COMMISSION IMPLEMENTING DECISION (EU) 2020/1036

of 15 July 2020

on the non-approval of certain active substances in biocidal products pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council

(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]), as last amended by Commission Delegated Regulation (EU) 2019/227 ([3]), establishes in its Annex II a list of active substance/product-type combinations included in the review programme of existing active substances in biocidal products on 30 March 2019.

(2) For a number of active substance/product-type combinations included in that list, all the participants have withdrawn their support in a timely manner.

(3) The Commission was informed, in accordance with Article 12(3) of Delegated Regulation (EU) No 1062/2014, of those active substance/product-type combinations for which all participants made a timely withdrawal and for which the role of participant had previously been taken over. In accordance with point (a) of the first paragraph of Article 20 of Delegated Regulation (EU) No 1062/2014, those active substance/product-type combinations should not be approved for use in biocidal products.

(4) An open invitation was published to take over the role of participant for those active substance/product-type combinations for which the role of participant had not previously been taken over. For some of those combinations no notification has been submitted or a notification has been submitted and rejected pursuant to paragraph 4 or paragraph 5 of Article 17 of Delegated Regulation (EU) No 1062/2014. In accordance with point (b) of the first paragraph of Article 20 of Delegated Regulation (EU) No 1062/2014, those active substance/product-type combinations should not be approved for use in biocidal products.

(5) 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

The active substances listed in the Annex are not approved for the product-types indicated therein.

([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]) Commission Delegated Regulation (EU) 2019/227 of 28 November 2018 amending Delegated Regulation (EU) No 1062/2014 as regards certain active substances/product-type combinations for which the competent authority of the United Kingdom has been designated as the evaluating competent authority (OJ L 37, 8.2.2019, 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, 15 July 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Active substance/product-type combinations not approved, including any nanomaterial forms:

Entry Number in Annex II to Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
37	Formic acid	BE	200-579-1	64-18-6	11, 12
1025	Performic acid generated from formic acid and hydrogen peroxide	BE	n/a	n/a	3, 5, 6
1027	Peracetic acid generated from 1,3- diacetyloxypropan-2-yl acetate and hydrogen peroxide	AT	n/a	n/a	4
1028	Peracetic acid generated from tetraacetylethylenediamine (TAED) and sodium perborate monohydrate	AT	n/a	n/a	3
1029	Peracetic acid generated by perhydrolysis of N-acetylcaprolactam by hydrogen peroxide in alkaline conditions	AT	n/a	n/a	2
85	Symclosene	DE	201-782-8	87-90-1	12
195	Sodium 2-biphenylate	ES	205-055-6	132-27-4	4, 6, 7, 9, 10, 13
253	Tetrahydro-3,5-dimethyl-1,3,5-thiadiazine-2-thione (Dazomet)	BE	208-576-7	533-74-4	6, 12
346	Sodium dichloroisocyanurate dihydrate	DE	220-767-7	51580-86-0	12
345	Troclosene sodium	DE	220-767-7	2893-78-9	12
359	Formaldehyde released from (Ethylenedioxy)dimethanol (Reaction products of ethylene glycol with paraformaldehyde (EGForm))	PL	222-720-6	3586-55-8	2
382	Tetrahydro-1,3,4,6-tetrakis(hydroxymethyl)imidazo[4,5-d] imidazole-2,5 (1H,3H)-dione (TMAD)	ES	226-408-0	5395-50-6	2
1035	Active bromine generated from ozone and bromide of natural water and sodium bromide	NL	n/a	n/a	2
1036	Hydrogen peroxide released from sodium percarbonate	FI	n/a	n/a	5
473	Pyrethrins and Pyrethroids	ES	232-319-8	8003-34-7	18, 19
1041	Chlorine dioxide generated from sodium chloride by electrolysis	DE	n/a	n/a	2, 3, 4, 5, 11, 12

1044	Chlorine dioxide generated from sodium chlorite and sodium persulfate	DE	n/a	n/a	12
597	1-[2-(Allyloxy)-2-(2,4-dichlorophenyl)ethyl]-1H-imidazole (Imazalil)	DE	252-615-0	35554-44-0	3
939	Active chlorine generated from sodium chloride by electrolysis	SK	n/a	n/a	12
1052	Active chlorine generated from magnesium chloride hexahydrate by electrolysis	FR	n/a	n/a	2
1053	Active chlorine generated from potassium chloride by electrolysis	DK	n/a	n/a	2, 4
1055	Active chlorine generated from sodium chloride and pentapotassium bis(peroxymonosulfate)bis(sulfate) (KPMS) and sulfamic acid	SI	n/a	n/a	2, 3
1056	Active chlorine generated from hydrochloric acid by electrolysis	SI	n/a	n/a	2, 4, 5
731	*Chrysanthemum cinerariaefolium*, ext.	ES	289-699-3	89997-63-7	18
811	Silver sodium hydrogen zirconium phosphate	SE	422-570-3	265647-11-8	1
1014	Silver zeolite	SE	n/a	n/a	5
868	Polyhexamethylene biguanide hydrochloride with a mean number-average molecular weight (Mn) of 1415 and a mean polydispersity (PDI) of 4,7 (PHMB(1415;4,7))	FR	Polymer	1802181-67-4/32289-58-0	3, 9, 11