



2024/2401

13.9.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/2401

of 12 September 2024

**repealing Implementing Decision (EU) 2023/2101 postponing the expiry date of the approval of
sulfuryl fluoride for use in biocidal products of product-types 8 and 18**

(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 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

- (1) Sulfuryl fluoride was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ as an active substance for use in biocidal products of product-types 8 and 18. Pursuant to Article 86 of Regulation (EU) No 528/2012, it was therefore considered approved until 31 December 2018 for use in biocidal products of product-type 8 and until 30 June 2021 for use in biocidal products of product-type 18 under that Regulation subject to the requirements set out in Annex I to Directive 98/8/EC.
- (2) On 28 June 2017, applications were submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 ('the applications'). The applications were evaluated by the competent authority of Sweden ('the evaluating competent authority').
- (3) Pursuant to Commission Implementing Decision (EU) 2018/1479 ⁽³⁾, the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-type 8 has been postponed to 30 June 2021, in order to allow sufficient time for the examination of the application. Commission Implementing Decision (EU) 2021/713 ⁽⁴⁾ further postponed the expiry date of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 to 31 December 2023. That expiry was again postponed by Commission Implementing Decision (EU) 2023/2101 ⁽⁵⁾ to 31 December 2024.
- (4) Commission Implementing Decision (EU) 2024/2402 ⁽⁶⁾ did not renew the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18. Therefore, it is appropriate to repeal Implementing Decision (EU) 2023/2101 postponing the expiry date of the approval of sulfuryl fluoride,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/528/oj>.

⁽²⁾ 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, ELI: <http://data.europa.eu/eli/dir/1998/8/oj>).

⁽³⁾ Commission Implementing Decision (EU) 2018/1479 of 3 October 2018 postponing the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-type 8 (OJ L 249, 4.10.2018, p. 16, ELI: http://data.europa.eu/eli/dec_impl/2018/1479/oj).

⁽⁴⁾ Commission Implementing Decision (EU) 2021/713 of 29 April 2021 postponing the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 (OJ L 147, 30.4.2021, p. 21, ELI: http://data.europa.eu/eli/dec_impl/2021/713/oj).

⁽⁵⁾ Commission Implementing Decision (EU) 2023/2101 of 28 September 2023 postponing the expiry date of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 241, 29.9.2023, p. 147, ELI: http://data.europa.eu/eli/dec_impl/2023/2101/oj).

⁽⁶⁾ Commission Implementing Decision (EU) 2024/2402 of 12 September 2024 not renewing the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L, 2024/2402, 13.9.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/2402/oj).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2023/2101 is repealed.

Article 2

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

Done at Brussels, 12 September 2024.

For the Commission
The President
Ursula VON DER LEYEN
