

# STATE OFFICIAL NEWSLETTER

No. 107

Friday April 17, 2020

Sec. I. Page 29198

## I. GENERAL PROVISIONS

### MINISTRY OF HEALTH

**4492** *Order SND / 351/2020, of April 16, authorizing the Units NBC of the Armed Forces and the Military Emergency Unit to be used biocides authorized by the Ministry of Health in the work of disinfection to cope with the health crisis caused by the COVID-19.*

Royal Decree 463/2020, of March 14, declaring the state of alarm for the management of the health crisis situation caused by COVID-19, contemplates a series of measures aimed at protecting the welfare, health and safety of the citizens and containment of the progression of the disease and reinforce the system of public health.

Article 4.2.d) of the aforementioned Royal Decree 463/2020, of March 14, determines that, for the exercise of the functions provided therein and under the superior direction of the President of the Government, the Minister of Health will have the status of authority competent delegate, both in her own area of responsibility and in other areas areas that do not fall within the specific scope of competences of the other holders of the departments designated as competent authorities delegated to the effects of the aforementioned Royal Decree.

Specifically, in accordance with the provisions of article 4.3 of the Real Decree 463/2020, of March 14, the Minister of Health is empowered to dictate the orders, resolutions, provisions and interpretative instructions that, within their scope of action as delegated authority, are necessary to guarantee the provision of all services, ordinary or extraordinary, in order to protect of people, goods and places, by adopting any of the measures provided for in article eleven of Organic Law 4/1981, of June 1, of the states of alarm, exception and site.

For the effective fulfillment of these measures, the competent authorities delegates may require the action of the Armed Forces, in accordance with the provided for in article 15.3 of Organic Law 5/2005, of November 17, on the National defense.

In the field of containing the expansion of the coronavirus require special attention to the actions of disinfection of facilities such as social centers of residential character, hospitals and other health centers, establishments prisons, traffic management centers and transport hubs, tasks that Armed Forces are performing as one of their priority tasks.

The Ministry of Health has been publishing and updating the list of biocides to be used against the new coronavirus, authorized and registered in Spain according to the UNE-EN 14476 standard, which evaluates the virucidal capacity of antiseptics and chemical disinfectants. In particular, due to their special effectiveness, some biocides established in main group 1 of article 1.1 of Royal Decree 830/2010, of June 25, which establishes the regulatory regulations for training for carry out treatments with biocides.

Among the most effective disinfection techniques are the use of air means, then through them, with nebulization techniques, thermofogging and micronebulization, all surfaces are reached quickly, avoiding reliance on manual application, which is slower and sometimes does not reach all surfaces because there are obstacles that prevent reaching them.

The NBC defense units of the Armed Forces and the Military Unit of Emergencies (UME) have personal means, materials, procedures and the

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Sec. I. Page 29199

sufficient training to carry out aerial disinfection, since they are operations that they carry out regularly, with the exception that instead of using Biocide products do it with other decontaminating chemicals. It is therefore that, in view of the above and the effect of improving and streamlining the operations of disinfection of all types of facilities that the Armed Forces personnel come to carrying out, it is considered convenient to authorize, exceptionally and for the duration of the state of alarm, to the NBC Defense Units of the Armed Forces and the UME, the use of disinfectants and biocides of main group 1 described in article 1.1 of Royal Decree 830/2010, of June 25, which establishes the regulations regulating the training to carry out treatments with biocides, which have been authorized and designated as effective for the control of the COVID-19 pandemic.

By virtue of it, in accordance with the attributions conferred by article 4.3 of the Real Decree 463/2020, of March 14, I resolve:

First. *Authorization to the NBC Units of the Armed Forces and to the Unit Military Emergency to use biocides authorized by the Ministry of Health.*

The NBC Units of the Armed Forces and the Military Unit of the Emergencies, within the general actions of disinfection of spaces, both public as well as private, which on the occasion of the state of alarm come making the aforementioned units, to use those biocides of main group 1, described in article 1.1 of Royal Decree 830/2010, of June 25, which establishes establishes the regulations governing training to perform treatments with biocides, which are authorized and listed by the Ministry of Health as effective in the fight against COVID-19.

Likewise, the units indicated in the preceding paragraph are authorized to use of air disinfection procedures, through nebulization techniques, thermal fogging and micro-fogging for the execution of the aforementioned tasks of disinfection.

Second. *Validity.*

The measures provided for in this order will be applicable during the term of the state of alarm declared by Royal Decree 463/2020, of March 14, and its possible extensions.

Third. *Effects.*

This order will take effect on the same day of its publication in the «Official Gazette of the State».

Room. *Resource regime.*

Against this order, which puts an end to administrative proceedings, it may be filed contentious-administrative appeal within a period of two months from the day following the of its publication, before the Contentious-Administrative Chamber of the Supreme Court, In accordance with the provisions of article 12 of Law 29/1998, of July 13, regulator of the Contentious-Administrative Jurisdiction.

Madrid, April 16, 2020. – The Minister of Health, Salvador Illa Roca.

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