

**COMMISSION IMPLEMENTING DECISION (EU) 2018/1985****of 13 December 2018****not approving *Willaertia magna c2c maky* as an active substance for use in biocidal products of product-type 11****(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 <sup>(1)</sup>, and in particular Article 9(1)(b) thereof,

Whereas:

- (1) The evaluating competent authority of France received on 17 March 2014 an application for the approval of the microorganism *Willaertia magna c2c maky* for use as an active substance in biocidal products of product-type 11, preservatives for liquid cooling and processing systems, as described in Annex V to Regulation (EU) No 528/2012.
- (2) The evaluating competent authority of France submitted the assessment report together with its conclusions on 15 March 2017 in accordance with Article 8(1) of Regulation (EU) No 528/2012.
- (3) The opinion of the European Chemicals Agency was formulated on 26 April 2018 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority <sup>(2)</sup>.
- (4) According to that opinion, biocidal products of product-type 11 containing *Willaertia magna c2c maky* may not be expected to meet the criteria laid down in Article 19(1)(b) of Regulation (EU) No 528/2012. In particular, the scenarios evaluated in the human health risk assessment identified unacceptable risks and no safe use could be identified. Moreover, the innate efficacy of *Willaertia magna c2c maky* to control *Legionella pneumophila* was not sufficiently demonstrated.
- (5) Taking into account the opinion of the European Chemicals Agency, the Commission considers it not appropriate to approve *Willaertia magna c2c maky* for use in biocidal products of product-type 11.
- (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**Willaertia magna c2c maky* is not approved as an active substance for use in biocidal products of product-type 11.<sup>(1)</sup> OJ L 167, 27.6.2012, p. 1.<sup>(2)</sup> Biocidal Products Committee (BPC) Opinion on the application for approval of the active substance: *Willaertia magna c2c maky*, product-type 11, ECHA/BPC/206/2018, adopted on 26 April 2018.

*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, 13 December 2018.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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