

COMMISSION IMPLEMENTING DECISION (EU) 2023/458**of 1 March 2023****on the non-approval of certain active substances for use in biocidal products 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 89(1), third subparagraph, thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ 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.
- (2) For a number of active substance/product-type combinations included in that list, all the participants have withdrawn or are considered to have withdrawn their support in a timely manner.
- (3) In accordance with Article 14(1) of Delegated Regulation (EU) No 1062/2014, the European Chemicals Agency published an open invitation 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 those combinations no notification has been submitted to the European Chemicals Agency within the time limit provided for by Article 14(2) of Delegated Regulation (EU) No 1062/2014. Therefore, those active substance/product-type combinations, in accordance with Article 20, first paragraph, point (b), of Delegated Regulation (EU) No 1062/2014, should not be approved for use in biocidal products.
- (4) 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.

*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*.

⁽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).

Done at Brussels, 1 March 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Active substance/product-type combinations not approved:

Entry Number in Annex II to Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
1022	Dialuminium chloride pentahydroxide	NL	234-933-1	12042-91-0	2
691	Sodium N-(hydroxymethyl) glycinate	AT	274-357-8	70161-44-3	6
459	Reaction mass of titanium dioxide and silver chloride	SE	Not available	Not available	1, 2, 6, 7, 9, 10, 11
531	(benzyloxy)methanol	AT	238-588-8	14548-60-8	13
1016	Silver chloride	SE	232-033-3	7783-90-6	1
444	7a-ethylidihydro-1H,3H,5H-oxazolo[3,4-c]oxazole (EDHO)	PL	231-810-4	7747-35-5	6, 13
797	cis-1-(3-chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride (cis CTAC)	PL	426-020-3	51229-78-8	6, 13
368	Methenamine 3-chloroallylochloride (CTAC)	PL	223-805-0	4080-31-3	6, 12, 13