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COMMISSION IMPLEMENTING DECISION (EU) 2026/2561

of 19 November 2026

postponing the expiry date of the approval of indoxacarb for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council

(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) Indoxacarb 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-type 18 by Commission Directive 2009/87/EC amending Directive 98/8/EC ([3]). Pursuant to Article 86 of Regulation (EU) No 528/2012, it is deemed to have been approved under Regulation (EU) No 528/2012 until 31 December 2019, subject to the specifications and conditions set out in Annex I to Directive 98/8/EC.

(2) On 28 June 2018, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of indoxacarb for use in biocidal products of product-type 18 ('the application').

(3) On 12 November 2018, the evaluating competent authority of France 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.

(4) Commission Implementing Decision (EU) 2019/1030 ([4]) postponed the expiry date of the approval of indoxacarb for use in biocidal products of product-type 18 to 30 June 2022, to allow sufficient time for the examination of the application.

(5) Commission Implementing Decision (EU) 2021/1287 ([5]) postponed the expiry date of the approval of indoxacarb to 30 June 2024. That expiry date was again postponed to 31 December 2026 by Commission Implementing Decision (EU) 2024/731 ([6]), due to additional delays in the evaluation of the application.

([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 Directive 2009/87/EC of 29 July 2009 amending Directive 98/8/EC of the European Parliament and of the Council to include indoxacarb as an active substance in Annex I thereto (OJ L 198, 30.7.2009, p. 35, ELI: http://data.europa.eu/eli/dir/2009/87/oj).
([4]) Commission Implementing Decision (EU) 2019/1030 of 21 June 2019 postponing the expiry date of approval of indoxacarb for use in biocidal products of product-type 18 (OJ L 167, 24.6.2019, p. 32; ELI: http://data.europa.eu/eli/dec_impl/2019/1030/oj).
([5]) Commission Implementing Decision (EU) 2021/1287 of 2 August 2021 postponing the expiry date of approval of indoxacarb for use in biocidal products of product-type 18 (OJ L 279, 3.8.2021, p. 41; ELI: http://data.europa.eu/eli/dec_impl/2021/1287/oj).
([6]) Commission Implementing Decision (EU) 2024/731 of 28 February 2024 postponing the expiry date of the approval of indoxacarb for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L, 2024/731, 1.3.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/731/oj).

(6) On 9 September 2026, the evaluating competent authority informed the Commission that the evaluation has been further delayed due to the additional time needed by the competent authority for the assessment of data related to the determination of the physicochemical properties and physical hazards of the substance and of data linked with the examination of its endocrine-disrupting properties. From the information provided by the competent authority it appears that, for reasons beyond the control of the applicant, it is unlikely that that authority will be able to submit a renewal assessment report to the European Chemicals Agency ('the Agency') by the third quarter of 2027.

(7) Within 270 days of receipt of a recommendation from the evaluating competent authority, the Agency is to prepare and submit to the Commission an opinion on the renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.

(8) Consequently, for reasons beyond the control of the applicant, the approval is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to further postpone the expiry date of the approval for a period of time sufficient to enable the full examination of the application. Taking into account the time that is still needed for the completion of the evaluation by the evaluating competent authority, and for preparation and submission by the Agency of its opinion and the time needed for the Commission to decide whether or not to renew the approval of indoxacarb for use in biocidal products of product-type 18, the expiry date should be postponed to 31 December 2028.

(9) After the further postponement of the expiry date of the approval, indoxacarb remains approved for use in biocidal products of product-type 18 subject to the conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval of indoxacarb for use in biocidal products of product-type 18 is postponed to 31 December 2028.

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, 19 November 2026.

For the Commission
The President
Ursula VON DER LEYEN