



**COUNCIL OF
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Council tightens controls on biocidal products

The Council adopted today ¹ a regulation concerning the placing on the market and use of biocidal products ([PE-CONS 3/12](#)), which include insecticides, disinfectants and repellents, but not medicines or agricultural pesticides. The regulation shall apply from 1 September 2013 with a transitional period for certain provisions.

The purpose of this regulation is to simplify the authorisation procedures in the internal market through the harmonisation of legislation on biocidal products, while ensuring a high level of protection for both human and animal health and the environment .

On the basis of the precautionary principle, the regulation lays down rules in particular for:

- the establishment at Union level of a list of active substances which may be used in biocidal products;
- the granting of an authorisation to biocidal products;
- the mutual recognition of authorisations within the Union, so as to reduce the administrative burden on producers;
- the making available on the market and the use of biocidal products within one or more member states or the Union;
- the placing on the market of treated articles (articles incorporating pest control chemicals: they may not be treated with unauthorised chemicals anymore and must be labelled under the conditions specified in the Regulation. These obligations apply to all articles treated with biocidal products on the EU market, including imported ones).

¹ At the meeting of the Education, Youth, Culture and Sports Council, the Danish delegation voting against and the Austrian and Czech delegations abstaining.

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Furthermore, the regulation introduces the possibility of granting an Union authorisation for biocidal products, in addition to the current system of national product authorisation. A first series of product-types may be authorised at Union level as from 2013. From 2020 onwards, most biocidal products will qualify for this procedure.

The Commission submitted its proposal on June 2009 ([11063/09](#)) with the aim of replacing the current directive 98/8/EC ¹, - which provides for an EU-wide list of active substances permitted in biocides - in the light of developments in science and technology and to take into account the Commission report on the first seven years of its implementation. The European Parliament adopted its position at first reading on September 2010 ([13881/10](#)) and the Council adopted its position on 21 June 2011 ([5032/11](#)). At its session on 19 January 2012, the Parliament adopted, at second reading, amendments to the Council's position at first reading ([5412/12](#)) corresponding to the compromise agreement resulting from the informal negotiations between the three institutions.

¹ OJ L 123, 24.9.98.