

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 14 August 2007

concerning the non-inclusion in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market of certain substances to be examined under the 10-year work programme referred to in Article 16(2) thereof

(notified under document number C(2007) 3846)

(Text with EEA relevance)

(2007/565/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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⁽¹⁾, and in particular the second subparagraph of Article 16(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 2032/2003 of 4 November 2003 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market and amending Regulation (EC) No 1896/2000⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I, IA or IB to Directive 98/8/EC.

(2) For a number of substances/product type combinations included on that list either all participants have withdrawn from the review program in accordance

with Article 8(2) of Regulation (EC) No 2032/2003 or no complete dossier as referred to in Article 9(5) of that Regulation was received within the time period specified in Annexes V and VIII thereof by the Rapporteur Member State designated for the evaluation.

(3) Consequently, pursuant to Article 8(3) and (4) and Article 9 (5) of Regulation (EC) No 2032/2003, the Commission informed the Member States accordingly. That information was also made public by electronic means on 14 June 2006.

(4) Within three months of the electronic publication of that information, no company or Member State indicated an interest in taking over the role of participant for the substances and product-types concerned.

(5) The substances and product-types concerned should therefore be removed from the Review Programme and not be included in Annexes I, IA or IB to Directive 98/8/EC.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 123, 24.4.1998, p. 1. Directive as last amended by Directive 2007/20/EC of 3 April 2007 (OJ L 94, 4.4.2007, p. 23).

⁽²⁾ OJ L 307, 24.11.2003, p. 1. Regulation as last amended by Regulation (EC) No 1849/2006 (OJ L 355, 15.12.2006, p. 63).

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

The substances and the product-types indicated in the Annex to this Decision shall not be included in Annexes I, IA or IB to Directive 98/8/EC.

Done at Brussels, 14 August 2007.

Article 2

For the purposes of the third subparagraph of Article 4(2) of Regulation (EC) No 2032/2003, this Decision shall apply from the day following its publication in the *Official Journal of the European Union*.

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX

Substances and product-types not to be included in Annexes I, IA and IB to Directive 98/8/EC

Name	EC No	CAS No	Product-type
Bis[1-cyclohexyl-1,2-di(hydroxy-.kappa.O)diazoniumato(2-)]-copper		312600-89-8	21
Formic acid	200-579-1	64-18-6	18
Propan-2-ol	200-661-7	67-63-0	18
L-(+)-lactic acid	201-196-2	79-33-4	1
L-(+)-lactic acid	201-196-2	79-33-4	13
Anthraquinone	201-549-0	84-65-1	19
1,4-dichlorobenzene	203-400-5	106-46-7	18
1,4-dichlorobenzene	203-400-5	106-46-7	19
N-(2-ethylhexyl)-8,9,10-trinorborn-5-ene-2,3-dicarboximide	204-029-1	113-48-4	18
Benzyl benzoate	204-402-9	120-51-4	19
Malathion	204-497-7	121-75-5	18
Octanoic acid	204-677-5	124-07-2	19
Captan	205-087-0	133-06-2	21
N-(trichloromethylthio)phthalimide/Folpet	205-088-6	133-07-3	21
Ziram	205-288-3	137-30-4	19
Ziram	205-288-3	137-30-4	21
Thiabendazole	205-725-8	148-79-8	21
Diuron	206-354-4	330-54-1	21
(RS)-3-allyl-2-methyl-4-oxocyclopent-2-enyl-(1RS,3RS;1RS,3SR)-2,2-dimethyl-3-(2-methylprop-1-enyl)-cyclopropanecarboxylate (all isomers; ratio: 1:1:1:1:1:1:1:1)/Allethrin	209-542-4	584-79-2	18
Zinc sulphide	215-251-3	1314-98-3	18
Zinc sulphide	215-251-3	1314-98-3	21
Disodium tetraborate, anhydrous	215-540-4	1330-43-4	18
Naphthenic acids, copper salts	215-657-0	1338-02-9	8
Chlorothalonil	217-588-1	1897-45-6	21
Fluometuron	218-500-4	2164-17-2	21
Chlorpyrifos	220-864-4	2921-88-2	18
Chlorpyrifos-methyl	227-011-5	5598-13-0	18
(R)-p-mentha-1,8-diene	227-813-5	5989-27-5	18
(R)-p-mentha-1,8-diene	227-813-5	5989-27-5	19
Prometryn	230-711-3	7287-19-6	21
Silicon dioxide — amorphous	231-545-4	7631-86-9	16

Name	EC No	CAS No	Product-type
Silicon dioxide — amorphous	231-545-4	7631-86-9	19
Bone oil/Animal oil	232-294-3	8001-85-2	19
Rape oil	232-299-0	8002-13-9	18
Lignin	232-682-2	9005-53-2	19
Lignin	232-682-2	9005-53-2	21
Oxine-copper	233-841-9	10380-28-6	8
Disodium octaborate tetrahydrate	234-541-0	12280-03-4	18
Dodecylguanidine monohydrochloride	237-030-0	13590-97-1	16
Dodecylguanidine monohydrochloride	237-030-0	13590-97-1	21
Phoxim	238-887-3	14816-18-3	18
Chlorotoluron	239-592-2	15545-48-9	21
Methomyl	240-815-0	16752-77-5	18
Dimethyloctadecyl[3-(trimethoxysilyl)propyl]ammonium chloride	248-595-8	27668-52-6	21
(S)-3-allyl-2-methyl-4-oxocyclopent-2-enyl(1R,3R)-2,2-dimethyl-3-(2-methylprop-1-enyl)-cyclopropanecarboxylate (only 1R trans, 1S isomer)/S-Bioallethrin	249-013-5	28434-00-6	18
Bioresmethrin	249-01-40	28434-01-7	18
Trans-isopropyl-3-[[[(ethylamino)methoxyphosphinothioyl]oxy]crotonate	250-517-2	31218-83-4	18
Amitraz	251-375-4	33089-61-1	18
3-(4-isopropylphenyl)-1,1-dimethylurea/Isoproturon	251-835-4	34123-59-6	18
3-(4-isopropylphenyl)-1,1-dimethylurea/Isoproturon	251-835-4	34123-59-6	21
m-phenoxybenzyl 3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate/Permethrin	258-067-9	52645-53-1	19
3-iodo-2-propynyl butylcarbamate	259-627-5	55406-53-6	18
Cis-4-[3-(p-tert-butylphenyl)-2-methylpropyl]-2,6-dimethylmorpholine/Fenpropimorph	266-719-9	67564-91-4	21
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	269-919-4	68391-01-5	16
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	269-919-4	68391-01-5	18
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	269-919-4	68391-01-5	19
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	269-919-4	68391-01-5	21
Quaternary ammonium compounds, di-C8-10-alkyldimethyl, chlorides	270-331-5	68424-95-3	16
Melaleuca alternifolia, ext./Australian Tea Tree Oil	285-377-1	85085-48-9	19
2,4,8,10-tetra(tert-butyl)-6-hydroxy-12H-dibenzo[d,g][1,3,2]dioxaphosphocin 6-oxide, sodium salt	286-344-4	85209-91-2	1

Name	EC No	CAS No	Product-type
Quaternary ammonium compounds, benzyl-C12-14-alkyldimethyl, chlorides	287-089-1	85409-22-9	16
Quaternary ammonium compounds, benzyl-C12-14-alkyldimethyl, chlorides	287-089-1	85409-22-9	18
Quaternary ammonium compounds, benzyl-C12-14-alkyldimethyl, chlorides	287-089-1	85409-22-9	19
Quaternary ammonium compounds, benzyl-C12-14-alkyldimethyl, chlorides	287-089-1	85409-22-9	21
Quaternary ammonium compounds, C12-14-alkyl[(ethylphenyl)-methyl]dimethyl, chlorides	287-090-7	85409-23-0	16
Quaternary ammonium compounds, C12-14-alkyl[(ethylphenyl)-methyl]dimethyl, chlorides	287-090-7	85409-23-0	18
Quaternary ammonium compounds, C12-14-alkyl[(ethylphenyl)-methyl]dimethyl, chlorides	287-090-7	85409-23-0	19
Quaternary ammonium compounds, C12-14-alkyl[(ethylphenyl)-methyl]dimethyl, chlorides	287-090-7	85409-23-0	21
.alpha.-cyano-4-fluoro-3-phenoxybenzyl [1.alpha.(S*),3.alpha.]-(\pm)-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate	289-244-9	86560-93-2	18
Chrysanthemum cinerariaefolium, ext.	289-699-3	89997-63-7	19
Juniper, Juniperus mexicana, ext.	294-461-7	91722-61-1	19
Lavender, Lavandula hybrida, ext./Lavandin oil	294-470-6	91722-69-9	18
3-benzo(b)thien-2-yl-5,6-dihydro-1,4,2-oxathiazine,4-oxide	431-030-6	163269-30-5	21
Chloromethyl n-octyl disulfide	432-680-3	180128-56-7	21
Potassium salts of fatty acids (C15-21)	Mixture	—	18
(E)-2-Octadecenal	Not yet allocated	51534-37-3	19
(E,Z)-2,13-Octadecadienal	Not yet allocated	99577-57-8	19
S-Hydroprene/Ethyl (S-(E,E))-3,7,11-trimethyldodeca-2,4-dienoate	Plant protection product	65733-18-8	18
4-Bromo-2-(4-chlorophenyl)-1-(ethoxymethyl)-5-(trifluoromethyl)-1H-pyrrole-3-carbonitrile/Chlorfenapyr	Plant protection product	122453-73-0	21