

I. GENERAL PROVISIONS

II.

MINISTRY OF HEALTH

4492

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 the containment of the progression of the disease and reinforcing the public health system.

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

Specifically, in accordance with the provisions of Article 4.3 of Royal Decree 463/2020, of March 14, the Minister of Health is empowered to issue the orders, resolutions, provisions and interpretative instructions which, within his scope of action as delegated authority, are necessary to guarantee the provision of all services, ordinary or extraordinary, in order to protect persons, goods and places, by means of the adoption of any of the measures provided for in Article eleven of Organic Law 4/1981, of June 1, on states of alarm, exception and siege.

For the effective enforcement of these measures, the competent delegated authorities may require the action of the Armed Forces, in accordance with the provisions of article 15.3 of Organic Law 5/2005, of November 17, 2005, on National Defense.

In the field of containment of the spread of the coronavirus, special attention must be paid to the disinfection of facilities such as residential social centers, hospitals and other health centers, penitentiary establishments, traffic management centers and transport hubs, tasks that the Armed Forces are carrying out 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 in accordance with the UNE-EN 14476 standard, which evaluates the virucidal capacity of chemical antiseptics and disinfectants. In particular, due to their special efficacy, some biocides are specified

in the main group 1 of article 1.1 of Royal Decree 830/2010, of June 25, which establishes the regulations governing the training to carry out treatments with biocides. Among the most effective disinfection techniques are the use of aerial means because through them, with nebulization, thermonebulization and micronebulization techniques, all surfaces are reached quickly, avoiding dependence 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 Emergency Unit (UME) have personnel, materials, procedures and the necessary equipment for the application of the NBC defense system.

The Armed Forces are sufficiently trained to carry out aerial disinfections, since they regularly perform these operations, except that instead of using biocidal products, they use other chemical decontaminating products. That is why, in view of the above and in order to improve and speed up the disinfection operations of all types of facilities that the Armed Forces personnel have been carrying out, it is considered appropriate to authorize, exceptionally and for the duration of the state of alarm, the NBC Defense Units of the Armed Forces and the UME, the use of disinfectants and biocides of the main group 1 described in Article 1. 1 of Royal Decree 830/2010, of June 25, 2010, which establishes the regulations governing the training to carry out treatments with biocides, which have been authorized and indicated as effective for the control of the COVID-19 pandemic.

By virtue thereof, in accordance with the powers conferred by Article 4.3 of Royal Decree 463/2020, of March 14, 2020, I hereby resolve:

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

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

Likewise, the units mentioned in the previous paragraph are authorized to use aerial disinfection procedures, through the techniques of nebulization, thermonebulization and micronebulization for the execution of the referred disinfection tasks.

Second. Validity.

The measures foreseen in the present order will be applicable during the validity of the state of alarm declared by Royal Decree 463/2020, of March 14, and its possible extensions.

Three. Effects.

This order shall take effect on the same day of its publication in the "Official Gazette of the State".

State Gazette".

Fourth. Appeals.

Against the present order, which puts an end to the administrative channels, an administrative appeal may be filed within two months from the day following 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, 1998, regulating the Contentious-Administrative Jurisdiction.

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

Original Document:

<https://www.boe.es/boe/dias/2020/04/17/pdfs/BOE-A-2020-4492.pdf>

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