



2026/447

30.7.2026

COMMISSION DELEGATED REGULATION (EU) 2026/447

of 27 February 2026

amending Regulation (EU) No 528/2012 of the European Parliament and of the Council as regards the restriction of the use for the active substance carbon dioxide in Annex I, Category 6, thereto

(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 28(1) thereof,

Whereas:

- (1) On 27 November 2023, the European Chemicals Agency ('the Agency') received an application to amend the restriction concerning the use for the active substance carbon dioxide, listed in Annex I, Category 6, to Regulation (EU) No 528/2012, submitted in accordance with Article 3(1) of Commission Implementing Regulation (EU) No 88/2014 ⁽²⁾. The application was evaluated by the competent authority of the Netherlands ('the evaluating competent authority').
- (2) The evaluating competent authority submitted its assessment report together with its conclusions to the Agency on 23 December 2024.
- (3) In accordance with Article 75(1), second subparagraph, point (c), of Regulation (EU) No 528/2012, the Biocidal Products Committee prepares the opinion of the Agency regarding the applications for review of active substances included in Annex I to that Regulation. In accordance with Article 4(4) of Implementing Regulation (EU) No 88/2014 read in conjunction with Article 75(1) and (4) of Regulation (EU) No 528/2012, the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority, adopted the opinion of the Agency on 10 September 2025 ⁽³⁾.
- (4) In its opinion, the Agency considered that the proposed new restriction would ensure that the limit values for safe use are adequately taken into account at the stage of product authorisation of biocidal products containing carbon dioxide for any product type. The Agency concluded that the current restriction concerning the use for carbon dioxide, listed in Annex I, Category 6, to Regulation (EU) No 528/2012 ('Only for use in ready-for-use gas canisters functioning together with a trapping device') should be removed and replaced by the restriction that the exposure of professional users to carbon dioxide remains below the relevant acceptable exposure concentration, and that the exposure of general public users or by-standers to carbon dioxide remains below 0,1 % volume/volume carbon dioxide, with necessary protection measures taken where appropriate.
- (5) Taking into account the opinion of the Agency, the Commission considers that it is appropriate to amend the relevant restriction of the use for the active substance carbon dioxide, listed in Annex I, Category 6, to Regulation (EU) No 528/2012. The newly formulated restriction would allow broader authorisation of biocidal products containing carbon dioxide while limit values for safe use are adequately taken into account at the stage of product authorisation, ensuring thus safe use.
- (6) Regulation (EU) No 528/2012 should therefore be amended accordingly,

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

⁽²⁾ Commission Implementing Regulation (EU) No 88/2014 of 31 January 2014 specifying a procedure for the amendment of Annex I to 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 (OJ L 32, 1.2.2014, p. 3, ELI: http://data.europa.eu/eli/reg_impl/2014/88/oj).

⁽³⁾ Biocidal Products Committee Opinion on the amendment of inclusion in Annex I, Category 6 of the active substance: Carbon dioxide; ECHA/BPC/491/2025; adopted on 10 September 2025; <https://echa.europa.eu/documents/10162/deabf578-ae70-5a57-6f78-9cbd9310a2a3>.

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 528/2012 is amended in accordance with 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, 27 February 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Annex I to Regulation (EU) No 528/2012, in Category 6 of the list of active substances referred to in Article 25(a), the entry related to carbon dioxide is amended as follows:

EC number	Name/group	Restriction	Comment
'204-696-9	Carbon dioxide	The authorisation of biocidal products containing carbon dioxide as an active substance shall be subject to the following conditions: (a) the exposure of professional users to carbon dioxide remains below the acceptable exposure concentration (AEC) of: (i) 1,5 % volume/volume (v/v) carbon dioxide for the short-term exposure limit (STEL) of 15 minutes; and (ii) 0,5 % v/v carbon dioxide for the time-weighted average (TWA) of 8 hours; (b) the exposure of general public users or by-standers to carbon dioxide remains below 0,1 % v/v carbon dioxide; (c) where appropriate, the necessary measures shall be taken by the user as described in the summary of product characteristics.	—'