

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2017/698

of 3 February 2017

amending Delegated Regulation (EU) No 1062/2014 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 concerning the making available on the market and use of biocidal products

(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) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ sets out, in its Annex II, an exhaustive list of existing active substances/product-type combinations included in the programme of review of existing biocidal active substances on 4 August 2014.
- (2) According to Article 14(3) of Delegated Regulation (EU) No 1062/2014, any person could have notified a substance/product-type combination included in part 2 of Annex II thereto within 12 months from the entry into force of that Regulation. Since that deadline has passed, part 2 of Annex II and Article 14(3) of that Regulation have become obsolete and Commission Implementing Decision (EU) 2016/1950 ⁽³⁾ has been taken not approving these substance/product type combinations.
- (3) Substance/product-type combinations notified pursuant to Article 14(3) and found compliant with Article 17(2) of Delegated Regulation (EU) No 1062/2014 should be included in part 1 of Annex II to that Regulation and removed from part 2 of that Annex.
- (4) According to Article 16(4) of Delegated Regulation (EU) No 1062/2014, an invitation was published where any person with an interest could notify the relevant active substance/product-type combination(s). One notification pursuant to Article 16(5) of Delegated Regulation (EU) No 1062/2014 and concerning dialuminium chloride pentahydroxide for use in product-type 2, was made before the deadline and was found compliant with Article 17(2) of Delegated Regulation (EU) No 1062/2014. Therefore this substance/product-type combination has to be included in part 1 of Annex II to that Regulation.
- (5) The Evaluating Competent Authority should be appointed pursuant to Article 81 of Regulation (EU) No 528/2012 for the active substance/product-type combinations mentioned in recital 3 and 4.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽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 (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Commission Implementing Decision (EU) 2016/1950 of 4 November 2016 on the non-approval of certain biocidal active substances pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 300, 8.11.2016, p. 14).

- (6) Active substance/product-type combinations for which a decision of approval or non-approval has been adopted since 4 August 2014 are no longer in the review programme, and therefore shall no longer be referred to in part 1 of Annex II to Delegated Regulation (EU) No 1062/2014.
- (7) The substance/product-type combinations listed in part 2 of Annex II to Delegated Regulation (EU) No 1062/2014 that were not notified pursuant to Article 14(3) of the Review Regulation should be removed from part 2 of that Annex. Part 2 of that Annex therefore becomes obsolete and should be removed.
- (8) Consequently, part 1 of Annex II to Delegated Regulation (EU) No 1062/2014 should become Annex II as it is the only remaining part in Annex II and references to Article 14(3) and part 1 of Annex II need to be removed.
- (9) Delegated Regulation (EU) No 1062/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) No 1062/2014 is amended as follows:

- (1) In Article 14, paragraph 3 is deleted.
- (2) Article 17 is amended as follows:
 - (a) paragraph 1 is replaced by the following:

‘1. Notifications pursuant to Article 14(2) or Article 16(5) shall be made to the Agency through the Register.’
 - (b) in paragraph 7, point (a) is replaced by the following:

‘(a) where the notification has been submitted pursuant to Article 14(2), update the information in the Register with respect to the identity of the participant and, where relevant, of the substance.’
- (3) In Article 20 points (b) and (c) are replaced by the following:
 - ‘(b) where no person has submitted a notification within the time limits provided for by Article 14(2) of this Regulation, or where such a notification has been submitted and rejected pursuant to Article 17(4) or Article 17(5) thereof;
 - (c) where a notification has been submitted within the time limits provided for by Article 14(2) of this Regulation and has been found compliant pursuant to Article 17(5) thereof, but the substance identity in the notification only covers part of the existing identity in Annex II to this Regulation.’
- (4) Annex II is replaced by the text set out in the Annex to this Regulation.

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, 3 February 2017.

For the Commission
The President
Jean-Claude JUNCKER

SUBSTANCE/PRODUCT-TYPE COMBINATIONS INCLUDED IN THE REVIEW PROGRAMME ON 3 FEBRUARY 2017

Active substance/product-type combinations supported on 3 February 2017 excluding any other nanomaterial than those explicitly mentioned in entries 1017, 1019 and 1023

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22	
1	Formaldehyde	DE	200-001-8	50-00-0		x	x															x	
6	2-(2-butoxyethoxy)ethyl 6-propylpiperonyl ether (Piperonyl butoxide/PBO)	EL	200-076-7	51-03-6															x				
9	Bronopol	ES	200-143-0	52-51-7		x				x			x		x	x							x
36	Ethanol	EL	200-578-6	64-17-5	x	x		x															
37	Formic acid	BE	200-579-1	64-18-6		x	x	x	x	x					x	x							
43	Salicylic acid	NL	200-712-3	69-72-7		x	x	x															
45	Propan-1-ol	DE	200-746-9	71-23-8	x	x		x															
52	Ethylene oxide	N	200-849-9	75-21-8		x																	
60	Citric acid	BE	201-069-1	77-92-9	x																		
69	Glycolic acid	NL	201-180-5	79-14-1		x	x	x															
70	Peracetic acid	FI	201-186-8	79-21-0											x	x							
71	L-(+)-lactic acid	DE	201-196-2	79-33-4		x	x	x		x													
79	(2R,6aS,12aS)-1,2,6,6a,12,12a-hexahydro-2-isopropenyl-8,9-dimethoxychromeno[3,4-b]furo[2,3-h]chromen-6-one (Rotenone)	UK	201-501-9	83-79-4															x				

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
210	Metam-sodium	BE	205-293-0	137-42-8									x		x							
227	2-thiazol-4-yl-1H-benzimidazole (Thiabendazole)	ES	205-725-8	148-79-8							x		x	x								
235	Diuron	DK	206-354-4	330-54-1							x			x								
239	Cyanamide	DE	206-992-3	420-04-2			x												x			
253	Tetrahydro-3,5-dimethyl-1,3,5-thiadiazine-2-thione (Dazomet)	BE	208-576-7	533-74-4						x						x						
283	Terbutryn	SK	212-950-5	886-50-0							x		x	x								
288	N-(Dichlorofluoromethylthio)-N',N'-dimethyl-N-phenylsulfamide (Dichlofluanid)	UK	214-118-7	1085-98-9							x										x	
292	(1,3,4,5,6,7-hexahydro-1,3-dioxo-2H-isoindol-2-yl)methyl (1R-trans)-2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (d-Tetramethrin)	DE	214-619-0	1166-46-7															x			
321	Monolinuron	UK	217-129-5	1746-81-2		x																
330	N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine (Diamine)	PT	219-145-8	2372-82-9		x	x	x		x		x			x	x	x					
336	2,2'-dithiobis[N-methylbenzamide] (DTBMA)	PL	219-768-5	2527-58-4						x												
339	1,2-benzisothiazol-3(2H)-one (BIT)	ES	220-120-9	2634-33-5		x				x			x		x	x	x					
341	2-methyl-2H-isothiazol-3-one (MIT)	SI	220-239-6	2682-20-4						x					x	x						

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
346	Sodium dichloroisocyanurate dihydrate	UK	220-767-7	51580-86-0		x	x	x	x						x	x						
345	Troclosene sodium	UK	220-767-7	2893-78-9		x	x	x	x						x	x						
348	Mecetronium ethyl sulphate (MES)	PL	221-106-5	3006-10-8	x																	
359	(ethylenedioxy)dimethanol (Reaction products of ethylene glycol with paraformaldehyde (EGForm))	PL	222-720-6	3586-55-8		x				x					x	x	x					
365	Pyridine-2-thiol 1-oxide, sodium salt (Sodium pyrithione)	SE	223-296-5	3811-73-2		x	x			x	x		x	x			x					
368	Methenamine 3-chloroallylochloride (CTAC)	PL	223-805-0	4080-31-3						x						x	x					
377	2,2',2'-(hexahydro-1,3,5-triazine-1,3,5-triyl)triethanol (HHT)	PL	225-208-0	4719-04-4						x					x	x	x					
382	Tetrahydro-1,3,4,6-tetrakis(hydroxymethyl)imidazo[4,5-d]imidazole-2,5(1H,3H)-dione (TMAD)	ES	226-408-0	5395-50-6		x				x					x	x	x					
392	Methylene dithiocyanate	FR	228-652-3	6317-18-6												x						
393	1,3-bis(hydroxymethyl)-5,5-dimethylimidazolidine-2,4-dione (DMDMH)	PL	229-222-8	6440-58-0						x							x					
397	Didecyldimethylammonium chloride (DDAC)	IT	230-525-2	7173-51-5	x	x	x	x		x				x	x	x						

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1022	Dialuminium chloride pentahydroxide	NL	234-933-1	12042-91-0		x																
515	Ammonium bromide	SE	235-183-8	12124-97-9											x	x						
522	Pyrithione zinc (Zinc pyriithione)	SE	236-671-3	13463-41-7		x				x	x		x	x							x	
524	Dodecylguanidine monohydrochloride	ES	237-030-0	13590-97-1						x					x							
526	Potassium 2-biphenylate	ES	237-243-9	13707-65-8						x			x	x			x					
529	Bromine chloride	NL	237-601-4	13863-41-7											x							
531	(benzyloxy)methanol	UK	238-588-8	14548-60-8						x							x					
541	Sodium p-chloro-m-cresolate	FR	239-825-8	15733-22-9	x	x	x			x			x				x					
550	D-gluconic acid, compound with N,N'-bis(4-chlorophenyl)-3,12-diimino-2,4,11,13-tetraazatetradecanediamidine (2:1) (CHDG)	PT	242-354-0	18472-51-0	x	x	x															
554	p-[(diiodomethyl)sulphonyl]toluene	UK	243-468-3	20018-09-1						x	x		x	x								
559	(benzothiazol-2-ylthio)methyl thiocyanate (TCMTB)	N	244-445-0	21564-17-0									x			x						
562	2-methyl-4-oxo-3-(prop-2-ynyl)cyclopent-2-en-1-yl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (Prallethrin)	EL	245-387-9	23031-36-9															x			

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563	Potassium (E,E)-hexa-2,4-dienoate (Potassium Sorbate)	DE	246-376-1	24634-61-5						x												
566	.alpha.,.alpha.',.alpha.'-tri-methyl-1,3,5-triazine-1,3,5 (2H,4H,6H)-triethanol (HPT)	AT	246-764-0	25254-50-6		x				x					x		x					
571	2-octyl-2H-isothiazol-3-one (OIT)	UK	247-761-7	26530-20-1						x	x		x	x	x		x					
577	Dimethyloctadecyl[3-(tri-methoxysilyl)propyl]ammonium chloride	ES	248-595-8	27668-52-6		x					x		x									
588	Bromochloro-5,5-dimethylimidazolidine-2,4-dione (BCDMH/Bromochlorodimethylhydantoin)	NL	251-171-5	32718-18-6		x									x	x						
590	3-(4-isopropylphenyl)-1,1-dimethylurea/Isoproturon	DE	251-835-4	34123-59-6							x			x								
597	1-[2-(allyloxy)-2-(2,4-dichlorophenyl)ethyl]-1H-imidazole (Imazalil)	DE	252-615-0	35554-44-0			x															
599	S-[(6-chloro-2-oxooxazolo[4,5-b]pyridin-3(2H)-yl)methyl] O, O-dimethyl thiophosphate (Azamethiphos)	UK	252-626-0	35575-96-3															x			
606	.alpha.-cyano-3-phenoxybenzyl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (Cyphenothrin)	EL	254-484-5	39515-40-7															x			
608	Dimethyltetradecyl[3-(tri-methoxysilyl)propyl]ammonium chloride	PL	255-451-8	41591-87-1									x									

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
609	Mixture of cis- and trans-menthane-3,8 diol (Citriodiol)	UK	255-953-7	42822-86-6																x		
614	(RS)- α -cyano-3phenoxybenzyl-(1RS)- cis,trans-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate (Cypermethrin)	BE	257-842-9	52315-07-8															x			
618	1-ethynyl-2-methylpent-2-enyl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (Empenthrin)	BE	259-154-4	54406-48-3															x			
619	3-iodo-2-propynylbutylcarbamate (IPBC)	DK	259-627-5	55406-53-6							x		x	x								
620	Tetrakis(hydroxymethyl)phosphonium sulphate(2:1) (THPS)	MT	259-709-0	55566-30-8		x				x					x	x						
648	4,5-Dichloro-2-octylisothiazol-3(2H)-one (4,5-Dichloro-2-octyl-2H-isothiazol-3-one (DCOIT))	N	264-843-8	64359-81-5							x		x	x	x							
656	3,3'-methylenebis[5-methyloxazolidine] (Oxazolidin/MBO)	AT	266-235-8	66204-44-2		x				x					x	x	x					
667	Alkyl (C ₁₂₋₁₈) dimethylbenzyl ammonium chloride (ADBAC (C ₁₂₋₁₈))	IT	269-919-4	68391-01-5	x	x	x	x						x	x	x						x
671	Alkyl (C ₁₂₋₁₆) dimethylbenzyl ammonium chloride (ADBAC/BKC (C ₁₂ -C ₁₆))	IT	270-325-2	68424-85-1	x	x	x	x						x	x	x						x

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
673	Didecyldimethylammonium chloride (DDAC (C ₈₋₁₀))	IT	270-331-5	68424-95-3	x	x	x	x	x	x				x	x	x						
690	Quaternary ammonium compounds, benzyl-C ₁₂₋₁₈ -alkyldimethyl, salts with 1,2-benzisothiazol-3(2H)-one 1,1-dioxide (1:1) (ADBAS)	MT	273-545-7	68989-01-5		x		x														
691	Sodium N-(hydroxymethyl)glycinate	AT	274-357-8	70161-44-3						x												
692	Amines, C ₁₀₋₁₆ -alkyldimethyl, N-oxides	PT	274-687-2	70592-80-2				x														
693	Pentapotassium bis(peroxymonosulphate) bis(sulphate)	SI	274-778-7	70693-62-8		x	x	x	x													
701	Magnesium monoperoxyphthalate hexahydrate (MMPP)	PL	279-013-0	84665-66-7		x																
1015	Margosa extract	DE	283-644-7	84696-25-3																x		
1024	Margosa extract from cold-pressed oil of the kernels of Azadirachta Indica extracted with super-critical carbon dioxide	DE	283-644-7	84696-25-3															x			
724	Alkyl (C ₁₂ -C ₁₄) dimethylbenzylammonium chloride (ADBAC (C ₁₂ -C ₁₄))	IT	287-089-1	85409-22-9	x	x	x	x						x	x	x						x
725	Alkyl (C ₁₂ -C ₁₄) dimethyl(ethylbenzyl)ammonium chloride (ADEBAC (C ₁₂ -C ₁₄))	IT	287-090-7	85409-23-0	x	x	x	x						x	x	x						x'

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
731	<i>Chrysanthemum cinerariaefolium</i> , ext.	ES	289-699-3	89997-63-7															x			
744	Lavender, <i>Lavandula hybrida</i> , ext./Lavandin oil	PT	294-470-6	91722-69-9																x		
779	Reaction products of: glutamic acid and N-(C ₁₂ -C ₁₄ -alkyl)propylenediamine (Glucoprota-min)	DE	403-950-8	164907-72-6		x		x														
785	6-(phthalimido)peroxyhexanoic acid (PAP)	IT	410-850-8	128275-31-0	x	x	x	x														
791	2-butyl-benzo[d]isothiazol-3-one (BBIT)	CZ	420-590-7	4299-07-4						x	x		x	x			x					
792	Tetrachlorodecaoxide complex (TCDO)	DE	420-970-2	92047-76-2	x	x		x														
811	Silver sodium hydrogen zirconium phosphate	SE	422-570-3	265647-11-8	x	x		x			x		x									
794	sec-butyl 2-(2-hydroxyethyl)piperidine-1-carboxylate/Icaridine (Icaridine)	DK	423-210-8	119515-38-7																x		
797	cis-1-(3-chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride (cis CTAC)	PL	426-020-3	51229-78-8						x							x					
800	[2,4-Dioxo-(2-propyn-1-yl)imidazolidin-3-yl]methyl(1R)-cis-chrysanthemate; [2,4-Dioxo-(2-propyn-1-yl)imidazolidin-3-yl]methyl(1R)-trans-chrysanthemate (Imiprothrin)	UK	428-790-6	72963-72-5															x			

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
807	(E)-1-(2-Chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine (Clothianidin)	DE	433-460-1	210880-92-5																		
952	<i>Bacillus sphaericus</i> other than <i>Bacillus sphaericus</i> 2362, strain ABTS-1743	IT	Micro-organism	143447-72-7															x			
955	<i>Bacillus thuringiensis</i> subsp. <i>israelensis</i> Serotype H14, other than strain AM65-52 and other than strain SA3A	IT	Micro-organism	Not applicable															x			
957	<i>Bacillus subtilis</i>	DE	Micro-organism	Not applicable			x															
939	Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced <i>in situ</i>	SK	Mixture	Not applicable		x	x	x	x													
813	Peroxyoctanoic acid	FR	Not applicable	33734-57-5		x	x	x														
1014	Silver zeolite	SE	Not applicable	Not applicable		x		x	x		x		x									
152	Reaction products of 5,5-dimethylhydantoin, 5-ethyl-5-methylhydantoin with bromine and chlorine (DCDMH)	NL	Not available	Not available											x							
459	Reaction mass of titanium dioxide and silver chloride	SE	Not available	Not available	x	x				x	x		x	x	x							
777	Reaction products of 5,5-dimethylhydantoin, 5-ethyl-5-methylhydantoin with chlorine (DCEMH)	NL	Not available	Not available											x							

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
810	Silver phosphate glass	SE	Not available	308069-39-8		x					x		x									
824	Silver zinc zeolite	SE	Not available	130328-20-0		x		x	x		x		x									
1013	Silver copper zeolite	SE	Not available	130328-19-7		x		x	x		x		x									
1017	Silver adsorbed on silicon dioxide (as a nanomaterial in the form of a stable aggregate with primary particles in the nanoscale)	SE	Not available	Not available									x									
1019	Silicon dioxide (as a nanomaterial formed by aggregates and agglomerates)	FR	Not available	68909-20-6															x			
831	Silicium dioxide (Silicium dioxide/Kieselguhr)	FR	Plant protection product	61790-53-2															x			
854	(RS)-3-Allyl-2-methyl-4-oxocyclopent-2-enyl-(1R,3R;1R,3S)-2,2-dimethyl-3-(2-methylprop-1-enyl)-cyclopropanecarboxylate (mixture of 4 isomers 1R trans, 1R: 1R trans, 1S: 1R cis, 1R: 1R cis, 1S 4:4:1:1) (d-Allethrin)	DE	Plant protection product	231937-89-6															x			
855	(RS)-3-Allyl-2-methyl-4-oxocyclopent-2-enyl (1R,3R)-2,2-dimethyl-3-(2-methylprop-1-enyl)-cyclopropanecarboxylate (mixture of 2 isomers 1R trans: 1R/S only 1:3) (Esbiothrin)	DE	Plant protection product	260359-57-7															x			

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
848	N-((6-Chloro-3-pyridinyl)methyl)-N'-cyano-N-methylethanimidamide (Acetamiprid)	BE	Plant protection product	160430-64-8															x			
835	Esfenvalerate/(S)-.alpha.-Cyano-3-phenoxybenzyl (S)-2-(4-chlorophenyl)-3-methylbutyrate (Esfenvalerate)	PT	Plant protection product	66230-04-4															x			
843	4-bromo-2-(4-chlorophenyl)-1-ethoxymethyl-5-trifluoromethylpyrrole-3-carbonitrile (Chlorfenapyr)	PT	Plant protection product	122453-73-0															x			
859	Polymer of N-Methylmethanamine (Einecs 204-697-4 with (chloromethyl)oxirane (Einecs 203-439-8)/Polymeric quaternary ammonium chloride (PQ Polymer)	HU	Polymer	25988-97-0		x									x							
863	Monohydro chloride of polymer of N,N''-1,6-hexanediyldis [N'-cyanoguanidine] (Einecs 240-032-4) and hexamethylenediamine (Einecs 204-679-6)/ Polyhexamethylene biguanide (monomer: 1,5-bis(trimethylen)-guanylguanidinium monohydrochloride) (PHMB)	FR	Polymer	27083-27-8/32289-58-0					x													
868	Poly(hexamethylenebiguanide)	FR	Polymer	91403-50-8	x	x	x	x	x	x				x		x						
869	Poly(oxy-1,2-ethanediyl),.alpha.-[2-(didecylmethylammonio)ethyl]-.omega.-hydroxy-, propanoate (salt) (Bardap 26)	IT	Polymer	94667-33-1		x		x						x								

Entry number	Substance name	Rapporteur Member State	EC number	CAS number	1	2	3	4	5	6	7	8	9	10	11	12	13	17	18	19	21	22
872	N-Didecyl-N-dipolyethoxyammonium borate/Didecylpolyoxyethylammonium borate (Polymeric betaine)	EL	Polymer	214710-34-6								x										