



COMMISSION IMPLEMENTING DECISION (EU) 2024/888

of 22 March 2024

on the non-approval of certain active substances for use in biocidal products 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 89(1), third subparagraph, thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ 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.
- (2) For a number of active substance/product-type combinations included in that list, all the participants have withdrawn or are considered to have withdrawn their support in a timely manner.
- (3) In accordance with Article 14(1) of Delegated Regulation (EU) No 1062/2014, the European Chemicals Agency ('the Agency') published an open invitation 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 those combinations no notification has been submitted to the Agency within the time limit provided for by Article 14(2) of Delegated Regulation (EU) No 1062/2014. Therefore, those active substance/product-type combinations, in accordance with Article 20, first paragraph, point (b), of that Delegated Regulation, should not be approved for use in biocidal products. Those active substance/product-type combinations are the following:
 - (a) biphenyl-2-ol (product-type 7);
 - (b) potassium dimethyldithiocarbamate (product-types 9, 11, 12);
 - (c) silver-polyethylenimine-chloride (product-types 1, 2, 9);
 - (d) reaction products of glutamic acid and N-(C12-C14-alkyl)propylenediamine (Glucoprotamin) (product-types 2, 4);
 - (e) poly(oxy-1,2-ethanediyl),.alpha.-[2-(dide-cylmethylammonio)ethyl]-.omega.-hydroxy, propanoate (salt) (Bardap 26) (product-types 2, 4, 10).
- (4) In addition, in accordance with Article 12(3) of Delegated Regulation (EU) No 1062/2014, the Agency informed the Commission of those active substance/product-type combinations for which all participants have withdrawn or are considered to have withdrawn their support in a timely manner, and for which the role of participant had previously been taken over. Those active substance/product-type combinations which, in accordance with Article 20, first paragraph, point (a), of that Delegated Regulation, should not be approved for use in biocidal products are the following:
 - (a) 2,2-Dibromo-2-cyanoacetamide (DBNPA)(product-type 2);

⁽¹⁾ OJ L 167, 27.6.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/528/oj>.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1, ELI: http://data.europa.eu/eli/reg_del/2014/1062/oj).

- (b) active chlorine generated from magnesium chloride hexahydrate and potassium chloride by electrolysis (product-type 2);
 - (c) garlic, ext. - *Extractives and their physically modified derivatives such as tinctures, concretes, absolutes, essential oils, oleoresins, terpenes, terpene-free fractions, distillates, residues, etc., obtained from Allium sativum, Liliaceae* (product-type 19);
 - (d) brandy (product-type 19).
- (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, 22 March 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Active substance/product-type combinations not approved:

Entry Number in Annex II to Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
92	Biphenyl-2-ol	ES	201-993-5	90-43-7	7
187	Potassium dimethyldithiocarbamate	SE	204-875-1	128-03-0	9, 11, 12
1076	Silver-polyethylenimine-chloride	SE	Not available	Not available	1, 2, 9
494	2,2-Dibromo-2-cyanoacetamide (DBNPA)	DK	233-539-7	10222-01-2	2
1051	Active chlorine generated from magnesium chloride hexahydrate and potassium chloride by electrolysis	FR	Not available	Not available	2
779	Reactions products of glutamic acid and N-(C12-C14-alkyl) propylenediamine (Glucoprotamin)	DE	403-950-8	164907-72-6	2, 4
869	Poly (oxy-1,2-ethanediy),.alpha.-[2-(dide-cylmethylammonio) ethyl]-.omega.-hydroxy-, propanoate (salt) (Bardap 26)	IT	Polymer	94667-33-1	2, 4, 10
1071	Garlic, ext. <i>Extractives and their physically modified derivatives such as tinctures, concretes, absolutes, essential oils, oleoresins, terpenes, terpene-free fractions, distillates, residues, etc., obtained from Allium sativum, Liliaceae.</i>	AT	232-371-1	8008-99-9	19
1072	Brandy	tbd	Not available	Not available	19