

Making available on the market and use of biocidal products: conditions for access to the market

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The Committee on the Environment, Public Health and Food Safety adopted the report by Matthias GROOTE (S&D, DE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 528/2012 concerning the making available on the market and use of biocidal products with regard to certain conditions for access to the market.

The committee recommended that the European Parliament's position adopted at first reading, following the ordinary legislative procedure, should amend the Commission proposal. The main amendments, of a technical nature, were as follows:

Processing aids: Members highlighted that Regulation (EU) No 528/2012 excludes from its application biocidal products used as processing aids. They proposed to amend the Regulation to clarify beyond doubt that 'processing aids' means those defined in Regulation (EC) No 1831/2003 of the European Parliament and Regulation (EC) No 1333/2008 of the European Parliament and of the Council.

Consistency with the legislation on classification, labelling and packaging of substances and mixtures : in order to ensure consistency between Regulation (EU) No 528/2012 and Regulation (EC) No 1272/2008, Article 19(4)(b) of Regulation (EU) No 528/2012 should also be amended to include specific target organ toxicity by single or repeated exposure category 1 as a classification criterion in order to preclude authorisation for the making available on the market of a biocidal product containing such substances for use by the general public.

Biocidal products with less severe classification: Regulation 528/2012/EU should allow biocidal products with less severe classification to be part of a family based on higher risk formulations if they have similar composition, exposure levels, and proven efficacy.

Facilitate the enforcement of the Regulation: REACH has established the so-called "Forum" to coordinate enforcement activities amongst Member States with the support of the Agency and the Commission. The Forum should also be used to facilitate enforcement of the Biocidal Products Regulation by providing support and assistance to Member States with regard to control and enforcement activities.