NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** European Union  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** European Commission  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu) Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Biocidal products; Products of the chemical industry (ICS 71.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Implementing Decision not approving carbon dioxide as an active substance for use in biocidal products of product-type 19 (3 page(s), in English) |
| **6.** | **Description of content:** This draft Commission Implementing Decision does not approve carbon dioxide as an active substance for use in biocidal products of product-type 19.  As this active substance is no longer supported in the review programme, a non-approval decision should be adopted in accordance with point (b) of the first paragraph of Article 20 of Delegated Regulation (EU) No 1062/2014.  Carbon dioxide is already listed into category 6 of Annex I to Regulation (EU) No 528/2012. This means that biocidal products of product-type 19 and containing carbon dioxide may be made available on the market and used provided that they are authorised in accordance with Regulation (EU) No 528/2012 and comply with the conditions and specifications set in Annex I for carbon dioxide. In particular, existing biocidal products of product-type 19 and containing carbon dioxide may continue to made available on the market and used provided that they are authorised in accordance with Regulation (EU) No 528/2012 and comply with the conditions and specifications set in Annex I for carbon dioxide before the dates set in the second subparagraph of Article 89(2) of Regulation (EU) No 528/2012. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of public health and of the environment. Harmonization of the EU market on biocidal products.; Protection of human health or safety; Protection of the environment; Harmonization |
| **8.** | **Relevant documents:**  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 (OJ L 167, 27.6.2012, p. 1.). Available in all EU languages. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32012R0528> |
| **9.** | **Proposed date of adoption:** December 2020  **Proposed date of entry into force:** 20 days from publication in the Official Journal of the EU (Application 12 months after adoption) |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)  The text is available on the EU-TBT Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/>  <https://members.wto.org/crnattachments/2020/TBT/EEC/20_5357_00_e.pdf> |