Making available on the market and use of biocidal products

2009/0076(COD) - 20/03/2012 - Commission opinion on Parliament's position at 2nd reading

Pursuant to Article 293(2) of the Treaty on the Functioning of the European Union, the **Commission will not stand against the amendments voted by the European Parliament in second reading** on the basis of the compromise text negotiated between Parliament and Council.

The amendments adopted by the European Parliament at its plenary session of 19 January 2012 concern essentially:

- the criteria for the exclusion of active substances from the approval process;
- the scope of the EU centralized procedure for biocidal products;
- greater flexibility in relation to the data requirements and a reduction in the testing of vertebrate animals;
- the labelling requirements for treated articles;
- the publication of reports and the dissemination of information;
- the tasks attributed of the European Chemicals Agency and the basis for the payment of fees to that Agency.

The Commission will not stand against the compromise package as it is generally in line with the overall purpose and the general characteristics of the proposal. The Commission has made declarations regarding the use of implementing acts for the setting of the fees payable to the European Chemicals Agency, the definition of nanomaterial and the fees for mutual recognition applications.