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)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1930

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(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 algaecides 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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1930. (See end of Document for details)*

(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.

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 JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1930. (See end of Document for details)*

ANNEX

Common Name	**IUPAC NameIdentification Numbers**	**Minimum degree of purity of the active substance**[a]	**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	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