

Researching the applicability of the legal instrument of  
***Request for Internal Review***  
under the amended Aarhus Regulation

1 April 2023

Monthly report on European Community institutions' administrative acts

In the period of

**1-31 March 2023**

the following administrative acts of European Community institutions were considered as eligible against which the Request for Internal Review under the amended Aarhus Regulation<sup>1</sup> is applicable:

| OJ number      | Date of publication | Act number   | Act title   | Eligible | Reason   |
|----------------|---------------------|--------------|---|----------|--|
| <b>C 79/17</b> | 02.03.2023          | 2023/C 79/04 | Opinion of the European Committee of the Regions on the EU Strategy for Sustainable and Circular Textiles                       | unclear  | it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable |
| <b>C 79/23</b> | 02.03.2023          | 2023/C 79/05 | Opinion of the European Committee of the Regions on 'Safeguarding food security and reinforcing the resilience of food systems' | unclear  | it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable |

<sup>1</sup> Article 2(1), point (g) reads as follows:

(g) 'administrative act' means any non-legislative act adopted by a Union institution or body, which has legal and external effects and contains provisions that may contravene environmental law within the meaning of point (f) of Article 2(1);

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|-----------------|------------|--|--|-----|--|
| <b>L 67/51</b>  | 03.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/458 of 1 March 2023 | on the non-approval of certain active substances for use in biocidal products in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 67/54</b>  | 03.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/459 of 2 March 2023 | not approving 2,2-Dibromo-2-cyanoacetamide (DBNPA) as an existing active substance for use in biocidal products of product-type 4 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council         | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 67/58</b>  | 03.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/460 of 2 March 2023 | postponing the expiry date of the approval of imidacloprid for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council                                | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>C 81/8</b>   | 03.03.2023 | 2023/C 81/02   | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections   | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>L 68/177</b> | 06.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/470 of 2 March 2023 | not approving d-Allethrin as an existing active substance for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council                                 | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 68/179</b> | 06.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/471 of 2 March 2023 | postponing the expiry date of the approval of 4,5-Dichloro-2-octyl-2H-isothiazol-3-one for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council     | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 73/17</b>  | 10.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/548 of 6 March 2023 | not granting a Union authorisation for the biocidal product family 'UL Hydrogen Peroxide Family 1' in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document C(2023) 1372) | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |

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| <b>C 90/1</b>  | 10.03.2023 | 2023/C 90/01  | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections   | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>C 90/17</b> | 10.03.2023 | 2023/C 90/02  | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections   | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>L 74/58</b> | 13.03.2023 | COUNCIL DECISION (EU) 2023/568 of 9 March 2023                  | on the position to be taken on behalf of the Union in the 228th session of the Council of the International Civil Aviation Organization (ICAO) as regards the adoption of Amendment 93 to Annex 10 – Aeronautical Telecommunications, Volume I – Radio Navigation Aids of the Convention on International Civil Aviation and of the amendment to the Technical instructions for the safe transport of dangerous goods by air to permit active tracking devices powered by small lithium batteries in checked baggage | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 74/61</b> | 13.03.2023 | COUNCIL DECISION (EU) 2023/569 of 9 March 2023                  | on the position to be taken on behalf of the European Union at the Council of the International Civil Aviation Organization, in respect of proposals for the amendment of Annex 16, Volumes I to III to the Chicago Convention, concerning Standards and Recommended Practices relating to environmental protection  | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 74/63</b> | 13.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/570 of 10 March 2023 | granting derogations to certain Member States from the application of Regulation (EC) No 138/2004 of the European Parliament and of the Council on the economic accounts for agriculture (notified under document C(2023) 1562)  | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 75/15</b> | 14.03.2023 | COUNCIL DECISION (EU) 2023/575 of 9 March 2023                  | authorising Poland to ratify, in the interest of the European Union, the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |

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| <b>C 102/14</b> | 17.03.2023 | 2023/C 102/12                                     | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections  | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>L 83/7</b>   | 22.03.2023 | COUNCIL DECISION (EU) 2023/658 of 23 January 2023 | on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Seychelles on access for Seychelles fishing vessels to the waters of Mayotte   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>C 110/1</b>  | 24.03.2023 | 2023/C 110/01                                     | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections  | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>C 110/5</b>  | 24.03.2023 | 2023/C 110/04                                     | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections  | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>C 110/9</b>  | 24.03.2023 | 2023/C 110/07                                     | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections  | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| <b>C 111/4</b>  | 27.03.2023 | 2023/C 111/04                                     | Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>C 111/5</b>  | 27.03.2023 | 2023/C 111/05                                     | Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |

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| <b>L 90/42</b> | 28.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/686 of 24 March 2023 | not granting a Union authorisation for the single biocidal product “Insecticide Textile Contact”   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 90/44</b> | 28.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/687 of 24 March 2023 | concerning the extension of the action taken by the Dutch Ministry of Infrastructure and Water Management permitting the making available on the market and use of the biocidal product Biobor JF in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 91/11</b> | 29.03.2023 | COMMISSION DECISION (EU) 2023/693 of 27 March 2023              | amending Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1217, (EU) 2017/1218, (EU) 2017/1219 and (EU) 2018/680 as regards the period of validity of the EU Ecolabel criteria and of the related assessment and verification requirements                                  | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 91/15</b> | 29.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/694 of 22 March 2023 | on the request for registration, pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council, of the European citizens’ initiative entitled ‘End The Horse Slaughter Age’   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 91/17</b> | 29.03.2023 | COMMISSION IMPLEMENTING DECISION (EU) 2023/695 of 27 March 2023 | establishing the format of the report regarding the status and trends of wild bird species referred to in Article 12 of Directive 2009/147/EC of the European Parliament and the Council (Birds Directive)   | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>L 92/19</b> | 30.03.2023 | COMMISSION DECISION (EU) 2023/705 of 29 March 2023              | amending Decisions (EU) 2017/175 and (EU) 2018/680 as regards the energy efficiency requirements for EU Ecolabel tourist accommodation and EU Ecolabel indoor cleaning services for certain energy-related products  | yes | it is an administrative act in the meaning of the Aarhus Regulation                              |
| <b>C 117/8</b> | 31.03.2023 | 2023/C 117/07   | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections   | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |

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| C 117/9  | 31.03.2023 | 2023/C 117/08 | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |
| C 117/10 | 31.03.2023 | 2023/C 117/09 | Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union, Cases where the Commission raises no objections | not | it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid |

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