GB Biocidal Products Regulation No 528/2012 (GB BPR) – Article 89(5) review programme active substance non-approval

Active substance decision reference number: 2026-001

Summary of decision

A decision has been taken under Article 89(5) of assimilated 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 (the 'GB Biocidal Products Regulation', GB BPR) to not approve the active substance/product type combinations listed in Appendix 1 (part 1 and part 2).

Background

Assimilated Regulation (EU) No 1062/2014 (the 'GB Review Regulation') establishes in its Annex II a list of active substance/product-type combinations included in the review programme of existing active substances in biocidal products.

If a participant withdraws their support of an active substance/product-type combination in the review programme in a timely manner (Article 11) an open invitation is published to take over the role of participant (Article 14). If no participants support the active substance/product type combination, or they notified support but did not submit a dossier in time (Article 3), a non-approval decision should be taken (Article 20).

Following the end of the EU exit transition period on 31 December 2020, businesses needed to resubmit applications to HSE by various deadlines. If no resubmission was made this would be treated as having withdrawn under Article 11(1)(b) of the GB Review Regulation. The steps following this, as summarised in the previous paragraph, can then be followed.

No resubmission to GB – Appendix 1 (part 1)

Applicants had a requirement under Article 22A of the GB Review Regulation to resubmit their applications to maintain their support of the active substances in the GB review programme. For the active substance/product type combinations listed in Appendix 1 (part 1) the applicants did not resubmit their applications to continue their support. This meant the application was treated as having been withdrawn under Article 11(1)(b).

Subsequently they underwent an open invitation process to allow any other company or person to takeover the support of the active substance/product type combinations. These open invitations were published in November 2021. No notifications were received for the majority of these active substance/product type combinations to retain the substance in the GB review programme.

For monolinuron product type (PT) 2 and chrysanthemum cinerariaefolium PT18 and PT19, compliant notifications were received, however no dossiers were received by the deadlines (March 2025 and May 2025 respectively).

As all these active substances are now no longer supported in the GB review programme, GB BPR requires that they are subject to a non-approval decision. This upcoming decision was communicated in an ebulletin, and allowed stakeholders to make HSE aware of any disproportionate negative impacts that are likely to arise from the non-approval.

Concerns were raised from a small number of stakeholders about the proposed non-approval for

active bromine generated from certain precursors for PT2 and PT11. Whilst these actives would no longer be able to be used, HSE believes there are sufficient alternative active substances approved or still within the review programme for both PT2 and 11 and therefore the non-approvals are unlikely to cause any disproportionate negative effects.

No concerns were raised for the other substances.

Participant withdrawal – Appendix 1 (part 2)

In accordance with Article 11(1)(a) of the GB Review Regulation, the participants for the active substance/product type combinations listed in Appendix 1 (part 2) withdrew support by informing HSE.

Subsequently they underwent an open invitation process to allow any other company or person to takeover the support of the active substance/product type combinations. These open invitations were published in:

- DBNPA (PT2) – March 2020
- silver nitrate (PT1) – February 2023
- peanut butter (PT19) – March 2023
- DCDMH (PT11) – February 2024
- DCEMH (PT11) – February 2024

No notifications were received for these active substance/product type combinations, except for DBNPA, to retain the substance in the GB review programme.

For DBNPA a compliant notification was received, however no dossier was received by the deadline (November 2023).

As all these active substances are now no longer supported in the GB review programme, GB BPR requires that they are subject to a non-approval decision. This upcoming decision was communicated in an ebulletin, and allowed stakeholders to make HSE aware of any disproportionate negative impacts that are likely to arise from the non-approval. No concerns were raised for any of the other substances.

Decision

The substances listed in Appendix 1 (part 1 and part 2) are not approved.

The non-approval date is 1 April 2026.

After a decision not to approve an active substance, biocidal products can be made available on the market for up to 12 months after the date of the decision, and the use of such biocidal products can continue for up to 18 months after that decision (Article 89(8) of GB BPR applies).

Therefore the specific dates are:

Making available on the market end date: 1 April 2027

Use end date: 1 October 2027

Treated articles placing on the market end date: 28 September 2026

Consents

Active substance non-approval decisions are subject to the consent requirements of Article 83B of GB Biocidal Products Regulation. The Secretary of State has taken this decision with the consent of the Scottish Ministers and the Welsh Ministers.

The non-approval decision applies on and after 1 April 2026.

Appendix 1 – Part 1

Non-approval date is 1 April 2026.

Making available on the market end date: 1 April 2027

Use end date: 1 October 2027

Treated articles placing on the market end date: 28 September 2026

Active substance name	***CAS number / EC number***	***Product type(s)***
Active bromine generated from bromine chloride	n/a	11
Active bromine generated from hypobromous acid and urea and bromourea	n/a	11 and 12
Active bromine generated from sodium bromide and calcium hypochlorite	n/a	2
Active bromine generated from sodium bromide and chlorine	n/a	2
Active bromine generated from sodium bromide and sodium hypochlorite	n/a	2
Active bromine generated from sodium bromide by electrolysis	n/a	2
Active bromine generated from sodium hypobromite and N-bromosulfamate and sulfamic acid	n/a	11
Monolinuron	1746-81-2 / 217-129-5	2
Chrysanthemum cinerariaefolium, extract from open and mature flowers of Tanacetum cinerariifolium obtained with hydrocarbon solvents (redefined from pyrethrins and pyrethroids and Chrysanthemum cinerariaefolium, ext.)	89997-63-7 / 289-699-3	18 and 19

Appendix 1 – Part 2

Non-approval date is 1 April 2026.

Making available on the market end date: 1 April 2027

Use end date: 1 October 2027

Treated articles placing on the market end date: 28 September 2026

Active substance name	***CAS number / EC number***	***Product type(s)***
2,2-dibromo-2-cyanoacetamide (DBNPA)	10222-01-2 / 233-539-7	2
Silver nitrate	7761-88-8 / 231-853-9	1
Peanut butter	n/a	19
Reaction products of 5,5-dimethylhydantoin, 5-ethyl-5-methylhydantoin with bromine and chlorine (DCDMH)	n/a	11
Reaction products of 5,5-dimethylhydantoin, 5-ethyl-5-methylhydantoin with chlorine (DCEMH)	89415- 87-2 / 401-570- 7	11