

Development of Legislation and Other Instruments

## BPC-23: Minority opinion on the inclusion into Annex I of corn cob

Sweden considers that powdered corn cob does not meet the definition of an active substance in accordance with the definition provided in Article 3(1)(c) of the Biocidal Products Regulation (EU (No.) 528/2012). This is especially in view of decisions reached by the Commission in accordance with Article 3(3) of the same regulation (for example on lavender flowers Commission Regulation (EU) 2016/678). We consider that the formation of the powder is equivalent to the drying process for the flowers and so that, in order to reach consistent decisions on the interpretation of the definition, powdered corn cob should not be considered to be an active substance.

Furthermore, the Swedish Competent Authority notes with concern that the opinion lacks a description of how the evaluation of data in respect of Article 28 was carried out.

Since the majority of the BPC proposes to include corn cob in the Annex I list of active substances, and by inference consider corn cob to be an active substance, Sweden submits a minority opinion.