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COMMISSION IMPLEMENTING REGULATION (EU) 2026/2246

of 12 October 2026

renewing the approval of hydrochloric acid for use in biocidal products of product-type 2 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(4), point (a), thereof,

Whereas:

(1) Hydrochloric acid 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 2 (private area and public health area disinfectants and other biocidal products). Pursuant to Article 86 of Regulation (EU) No 528/2012, it is therefore deemed approved under that Regulation subject to the requirements set out in Annex I to Directive 98/8/EC. That approval was to expire on 30 April 2024. Commission Implementing Decision (EU) 2023/2619 postponed that expiry date to 31 October 2026 ([3]).

(2) On 26 October 2022, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of hydrochloric acid for use in biocidal products of product-type 2 ('the application'). The application was evaluated by the competent authority of Latvia ('the evaluating competent authority').

(3) On 10 June 2025, in accordance with Article 14(2), first subparagraph, of Regulation (EU) No 528/2012, the evaluating competent authority submitted a recommendation on the renewal of the approval of hydrochloric acid to the European Chemicals Agency ('the Agency').

(4) In accordance with Article 75(1), second subparagraph, point (a), of Regulation (EU) No 528/2012, the Biocidal Products Committee prepares the opinion of the Agency regarding the applications for renewal of approval of active substances. That Committee adopted the opinion of the Agency on 25 February 2026 ([4]), having regard to the conclusions of the evaluating competent authority.

(5) In its opinion, the Agency concluded that biocidal products of product-type 2 containing hydrochloric acid may be expected to still satisfy the criteria laid down in Article 19(1), point (b), of Regulation (EU) No 528/2012, provided that certain conditions concerning their use are complied with. Therefore, the conditions for renewal set out in Article 12(1) of Regulation (EU) No 528/2012, read in conjunction with Article 4(1) thereof, are considered satisfied.

(6) It is therefore appropriate to renew the approval of hydrochloric acid for use in biocidal products of product-type 2, subject to compliance with certain conditions.

([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 Implementing Decision (EU) 2023/2619 of 24 November 2023 postponing the expiry date of the approval of hydrochloric acid for use in biocidal products of product-type 2 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L, 2023/2619, 27.11.2023, ELI: http://data.europa.eu/eli/dec_impl/2023/2619/oj).
([4]) Biocidal Products Committee (BPC), Opinion on the application for renewal of the approval of the active substance: Hydrochloric acid, Product type: 2, ECHA/BPC/523/2026, adopted on 25 February 2026.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The approval of hydrochloric acid for use in biocidal products of product-type 2 is renewed, subject to the conditions set out in the Annex.

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, 12 October 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance [1]	Expiry date of approval	Product type	Specific conditions
Hydrochloric acid	Hydrogen chloride EC No: 231-595-7 CAS No: 7647-01-0	99,9 %	30 September 2041	2	The authorisation of biocidal products using hydrochloric acid as an active substance is subject to the following conditions: (a) the product assessment pays particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but which were not addressed previously in the Union level assessment of the active substance; (b) the product assessment pays particular attention to non-professional users.

[1] The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product made available on the market may be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.