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COMMISSION IMPLEMENTING DECISION (EU) 2026/2564

of 19 November 2026

postponing the expiry date of the approval of hydrogen cyanide for use in biocidal products of product-types 8, 14 and 18 in accordance with 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 Article 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

(1) Hydrogen cyanide was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ([2]) as an active substance for use in biocidal products of product-types 8, 14 and 18. Pursuant to Article 86 of Regulation (EU) No 528/2012, it was therefore considered approved until 30 September 2024 under that Regulation subject to the specifications and conditions set out in Annex I to Directive 98/8/EC.

(2) On 29 March 2023, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of hydrogen cyanide for use in biocidal products of product-type 8, and on 30 March 2023, applications were submitted for the renewal of that approval for use in biocidal products of product-types 14 and 18 ('the applications').

(3) Commission Implementing Decision (EU) 2024/1278 ([3]) postponed the expiry date of the approval of hydrogen cyanide for use in biocidal products of product-types 8, 14 and 18 until 31 March 2027, in order to allow sufficient time for the examination of the applications.

(4) On 26 May 2026, the evaluating competent authority of Czech Republic informed the Commission that the evaluation is further delayed, due to the assessment of data related to reproductive toxicity and the examination of the endocrine-disrupting properties of the substance. From the information provided by the evaluating competent authority it appears that, for reasons beyond the control of the applicant, it is unlikely that that authority will be able to submit a renewal assessment report to the European Chemicals Agency ('the Agency') before 2029.

(5) Consequently, for reasons beyond the control of the applicant, the approval for use in biocidal products of product-types 8, 14 and 18 is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to further postpone the expiry date of the approval for a period sufficient to enable the examination of the applications.

(6) Taking into account the time-limits for evaluation by the evaluating competent authority, for preparation and submission by the Agency of its opinions and the time needed for the Commission to decide on the renewal of the approval of hydrogen cyanide for use in biocidal products of product-types 8, 14 and 18, the expiry date of that approval should be postponed until 30 September 2029.

([1]) OJ L 167, 27.6.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/528/oj.

([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, ELI: http://data.europa.eu/eli/dir/1998/8/oj).

([3]) Commission Implementing Decision (EU) 2024/1278 of 8 May 2024 postponing the expiry date of the approval of hydrogen cyanide for use in biocidal products of product-types 8, 14 and 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L, 2024/1278, 13.5.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1278/oj).

(7) After that further postponement of the expiry date of the approval, hydrogen cyanide remains approved for use in biocidal products of product-types 8, 14 and 18 subject to the conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval of hydrogen cyanide for use in biocidal products of product-types 8, 14 and 18 set out in Implementing Decision (EU) 2024/1278 is postponed to 30 September 2029.

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, 19 November 2026.

For the Commission
The President
Ursula VON DER LEYEN