrections taken into account in the monthly payment decision concerning the expenditure effected by the paying agencies of the Member States for October 2018, in accordance with Article 18(3) of Regulation (EU) No 1306/2013 and to any deductions and supplementary payments to be made in accordance with Article 18 (4) of that Regulation or to any decisions which will be taken within the framework of the clearance of accounts procedure.
- (7) In accordance with the introductory phrase of Article 12(2) of Regulation (EU, Euratom) 2018/1046 the non-committed appropriations may be carried over to the following financial year only. It is therefore appropriate for the Commission to determine eligibility dates for the expenditure of the Member States in relation to the reimbursement in accordance with Article 26(5) of Regulation (EU) No 1306/2013, taking into account the agricultural financial year as defined in Article 39 of that Regulation.
- (8) In order to take into account the short time span between the communication of the execution of 2018 EAGF appropriations under shared management for the period from 16 October 2017 to 15 October 2018 by the Member States and the need to apply this Regulation from 1 December 2018, this Regulation should enter into force on the date of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the appropriations that will be carried over from financial year 2018 in accordance with point (d) of the first subparagraph and the third subparagraph of Article 12(2) of Regulation (EU, Euratom) 2018/1046 and that in accordance with Article 26(5) of Regulation (EU) No 1306/2013 are made available to the Member States for the reimbursement to the final recipients who are subject to the adjustment rate in financial year 2019, are laid down in the Annex to this Regulation.

The amounts that will be carried over are subject to the carryover decision of the Commission in accordance with Article 12(3) of Regulation (EU, Euratom) 2018/1046.

Article 2

Member States' expenditure in relation to the reimbursement of the appropriations carried over shall only be eligible for Union financing if the relevant amounts have been paid to the beneficiaries before 16 October 2019.

Article 3

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

It shall apply from 1 December 2018.

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

Done at Brussels, 26 November 2018.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General*

Directorate-General for Agriculture and Rural Development

ANNEX

Amounts available for reimbursement of appropriations carried over*(amounts in EUR)*

Belgium	6 161 684
Bulgaria	9 587 009
Czech Republic	10 987 702
Denmark	10 546 883
Germany	59 193 541
Estonia	1 447 227
Ireland	13 388 758
Greece	17 000 938
Spain	56 644 658
France	89 984 293
Italy	37 174 980
Cyprus	361 986
Latvia	2 320 276
Lithuania	4 395 876
Luxembourg	414 189
Hungary	15 304 215
Malta	35 723
Netherlands	8 806 769
Austria	7 072 660
Poland	25 830 473
Portugal	6 760 101
Slovenia	930 229
Slovakia	5 782 443
Finland	5 996 258
Sweden	8 136 646
United Kingdom	39 617 734

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2018/1849

of 23 November 2018

amending Implementing Decision 2014/190/EU as regards the annual breakdown of the resources from the specific allocation for the Youth Employment Initiative by Member State

(notified under document C(2018) 7100)

THE EUROPEAN COMMISSION,

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

Having regard to 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 91(2) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/190/EU ⁽²⁾ sets out, among others, the annual breakdown by Member State of resources from the specific allocation for the Youth Employment Initiative ('YEI').
- (2) By Regulation (EU) 2018/1719 of the European Parliament and of the Council ⁽³⁾ amending Regulation (EU) No 1303/2013, the commitment appropriations for the specific allocation for the YEI for 2018 have been increased and the commitment appropriations for 2020 have been adjusted downwards accordingly to reflect the frontloading to 2018.
- (3) The annual breakdown of the specific allocation for the YEI set out in 2011 prices in Annex III to Decision 2014/190/EU should therefore be amended accordingly.
- (4) In order to allow Member States to plan ahead, the annual breakdown should also 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. Annex X to Decision 2014/190/EU should therefore be amended accordingly.
- (5) Implementing Decision 2014/190/EU should therefore be amended,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) Annex III is replaced by the text set out in Annex I to this Decision;
- (2) Annex X is replaced by the text set out in Annex II to this Decision.

⁽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⁾ Regulation (EU) 2018/1719 of the European Parliament and of the Council of 14 November 2018 amending Regulation (EU) No 1303/2013 as regards the resources for economic, social and territorial cohesion and the resources for the Investment for growth and jobs goal (OJ L 291, 16.11.2018, p. 5).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 November 2018.

For the Commission
Corina CREȚU
Member of the Commission

ANNEX I

'ANNEX III

YOUTH EMPLOYMENT INITIATIVE — SPECIFIC ALLOCATION

(EUR, 2011 prices)

	2014	2015	2016	2017	2018	2019	2020	Total
BE	22 464 896	17 179 038	0	7 569 546	5 194 787	3 395 285	1 664 356	57 467 908
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	29 193 451	20 034 721	13 094 589	6 418 916	228 977 295
ES	499 481 827	381 956 689	0	154 715 855	106 177 548	69 397 090	34 018 181	1 245 747 190
FR	164 197 762	125 562 994	0	59 683 863	40 959 513	26 770 924	13 123 002	430 298 058
HR	35 033 821	26 790 569	0	12 993 208	8 916 907	5 828 044	2 856 884	92 419 433
IT	300 437 373	229 746 226	0	126 913 692	87 097 632	56 926 557	27 905 173	829 026 653
CY	6 126 207	4 684 747	0	2 428 857	1 666 863	1 089 453	534 046	16 530 173
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
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

(EUR, 2011 prices)

	2014	2015	2016	2017	2018	2019	2020	Total
PL	133 639 212	102 194 692	0	6 060 353	4 159 066	2 718 344	1 332 522	250 104 189
PT	85 111 913	65 085 581	0	23 156 678	15 891 838	10 386 822	5 091 580	204 724 412
RO	56 112 815	42 909 800	0	16 695 447	11 457 659	7 488 666	3 670 915	138 335 302
SI	4 876 537	3 729 117	0	0	0	0	0	8 605 654
SK	38 209 190	29 218 793	0	4 574 741	3 139 529	2 051 979	1 005 873	78 200 105
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
EU 28	1 608 209 117	1 389 991 061	0	443 985 691	304 696 063	199 147 753	97 621 448	4 043 651 133'

YOUTH EMPLOYMENT INITIATIVE — SPECIFIC ALLOCATION

(EUR, current prices)

	2014	2015	2016	2017	2018	2019	2020	Total
BE	23 839 927	18 595 143	0	8 524 538	5 967 177	3 978 118	1 989 059	62 893 962
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	32 876 567	23 013 597	15 342 398	7 671 199	250 420 790
ES	530 054 111	413 442 204	0	174 235 182	121 964 627	81 309 751	40 654 875	1 361 660 750
FR	174 247 979	135 913 423	0	67 213 724	47 049 606	31 366 404	15 683 202	471 474 338
HR	37 178 171	28 998 973	0	14 632 462	10 242 723	6 828 482	3 414 241	101 295 052
IT	318 826 544	248 684 704	0	142 925 430	100 047 801	66 698 534	33 349 267	910 532 280
CY	6 501 180	5 070 921	0	2 735 288	1 914 702	1 276 468	638 234	18 136 793
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
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

(EUR, current prices)

	2014	2015	2016	2017	2018	2019	2020	Total
PL	141 819 001	110 618 821	0	6 824 942	4 777 460	3 184 973	1 592 486	268 817 683
PT	90 321 443	70 450 726	0	26 078 181	18 254 727	12 169 818	6 084 909	223 359 804
RO	59 547 368	46 446 947	0	18 801 785	13 161 249	8 774 166	4 387 083	151 118 598
SI	5 175 020	4 036 516	0	0	0	0	0	9 211 536
SK	40 547 898	31 627 361	0	5 151 901	3 606 331	2 404 221	1 202 111	84 539 823
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
EU 28	1 706 644 381	1 504 571 025	0	500 000 000	350 000 000	233 333 333	116 666 666	4 411 215 405'

