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COMMISSION IMPLEMENTING DECISION (EU) 2025/950

of 22 May 2025

postponing the expiry date of the approval of 1R-trans phenothrin for use in biocidal products of product-type 18 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 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

(1) 1R-trans phenothrin was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ([2]) as an active substance for use in biocidal products for product-type 18. Pursuant to Article 86 of Regulation (EU) No 528/2012, it is therefore considered approved under that Regulation subject to the conditions set out in Annex I to Directive 98/8/EC.

(2) The approval of 1R-trans phenothrin for use in biocidal products of product-type 18 ('the approval') is to expire on 31 August 2025. On 27 February 2024, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval ('the application').

(3) On 19 June 2024, the evaluating competent authority of Ireland informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of that Regulation, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.

(4) The evaluating competent authority may, as appropriate, require the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of Regulation (EU) No 528/2012. In that event, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.

(5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.

(6) Consequently, for reasons beyond the control of the applicant, the approval is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of the approval for a period of time sufficient to enable the examination of the application. Taking into account the time-limits for evaluation by the evaluating competent authority, for preparation and submission by the European Chemicals Agency of its opinion and the time needed for the Commission to decide whether to renew the approval, the expiry date should be postponed to 29 February 2028.

([1]) OJ L 167, 27.6.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/528/oj.
([2]) 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 (OJ L 123, 24.4.1998, p. 1, ELI: http://data.europa.eu/eli/dir/1998/8/oj).

(7) After the postponement of the expiry date of the approval, 1R-trans phenothrin remains approved for use in biocidal products of product-type 18 subject to the conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval of 1R-trans phenothrin for use in biocidal products of product-type 18 set out in Annex I to Directive 98/8/EC is postponed to 29 February 2028.

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, 22 May 2025.

For the Commission
The President
Ursula VON DER LEYEN