

## Statement on Regulation (EU) 528/2012 on Biocidal Products



Regulation (EU) No 528/2012 concerning the making available on the market and use of biocidal products was issued on 22 May 2012. The purpose of this regulation is to improve the free movement of biocidal products within the European Union while ensuring a high level of protection of both human and animal health and the environment. It entered into force on 1 September 2013 and applies to biocidal products and treated articles.

Regulation (EU) 528/2012 defines 'biocidal product' in article 3 as follows:

- any substance or mixture, in the form in which it is supplied to the user, consisting of, containing or generating one or more active substances, with the intention of destroying, deterring, rendering harmless, preventing the action of, or otherwise exerting a controlling effect on, any harmful organism by any means other than mere physical or mechanical action,
- any substance or mixture, generated from substances or mixtures which do not themselves fall under the first indent, to be used with the intention of destroying, deterring, rendering harmless, preventing the action of, or otherwise exerting a controlling effect on, any harmful organism by any means other than mere physical or mechanical action.

A treated article that has a primary biocidal function shall be considered a biocidal product.

Regulation (EU) 528/2012 defines 'treated article' in article 3 as follows:

- 'treated article' means any substance, mixture or article which has been treated with, or intentionally incorporates, one or more biocidal products.

To the best of our knowledge the products of Covestro Deutschland AG and its affiliates seated in member states of the European Union (EU) or the European Free Trade Association (EFTA) are neither biocidal products nor do they intentionally contain biocidal products identified in Regulation (EU) 528/2012 and therefore these substances are not expected to be present above limit values, if applicable. The presence of analytically detectable traces, which have possibly been introduced via raw materials, auxiliaries and additives, cannot be excluded. Specific analyses to measure such traces have not been performed on raw materials or final products.

Exemptions:

Some Covestro products are waterborne products that may contain biocides for the purpose of in-can preservation (Product Type (PT) 6 - Preservatives for products during storage). Such products are classified as treated articles but are no biocidal products. If the preservative content is above applicable limit values, the preservative(s) is/are communicated in sections 2 and/or 3, respectively, of the Covestro Safety Data Sheet (SDS) issued for member states of EU or EFTA.

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*Version 6. The information contained herein is believed to be accurate as of the date of this document. If any of the above mentioned regulations change after the date of declaration, this information is no longer valid.*

*The manner in which you use our products, technical assistance and information (whether verbal, written or by way of production evaluations), including any suggested formulations and recommendations, are beyond our control. Therefore, it is imperative that you test our products to determine suitability for your processing and intended uses. Your analysis must at least include testing to determine suitability from a technical, health, safety, and environmental and regulatory standpoint. Such testing has not necessarily been done by Covestro, and Covestro has not obtained any approvals or licenses for a particular use or application of the product, unless explicitly stated otherwise.*

*Unless we otherwise agree in writing, all products are sold strictly pursuant to the terms of our standard conditions of sale which are available upon request.*

*All information and including technical assistance is given without warranty or guarantee and is subject to change without notice. It is expressly understood and agreed by you that you assume and hereby expressly release indemnify us and hold us harmless from all liability, in tort, contract or otherwise, incurred in connection with the use of our products, technical assistance, and information. Any statement or recommendation not contained herein is unauthorized and shall not bind us. Nothing herein shall be construed as a recommendation to use any product in conflict with any claim of any patent relative to any material or its use. No license is implied or in fact granted under the claims of any patent.*

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