COMMISSION REGULATION (EC) No 1687/2002

of 25 September 2002

on an additional period for notification of certain active substances already on the market for biocidal use as established in Article 4(1) of Regulation (EC) No 1896/2000

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 [1], and in particular Article 16(2) thereof,

Whereas:

(1) Pursuant to Directive 98/8/EC a programme of work is to be carried out concerning a review of all active existing substances of biocidal products already on the market on 14 May 2000, hereinafter referred to as 'existing active substances'. The first phase of the programme of work was laid down by Commission Regulation (EC) No 1896/2000 of 7 September 2000 on the first phase of the programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council on biocidal products [2]. Pursuant to Directive 98/8/EC the timetable for the programme of work is to be set by the Commission.

(2) According to Article 3(1) of Regulation (EC) No 1896/2000 each producer of an existing active substance placed on the market for use in biocidal products had to identify that active substance to the Commission by 28 March 2002. Pursuant to Article 4(1) and Article 8(1) of that Regulation producers, formulators and associations wishing to apply for the inclusion in Annex I, Annex IA or Annex IB to Directive 98/8/EC of an existing active substance in one or more product types had to notify that active substance to the Commission by 28 March 2002. According to Article 3(2) of that Regulation these producers or formulators did not have to make a separate identification.

(3) A preliminary list of existing active substances which have been identified in accordance with Regulation (EC) No 1896/2000 has been established [3]. Furthermore, a preliminary list of existing active substances for which at least one notification in accordance with Article 4(1) or Article 8(1) of Regulation (EC) No 1896/2000 has been made has also been established. This list indicates for each notified existing active substance the product types concerned and the Annex to Directive 98/8/EC, for which inclusion is sought [4].

(4) These lists could not be made publicly available before the deadline had expired on 28 March 2002 for submitting notifications of existing active substances in one or more product types in accordance with Article 4(1) of Regulation (EC) No 1896/2000. For reasons of transparency and clarity of the establishment and implementation of the first phase of the work programme concerning the existing active substances already on the market it should be possible for producers, formulators and associations to submit notifications for existing active substances for one or more product types where the existing active substance has only been identified or for product types other than those for which the existing active substance has already been notified. Such notification should be made not later than 31 January 2003. This additional period should be without negative effect on the establishment of the final lists, the prioritisation of the review and all other deadlines in the programme of work as set out in Regulation (EC) No 1896/2000.

(5) The additional period should allow producers, formulators and associations wishing to apply for the inclusion in Annex I, IA or IB to Directive 98/8/EC of such an existing active substance in one or more product types to notify that active substance to the Commission in accordance with Regulation (EC) No 1896/2000 by submitting the information referred to in Annex II to that Regulation.

(6) 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

Scope

This Regulation lays down an additional period for submitting notifications in accordance with Article 4(1) of Regulation (EC) No 1896/2000 for existing active substances, that have only been identified, or only notified for certain product types.

[1] OJ L 123, 24.4.1998, p. 1.
[2] OJ L 228, 8.9.2000, p. 6.
[3] These active substances are listed in the preliminary electronic list of identified existing active substances at: http://ecb.jrc.it/biocides.
[4] These active substances are listed in the preliminary list of notified existing active substances at: http://ecb.jrc.it/biocides.