Biocidal products for non-agricultural uses: common rules for national authorisations

1993/0465(COD) - 27/07/1993 - Legislative proposal

OBJECTIVE: to ensure the freedom of movement of biocidal products and goods treated thereby, without risk to man and the environment. CONTENT 1. The Directive complements Directive 91/414/EEC concerning the placing of plant protection products on the market (Official Journal L 230, 19 August 1991). It also sets out a comparable approach: establishment of a Community-wide positive list of active substances and, at in Member States, grant of authorisations and system of mutual recognition of authorisations. 2. Definition and scope of application: biocidal products cover pesticides for non-agricultural use, such as insecticides, disinfectants, products for the preservation of wood or other materials and biocides for industrial use. 3. The Directive draws up a positive Community list of active substances intended to combat harmful organisms and which may be used in biocidal products. 4. System of authorisation for placing on the market of the various biocidal products containing the active substances included in the positive list. This authorisation may be issued, modified and cancelled by the Member States in accordance with the common requirements set out in the Directive and the uniform principles to be drawn up by the Commission on the opinion of a Standing Committee on Biocidal Products composed of representatives of the Member States and chaired by a representative of the Commission. 5. Principle of mutual recognition of authorisations granted by the Member States, with a safeguard clause. 6. System of provisional authorisation (three years) of placing on the market by a Member State, in its territory, of biocidal products containing an active substance not yet included in the positive list, but satisfying its conditions. This period is extended to ten years when the biocidal product is not included in the positive list, but is already being placed on the market. 7. Ten-year programme for the evaluation of active substances being placed on the market and to be included in the positive list. 8. Possibility, for the Member States, to use an unauthorised active substance or biocidal product for research or development purposes, provided that strict conditions are respected. 9. Harmonised rules on the protection of confidentiality and information exchange. 10. As regards classification, packaging and labelling of biocidal products, the rules laid down in Directives 88/379/EEC and 78/631/EEC and some supplementary rules listed in the Directive are applicable. 11. Introduction of an information system for users on biocidal products by means of data-safety sheets. 12. Regulation of the advertising of biocidal products. 13. Obligation for Member States to take the measures needed for biocidal products placed on the market to be officially inspected as regards compliance with the conditions laid down in the Directive. Source: European Commission - Info92 08/95