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)

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(2) For a number of active substance/product-type combinations included in that list, all the participants have withdrawn their support in a timely manner.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

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

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/1036. (See end of Document for details)*

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-	BE	208-576-7	533-74-4	6, 12

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/1036. (See end of Document for details)*

	thione (Dazomet)				
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	DE	n/a	n/a	12