

To Whom it may concern

03 December 2021

EU BPR Status of Chemours Glycolic Acid Products

This is to inform you about the current status of the process to obtain the approval of Chemours Glycolic Acid (CAS 79-14-1; EC 201-180-5) as a biocidal active substance in accordance with the requirements of Regulation (EU) No 528/2012 on the market and use of biocidal products (Biocidal Products Regulation, BPR).

As required by the earlier Biocidal Products Directive (98/8/EC) and associated review regulations, DuPont submitted a notification for glycolic acid, followed by an application to the designated rapporteur Member State, Lithuania, for inclusion in Annex I of the BPD of glycolic acid as a biocidal active substance for use in the following biocidal Product Types:

- Product Type 2: Disinfectants and algaecides not intended for direct application to humans or animals
- Product Type 3: Veterinary hygiene disinfectants
- Product Type 4: Food and feed area disinfectants

This dossier was received by the rapporteur on July 26, 2007 and we received an e-mail from the rapporteur on September 26, 2008 confirming that the dossier was complete. Little progress was made subsequently and following a meeting with the Lithuanian Competent Authority in October 2014 it has been agreed by all parties concerned that the Netherlands should replace Lithuania as the rapporteur, now known as the evaluating Competent Authority (eCA).

The Dutch Competent Authority achieved the evaluation of the dossier in accordance with article 8(1) of Regulation (EU) No 528/2012 (BPR) in January 2020. Chemours submitted an updated dossier in accordance with article 8(2) of BPR in August 2021.

It is unclear when the eCA will send their assessment report to the European Chemicals Agency (ECHA). This draft assessment report will then pass through

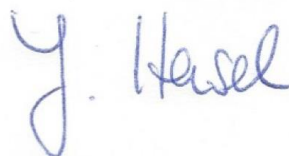
further review stages at European level which we anticipate will lead to the approval of glycolic acid as a biocidal active substance for use in biocidal products in the supported Product Types. At this stage, glycolic acid is not listed in the work programme 2021-2022 of the Biocidal Products Committee (BPC) for active substance approvals (status June 29, 2021).

From September 1, 2015 most biocidal products may be sold within the European Union only if the suppliers of all the active substances in that biocidal product have contributed to the BPR approval process for those active substances. Chemours is supporting glycolic acid as an active substance in the BPR review process and Chemours Belgium BVBA is listed as a participant in the Article 95 list of active substance and product suppliers published by ECHA.

Hence all glycolic acid products sold to our customers in the European Union and the European Free Trade Area by Chemours legal entities in Europe¹ are from suppliers meeting the requirements described in Article 95 of the BPR. Biocidal products containing Chemours glycolic acid as an active substance, provided that all other requirements are met, can continue to be sold along the supply chain in compliance with the BPR.

Chemours is committed to the long-term use of glycolic acid in biocidal products in Europe. Glycolic acid continues to be allowed for use in the notified biocidal product types while the evaluation processes continue.

Should additional information be required on this subject, please do not hesitate to contact us.



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¹ This includes Chemours legal entities in the European Union and / or the European Economic Area, as well as Chemours International Operations Sàrl.