



## Government Gazette of the Kingdom of the Netherlands

Date of publication	Organization	Year and number	column
10-09-2020 09:00	Ministry of Infrastructure and Water Management	Government Gazette 2020, 47139	Decisions of general application

### **Temporary exemption under Article 46, first paragraph of the Plant Protection Products and Biocides Act for the use of disinfectants in aircraft that transport passengers in connection with the COVID-19 outbreak (Temporary exemption for disinfection aircraft COVID-19 2020)**

IENW / BSK-2020/164839

The State Secretary for Infrastructure and Water Management,

Acting in accordance with the Minister of Agriculture, Nature and Food Quality;

In view of the request of the Aviation Department of the Ministry of Infrastructure and Water Management of 17 August 2020 for an exemption from the marketing and use of five unauthorized surface disinfectants,

Taking into account the need for disinfection in aviation devices as a result of the COVID-19 outbreak and the maintenance and assurance of the airworthiness of aircraft,

In view of Article 46, paragraph 1, of the Plant Protection Products and Biocides Act and Article 55 of Regulation (EU) No. 528/2012;

## CONCLUSIONS:

### Article 1

For the purpose of controlling infections during the outbreak of the coronavirus SARS-CoV-2 and in connection with the use of surface disinfection in aircraft and ensuring the airworthiness of the aircraft, on the basis of:

- a) Article 46, first paragraph of the Plant Protection Products and Biocides Act, granted exemption from the prohibition referred to in Article 43, first and second paragraphs of the Plant Protection Products and Biocides Act, to act in contravention of Article 17, first paragraph of Regulation (EU) No. 528/2012, in this case concerning the making available on the market and use, subject to conditions, of the following means for the disinfection of aircraft:

- Cee-Bee A18-S based on the active ingredient Benzyl-C12-16-alkyldimethyl-ammonium chloride,
- Aerokleen ACS based on the active substance C12-C14-alkyl dimethylbenzyl ammonium chloride,
- Bacoban DL 1% based on the active ingredients Benzyl-C12-16-alkyldimethylammonium chloride and pyridine-2-thiol-1-oxide;



- b) Article 55 of Regulation (EU) No 528/2012 allows the means referred to in point a) to be made available and used on the market under the conditions stated therein.

### Article 2

The restrictions and conditions included in the appendix to this Decree are attached to the exemption and permission referred to in Article 1 (a) and (b) respectively.

### Article 3

The exemption annex permission is granted from August 17, 2020 to February 12, 2021.

#### **Article 4**

This decision is cited as: Temporary exemption for disinfection aircraft COVID-19 2020.

#### **Article 5**

This Decree enters into force on the day after the date of publication in the Government Gazette in which it is published and has retroactive effect up to and including 17 August 2020.

This Decree, together with the annex and the explanatory notes, will be published in the Government Gazette.

*The State Secretary for Infrastructure and Water Management,  
S. van Veldhoven-van der Meer*

### **ANNEX REFERRED TO IN ARTICLE 2**

Producers and distributors who make biocides available on the market under this exemption and users who use these biocides must meet the following conditions.

The label must comply with the CLP Regulation (Regulation EC 1272/2008) on the classification, labeling and packaging of substances and mixtures.

In addition, the following conditions and phrases should be included on the label:

#### **Regulations and restrictions for the use of the product Cee-Bee A18-S**

- In the instructions for use, the contact time for product Cee-Bee A-18S must be 5 min. With a use dilution of 1: 5–1: 10
- The surfaces must be cleaned before disinfection.
- In order to prevent too high concentrations in the air, disinfection by means of spraying may only be carried out by 1 person at a time per aircraft.
- During disinfection, the aircraft's ventilation system must be in operation

#### **Regulations and restrictions for the use of Aerokleen ACS**

- Use Aerokleen ACS at a 10% dilution (1 part Aerokleen ACS to 9 parts water)

- The contact time for product Aerokleen ACS is 5 minutes
- Use gloves when handling the undiluted product
- The surfaces must be cleaned before disinfection. Apply the product with a cloth, brush or by spraying.
- After the contact time, residues can be removed with a damp cloth. Rinse the surface by wiping the surface with a cloth soaked in clean water.
- In order to prevent too high concentrations in the air, disinfection by means of spraying may only be carried out by 1 person at a time per aircraft.
- During disinfection, the aircraft's ventilation system must be in operation.

### **Regulations and restrictions for the use of the drug -Bacoban DL 1%**

- A contact time of 5 minutes against enveloped viruses (such as the Sars-Cov-2 virus).
- Not to be used for disinfection of the entire aircraft interior, but only for smaller surfaces in certain areas, such as surfaces in pantries and toilets
- When using impregnated wipes: use gloves
- When using trigger spray and cloth: use gloves and protective clothing
- When spraying under pressure: use gloves, respiratory protection and protective clothing
- Spraying and wiping with a cloth should be performed by different persons
- In order to prevent too high concentrations in the air, disinfection by means of spraying may only be carried out by 1 person at a time per aircraft.
- During disinfection, the aircraft's ventilation system must be in operation.



# EXPLANATORY STATEMENT

## Public health

Following the outbreak of COVID-19, guidelines<sup>1</sup> drawn up by the European Aviation Authority (hereinafter: EASA) and Dutch regulations<sup>2 require</sup> airlines to disinfect aircraft that transport passengers. This must be done at least once every 24 hours and for flights longer than 6 hours, provided that no passengers and cargo are on board after these flights. EASA has also drawn up guidelines with regard to the surfaces to be disinfected<sup>3</sup>.

In the Netherlands, the RIVM advice on disinfection must be taken into account<sup>4</sup>. The RIVM states that household cleaning (cleaning) in accordance with the standard working method is sufficient. In connection with SARS-CoV-2, no special measures are required for cleaning passenger aircraft. There is no reason to perform disinfection in the entire booth. RIVM recommends that in passenger aircraft 1) disinfect the hand contact points (such as armrests, folding table and handles of the luggage bins and the toilet compartment) after each flight and 2) disinfect them if surfaces are visibly contaminated with blood, vomit and / or faeces, etc.

EASA recommends disinfection of the entire aircraft. Following the RIVM advice is sufficient in the Netherlands. Due to international aviation regulations and context, airlines may also follow EASA guidelines if they consider it necessary.

## Need exemption

Disinfectants used in aircraft must be approved by the Board for the Review of Plant Protection Products and Biocides (Ctgb). In order to guarantee the airworthiness of the aircraft, it is also important that disinfectants are used that are permitted by aircraft manufacturers under aviation regulations. At the moment, no substances are permitted by the Ctgb that are also permitted by aircraft manufacturers.

## Risk assessment Board for the authorization of plant protection products and biocides (Ctgb)

From a human toxicological and environmental point of view, there are no objections to granting this exemption. The drugs are effective against COVID-19.

## Structural solution

An exemption is a temporary solution to make it possible to trade and use biocides (including disinfectants) that are not yet authorized as a necessary measure in the interests of, for example, public health. The rule is that only authorized products are offered and used on the market. That

is why at least one of the following follow-up steps is initiated to arrive at a structural solution.

The aviation sector and / or manufacturers of disinfectants ensure that the agents permitted in the Netherlands are placed on the lists of permitted agents of aircraft and helicopter manufacturers.

Another possibility is that manufacturers of disinfectants ensure that applications for authorization are submitted to the Ctgb for agents permitted by aircraft and helicopter manufacturers.

## Objection

Pursuant to Section 7: 1 of the General Administrative Law Act, a party interested in this decision can lodge a notice of objection with the administrative body that took the decision within six weeks of the day on which this decision was announced. Such a notice of objection should be addressed to the State Secretary for Infrastructure and Water Management, Ministry of Infrastructure and Water Management, PO Box 20901, 2500 EX The Hague. The notice of objection must be signed and contain at least:

- a. name and address of the submitter;
- b. the date;
- c. a description of the decision against which the notice of objection is directed (date and number or reference);
- d. a statement of the reasons why people cannot agree with the decision;
- e. a copy of the decision against which the notice of objection is directed.

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1

EASA Safety Directive 2020-03, June 25, 2020, EASA

2

Operational Directive - NL 2020-001R2, 3 July 2020, ILT

3

EASA Guidance on aircraft cleaning and disinfection in relation to the COVID-19 pandemic, June 30, 2020, EASA

4

Aircraft Cleaning Recommendation, July 30, 2020, OMT



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