

COMMISSION IMPLEMENTING DECISION**of 24 April 2014****on the non-approval of certain biocidal active substances pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council****(Text with EEA relevance)**

(2014/227/EU)

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 Regulation (EC) No 1451/2007 ⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾.
- (2) For a number of substance/product-type combinations included in that list, either all participants have discontinued their participation in the review programme, or no complete dossier was received within the time period specified in Article 9 and Article 12(3) of Regulation (EC) No 1451/2007 by the Member State designated as Rapporteur for the evaluation.
- (3) Consequently, and pursuant to Articles 11(2), 12(1) and 13(5) of Regulation (EC) No 1451/2007, the Commission informed the Member States accordingly. That information was also made public by electronic means.
- (4) Within the period of three months from this publication, a number of companies indicated an interest in taking over the role of participant for one or more of the substances and product-types concerned. However, those companies subsequently failed to submit a complete dossier or withdrew.
- (5) Pursuant to Article 12(4) and (5) of Regulation (EC) No 1451/2007, the substances and product-types concerned should therefore not be approved in accordance with Article 9 of Regulation (EU) No 528/2012.
- (6) 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 substances indicated in the Annex to this Decision shall not be approved for the product-types indicated therein.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 325, 11.12.2007, p. 3).

⁽³⁾ 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).

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, 24 April 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

Substances and product types not to be approved

Name	EC number	CAS number	Product-type	Rapporteur Member State
Bis[1-cyclohexyl-1,2-di(hydroxy-.kappa.O) diazeniumato(2-)]-copper	—	312600-89-8	7	AT
Bis[1-cyclohexyl-1,2-di(hydroxy-.kappa.O) diazeniumato(2-)]-copper	—	312600-89-8	9	AT
Bis[1-cyclohexyl-1,2-di(hydroxy-.kappa.O) diazeniumato(2-)]-copper	—	312600-89-8	10	AT
Nonanoic acid	203-931-2	112-05-0	10	AT
Glutaral	203-856-5	111-30-8	1	FI
Glutaral	203-856-5	111-30-8	13	FI
Disilver oxide	243-957-1	20667-12-3	11	SE
4,4-dimethyloxazolidine	257-048-2	51200-87-4	6	UK
4,4-dimethyloxazolidine	257-048-2	51200-87-4	12	UK
4,4-dimethyloxazolidine	257-048-2	51200-87-4	13	UK
2-Butanone, peroxide	215-661-2	1338-23-4	3	HU
2-Butanone, peroxide	215-661-2	1338-23-4	6	HU
Polymer of formaldehyde and acrolein	Polymer	26781-23-7	3	HU
Silver chloride	232-033-3	7783-90-6	3	SE
Silver chloride	232-033-3	7783-90-6	4	SE
Silver chloride	232-033-3	7783-90-6	5	SE
Silver chloride	232-033-3	7783-90-6	13	SE
Pine ext.	304-455-9	94266-48-5	10	LV
Triclosan	222-182-2	3380-34-5	2	DK
Triclosan	222-182-2	3380-34-5	7	DK
Triclosan	222-182-2	3380-34-5	9	DK
2-Phenoxyethanol	204-589-7	122-99-6	3	UK