NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** EUROPEAN UNION**If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** European Commission**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** European Commission,EU-TBT Enquiry Point,Fax: +(32) 2 299 80 43,E-mail: grow-eu-tbt@ec.europa.euWebsite: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Biocidal products |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Implementing Regulation approving reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate as an active substance for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council; (2 page(s), in English), (3 page(s), in English) |
| **6.** | **Description of content:** Commission Implementing Regulation (EU) 2016/1093 approved the existing active substance didecylmethylpoly(oxyethyl)ammonium propionate for use in biocidal products of product-type 8. Following Article 13 of Regulation (EU) No 1062/2014, this active substance was redefined in September 2022, during the evaluation of the substance for use in biocidal products of product-type 2 and 4, to reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate ('DMPAP'). As a result, Implementing Regulation (EU) 2016/1093 should be repealed and replaced by this draft Implementing Regulation, which updates the redefined identity of the substance, from didecylmethylpoly(oxyethyl)ammonium propionate to DMPAP. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Harmonisation of the EU market on biocidal products; Protection of human health or safety; Protection of the environment; Harmonization |
| **8.** | **Relevant documents:** 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 (OJ L 167, 27.6.2012, p. 1.). Available in all EU languages.[EUR-Lex - 32012R0528 - EN - EUR-Lex (europa.eu)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0528&qid=1653319893936) |
| **9.** | **Proposed date of adoption:** July 2023**Proposed date of entry into force:** 20 days from publication in the Official Journal of the EU |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** European Commission,EU-TBT Enquiry Point,Fax: + (32) 2 299 80 43,E-mail: grow-eu-tbt@ec.europa.euThe text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/><https://members.wto.org/crnattachments/2023/TBT/EEC/23_8505_00_e.pdf><https://members.wto.org/crnattachments/2023/TBT/EEC/23_8505_01_e.pdf> |