COMMISSION IMPLEMENTING DECISION (EU) …/…

of XXX

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)
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of XXX

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 products¹, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

(1) Commission Delegated Regulation (EU) No 1062/2014² 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 algaeicides 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 Agency³ 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-

³ Biocidal Products Committee (BPC) opinion on the application for approval of the active substance Silver copper zeolite, Product type: 2, ECHA/BPC/210/2018, adopted on 17 October 2018; Biocidal Products Committee (BPC) opinion on the application for approval of the active substance Silver copper zeolite, Product type: 7, ECHA/BPC/213/2018, adopted on 17 October 2018.
types 2 and 7, as the conditions laid down in Article 4(1) of Regulation (EU) No 528/2012 are not satisfied.

(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,

For the Commission
The President
Jean-Claude JUNCKER