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[...] (2022) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of **XXX****

**approving *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide as an active substance for use in biocidal products of product-type 19 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council**

(Text with EEA relevance)

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(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 89(1), third subparagraph, thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014<sup>2</sup> establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide.
- (2) *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide has been evaluated for use in biocidal products of product-type 19 (repellents and attractants), as described in Annex V to Directive 98/8/EC of the European Parliament and of the Council<sup>3</sup>, which correspond to product-type 19 as described in Annex V to Regulation (EU) No 528/2012.
- (3) Spain was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment report together with its conclusions to the Commission on 1 September 2010. After the submission of the assessment report, discussions took place in technical meetings organised by the Commission and, after 1 September 2013, by the European Chemicals Agency ('the Agency').
- (4) It follows from Article 90(2) of Regulation (EU) 528/2012 that substances for which the Member States' evaluation has been completed by 1 September 2013 should be assessed in accordance with the provisions of Directive 98/8/EC.

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<sup>1</sup> OJ L 167, 27.6.2012, p. 1.

<sup>2</sup> 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).

<sup>3</sup> 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).

- (5) In accordance with Article 75(1) of Regulation (EU) No 528/2012, the Biocidal Products Committee prepares the opinion of the Agency regarding the applications for approval of active substances. In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the Biocidal Products Committee adopted the opinion of the Agency<sup>4</sup> on 3 December 2021, having regard to the conclusions of the evaluating competent authority.
- (6) According to that opinion, biocidal products of product-type 19 containing *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide may be expected to satisfy the requirements laid down in Article 5(1), points (b), (c) and (d) of Directive 98/8/EC, provided that certain requirements concerning their use are complied with.
- (7) Taking into account the opinion of the Agency, it is appropriate to approve *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide as an active substance for use in biocidal products of product-type 19 subject to compliance with certain conditions.
- (8) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

*Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide is approved as an active substance for use in biocidal products of product-type 19 subject to the conditions set out in the Annex.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

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<sup>4</sup> Biocidal Products Committee Opinion on the application for approval of the active substance *Chrysanthemum cinerariaefolium*, extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide; Product-type 19; ECHA/BPC/313/2021, adopted on 3 December 2021.