

Bundesstelle für Chemikalien  
Federal Office for Chemicals

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Aktenzeichen / Our reference(s):  
5.0- 710 30/06.00002

Dortmund, 07/04/2020

**General decision on authorisation of the biocidal product “Biobor JF” for preventive antimicrobial treatment of fuel systems of temporarily decommissioned planes by professional users due to a danger to public health**

After consultation with the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, the Federal Office for Chemicals as the competent authority hereby issues a general decision on the authorisation of import, making available on the market and use of the biocidal product “Biobor JF” for preventive antimicrobial treatment of fuel systems of temporarily decommissioned planes by professional users due to a danger to public health according to Article 55, paragraph 1 of Regulation (EU) 528/2012.

## **General decision**

**Reference 5.0- 710 30/06.00002**

Authorisation of the import, making available on the market and use of the biocidal product "Biobor JF" for preventive antimicrobial treatment of fuel systems of temporarily decommissioned planes by professional users due to a danger to public health

### **1. Legal basis**

The massive reduction of global air traffic due to the coronavirus SARS-CoV-2 pandemic has caused the temporary grounding of numerous planes at German airports. In decommissioned planes, the aviation fuels in fuel tank systems and fuel ductwork can be contaminated by hydrocarbonoclastic microorganisms. After resuming airline operations, this may endanger the airworthiness of the engine and cause safety-relevant disruptions of the fuel supply.

Holders (plane or engine manufacturers) of type approvals for planes according to Regulation (EU) 2018/1139 are therefore providing officially authorised procedures and instructions to operators of aircrafts to use in the event of temporary grounding. They are intended to ensure airworthiness upon resumption of air travel. The aircraft operators must comply with such instructions of the manufacturers on principle to fulfil requirements under aviation law. The authorised procedures to be implemented include biocidal treatment of the aircraft fuel with the biocidal product "Biobor JF" to avoid contamination with microorganisms.

The biocidal product "Biobor JF" contains the active substances 1. 2,2' - (1-methyltrimethylenedioxy)bis - (4-methyl-1, 3, 2-dioxaborinane) (CAS : 2665-13-6) and 2. 2,2' - oxybis (4, 4, 6 - trimethyl-1,3, 2-dioxaborinane) (CAS : 14697-50-8). They are listed as identified active substances but not as notified active substances in Regulation (EC) 1451/2007. Therefore, biocidal products with these active substances are no longer marketable since 01/09/2006 and are no longer eligible for authorisation according to Article 19 of Regulation (EU) 528/2012.

### **Disclaimer**

Non-binding courtesy translation by the REACH-CLP-Biozid Helpdesk. The binding version of this general decision is solely the German legal text.

According to Article 55, paragraph 1 of Regulation (EU) 528/2012, a competent authority may permit, for a period not exceeding 180 days, the making available on the market or use of a biocidal product which does not fulfil the conditions for authorisation laid down in this Regulation, for a limited and controlled use under the supervision of the competent authority if such a measure is necessary because of a danger to public health, animal health or the environment which cannot be contained by other means, by way of derogation from Articles 17 and 19.

To enable secure recommissioning of the currently decommissioned planes in Germany, the aircraft operators should be enabled to follow officially approved procedures and instructions of aircraft or engine manufacturers. Therefore, the biocidal product "Biobor JF" should be available for antimicrobial treatment of fuel for decommissioned aircrafts. Pursuant to an appropriate review, such secure recommissioning in line with the protection of public safety is not possible using other means or methods.

## **2. Field of application**

This general decision applies to the import, making available on the market and use of the biocidal product "Biobor JF" of the manufacturer "Hammonds Fuel Additives" for preventive antimicrobial treatment of fuel systems of temporarily decommissioned aircrafts by the professional user. It must be applied according to the instructions of the holder of the relevant type approval according to Regulation (EU) 2018/1139.

## **3. Authorisation**

Pursuant to Article 55, paragraph 1 of Regulation (EU) 528/2012, I hereby authorise the biocidal product as defined in 2 above for antimicrobial fuel treatment of temporarily decommissioned airplanes to ensure airworthiness upon resumption of air travel.

Note: For publicly issued general decisions, substantiation according to article 39, paragraph 2, 5 VwVfG [German Administrative Procedures Act] is not required.

## **4. Incidental provisions**

The information on the label and the data sheet must meet the requirements of Article 69 of Regulation (EU) 528/2012.

## **5. Expiration / cancellation**

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5.1 The present general decision expires on 04/10/2020.

5.2 The present general decision is issued subject to reservation of cancellation at any time.

Bundesanstalt für Arbeitsschutz und Arbeitsmedizin  
Bundesstelle für Chemikalien  
Friedrich-Henkel-Weg 1 – 25  
44149 Dortmund  
Dortmund, 07/04/2020

By proxy

A handwritten signature in blue ink, appearing to read 'Hambauer', is written over a faint, illegible stamp.

Dr. Ann Bambauer (official seal)  
Director and professor

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