Commission Implementing Decision (EU) 2019/1973 of 27 November 2019 not approving silver copper zeolite as an existing active substance for use in biocidal products of product-types 2 and 7 (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1973

of 27 November 2019

not approving silver copper zeolite as an existing active substance for use in biocidal products of product-types 2 and 7

(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 silver copper zeolite (EC No: n.a., CAS No: 130328-19-7).

(2) Silver copper zeolite has been evaluated for use in products of product-type 2, disinfectants and algaecides not intended for direct application to humans or animals, and of product-type 7, film preservatives, as described in Annex V to Regulation (EU) No 528/2012.

(3) Sweden was designated as a rapporteur Member State and its competent authority submitted the assessment reports together with its conclusions to the European Chemicals Agency on 12 June 2017.

(4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency[(3)] were adopted on 17 October 2018 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 2 and 7 containing silver copper zeolite may not be expected to meet the criteria laid down in Article 19(1)(b) of Regulation (EU) No 528/2012 as sufficient efficacy has not been demonstrated.

(6) Taking into account the opinions of the European Chemicals Agency, it is not appropriate to approve silver copper zeolite for use in biocidal products of product-types 2 and 7, as the conditions laid down in Article 4(1) of Regulation (EU) No 528/2012 are not satisfied.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/1973. (See end of Document for details)*

(7) 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

Silver copper zeolite (EC No: n.a., CAS No: 130328-19-7) is not approved as an active substance for use in biocidal products of product-types 2 and 7.

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, 27 November 2019.

For the Commission

The President

Jean-Claude JUNCKER