EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE GENERAL

Directorate E – Food and feed safety, innovation
E4 - Pesticides and Biocides

STANDING COMMITTEE ON BIOCIDAL PRODUCTS

MINUTES

61ST MEETING ON 23 NOVEMBER 2018, FROM 10:00 TO 11:00

Bulgaria was represented by Belgium and Croatia was represented by Slovenia. All the other Member States were present.

1. **Adoption of the Agenda (*SCBP61-Doc.1*)**

The Chair informed that item 7 on the draft agenda was withdrawn. The agenda was then adopted.

2. **Adoption of the Minutes of the 60th SCBP meeting (*SCBP61-Doc.2*)**

No Member States had comments on the draft minutes of the 60th SCBP meeting, which were then adopted.

3. **Rules of procedure of the SCBP meeting *(SCBP61-Doc.3)***

The Commission proposed to amend Article 8 of the rules of procedure of the SCBP to specify more conditions when the opinion of the Committee can be sought by written procedure. Member States were invited to send drafting suggestions and comments by 7 December 2018.

Section A – Draft(s) presented for an opinion

Section A.1 – Active substances

4. **Commission Implementing Decision not approving *Willaertia magna c2c maky* as an active substance for use in biocidal products of product-type 11**

(a) Examination of the draft Commission Implementing Decision (*SCBP61-Doc.4.1)*

(b) Opinion of the Committee on the draft Commission Implementing Decision

The Commission presented the proposal. After a final examination, the Committee gave a favourable opinion by unanimity.

Section B – Items presented for discussion and/or information

Section B.1 – Union authorisations

5. **Commission Implementing Regulation granting a Union authorisation for the biocidal product family Deosan Activate BPF based on Iodine *(SCBP61-Doc.5.1)***

The Commission briefly introduced the proposal and referred to the written comments submitted by a Member State before the meeting. The Member States had identified some mistakes in the implementation of the agreements reached in the BPC for the SPC of the biocidal product family. ECHA had confirmed that the comments were valid and, in cooperation with the evaluating Competent Authority (eCA), provided the Commission with an updated version of the SPC in English. The Commission informed that it will upload that revised version of the SPC with the relevant amendments in track changes on CIRCABC. Member States were invited to then adapt both, the Word and XML versions of the SPC in the respective linguistic versions accordingly, and to submit their contributions to the Commission by 30 November 2018. The Commission announced that once the internal consultations will be concluded, the opinion of the Committee will be sought via written procedure.

On a more general note, the Commission emphasised that it is of utmost importance that eCA ensures that the SPC in English is accurate and reflects all agreements reached at the BPC. The final SPC in English must be checked by the eCA and ECHA in order to avoid that a mistake is subsequently spread to all the linguistic versions as correcting mistakes then requires multiple manual adjustments by all Member States (both in the XML and Word versions of the SPC). The check by the eCA may be restricted to the relevant changes identified in the table of agreements of the BPC (which do not necessarily concern the whole SPC). In addition, with the comparison tool in the SPC editor, a quick comparison of the XML version of the SPC, before and after the relevant BPC meeting, will also identify any other unintentional mistakes.

Section B.2 – Article 36 decisions

6. **Commission Implementing Decision on the terms and conditions of the authorisation of a biocidal product family containing 1R-trans phenothrin referred by Ireland in accordance with Article 36 of Regulation (EU) No 528/2012 of the European Parliament and of the Council *(SCBP61-Doc.6.1)***

The Commission briefly introduced the proposal, which follows the conclusions of a BPC opinion on the matter adopted by consensus at the BPC meeting of October 2018.

The Member State having submitted the initial referral to the Coordination Group still considered that the efficacy of the product family was not sufficiently demonstrated. Another Member State also expressed some concerns about the efficacy of the family and considered that the relevant requirements in EU guidance had not been followed. The Commission invited that Member State to submit these comments in writing, in order to check with ECHA whether those comments had already been adequately considered during the discussions in the BPC. The reference Member State indicated that all the technical aspects raised by these two Member States had been part of the discussions having taken place in the efficacy working group of the BPC and then again in the BPC meeting. That Member State emphasised that the BPC opinion was adopted by consensus. On a more general note, this Member State also indicated that technical discussions that are closed with

a BPC opinion by consensus should not be reopened in the Standing Committee meetings.

Member States were invited to submit any written comments on the proposal to the Commission by 30 November 2018. The Commission also informed that the necessary internal consultations were still on-going. Should those consultations result in any substantive change of the proposal, Member States will be given the opportunity to further comment on the revised version at a forthcoming meeting of the Committee. If not the opinion of the Committee will be sought via written procedure.

Section B.3 – Article 55(1) decisions

7. **Request for a Commission Implementing Decision concerning the extension of the action taken by Belgium on the making available on the market and use of the biocidal product DUKE's Carbon Dioxide in accordance with Article 55(1) of Regulation (EU) No 528/2012 of the European Parliament and of the Council *(SCBP61-Doc.7.1)***

The Chair informed that the Belgian authorities had withdrawn the request for a Commission Decision and no longer pursued an extension of the authorisation granted under Article 55(1).

8. **Request for a Commission Implementing Decision concerning the extension of the action taken by Belgium on the making available on the market and use of the biocidal product Phostoxin in accordance with Article 55(1) of Regulation (EU) No 528/2012 of the European Parliament and of the Council *(SCBP61-Doc.8.1)***

The Commission presented the background information related to the request made by the Belgian authorities for making available a biocidal product in product type 20 for the control of rabbits on the site of the Zaventem airport. According to the Belgian authorities, the product is essential in order to adequately control the population of rabbits on the site of the airport and no alternatives exist today to the use of this biocidal product, also in consideration of the specificities of the location. The absence of appropriate control of the rabbits on the site of the airport might lead to a danger to the transport of passengers and more generally to air transport safety, resulting from the fact that the rabbit burrows can undermine the airport runways and rabbits attract birds of prey, which can be caught in the aircraft's engine.

The Commission further informed that the Belgian authorities had committed to seek a more permanent solution through granting a regular authorisation for the product through mutual recognition of an authorisation from another Member State, but that completion of the procedure required more time.

The Commission, therefore, proposed a positive Decision on the request for extension of the authorisation granted in accordance with Article 55(1) and announced that the opinion of the Committee will be sought at a subsequent meeting.

9. **Any Other Business**

None.