



2026/2151

28.9.2026

COMMISSION IMPLEMENTING DECISION (EU) 2026/2151

of 25 September 2026

**postponing the expiry date of the approval of folpet for use in biocidal products of product-type 9 in
accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council**

(notified under document C(2026) 6695)

(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) Folpet was approved as an active substance for use in biocidal products of product-types 7 and 9 by Commission Implementing Regulation (EU) 2015/1758 ⁽²⁾ subject to the conditions set out in the Annex to that Regulation.
- (2) The approval of folpet for use in biocidal products of product-types 7 and 9 is to expire on 30 September 2026. On 21 March 2025, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of folpet for use in biocidal products of product-type 9 ('the application'), while there was no application submitted for the renewal of the approval of folpet for use in biocidal products of product-type 7.
- (3) On 12 August 2025, the evaluating competent authority of Switzerland informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of that Regulation, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.
- (4) It is possible for the evaluating competent authority to require the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of Regulation (EU) No 528/2012. In that event, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.
- (5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency ('the Agency') is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.
- (6) On 23 April 2026, the evaluating competent authority informed the Commission that the evaluation is delayed for reasons beyond the control of the applicant, linked with the assessment of data related to the risk to human health and the environment, efficacy, analytical and physico-chemical properties of the substance. The Commission understood from the information provided by the evaluating competent authority that it is unlikely that the authority will submit a recommendation to the Agency before early 2028.

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

⁽²⁾ Commission Implementing Regulation (EU) 2015/1758 of 28 September 2015 approving folpet as an existing active substance for use in biocidal products for product-types 7 and 9 (OJ L 257, 2.10.2015, p. 15; ELI: http://data.europa.eu/eli/reg_impl/2015/1758/oj).

- (7) Consequently, for reasons beyond the control of the applicant, the approval of folpet for use in biocidal products of product-type 9 is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of the approval for use in biocidal products of product-type 9 for a period of time sufficient to enable the examination of the application. Taking into account the time-limits for evaluation by the evaluating competent authority, for preparation and submission by the Agency of its opinion and the time needed for the Commission to decide whether to renew the approval of folpet for use in biocidal products of product-type 9, the expiry date of that approval should be postponed to 31 March 2029.
- (8) After the postponement of the expiry date of the approval, folpet remains approved for use in biocidal products of product-type 9 subject to the conditions set out in the Annex to Implementing Regulation (EU) 2015/1758.
- (9) As the application for renewal of approval was submitted only as regards folpet for use in biocidal products of product-type 9, the postponement of expiry date of approval provided by this Decision does not concern folpet for use in biocidal products of product-type 7, whose approval expires on 30 September 2026,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval folpet for use in biocidal products of product-type 9 set out in the Annex to Implementing Regulation (EU) 2015/1758 is postponed to 31 March 2029.

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, 25 September 2026.

For the Commission
The President
Ursula VON DER LEYEN