



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2023/0070/B (Belgium)

Royal Decree amending the Royal Decree of 27 May 2014 on the placing on the market of nanoparticle-manufactured substances.

Date received : 20/02/2023

End of Standstill : 22/05/2023

Message

Message 002

Communication from the Commission - TRIS/(2023) 00411

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2023/0070/B

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 202300411.EN)

1. MSG 002 IND 2023 0070 B EN 20-02-2023 B NOTIF

2. B

3A. SPF Economie, PME, Classes moyennes et Energie

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4. 2023/0070/B - C00C

5. Royal Decree amending the Royal Decree of 27 May 2014 on the placing on the market of nanoparticle-manufactured substances.

6. Nanoparticle-manufactured substances, preparations containing such substances and articles in which these substances have been incorporated (including: biocidal products, materials and articles intended to come into contact with food commodities, pigments and cosmetic products).



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This legislation does not include:

1. Medicinal products;
2. Medicinal products for human use and medicinal products for veterinary use;
3. Food commodities;
4. Animal feed;
5. Medicinal products and medicated feed for animals;
6. Processing aids and other products which may be used for the processing of ingredients of agricultural origin produced according to the organic production method.

7. -

8. The main changes introduced by the draft legislation are as follows:

- 1) Broadening the scope of the Royal Decree of 27 May 2014 by including biocidal products, materials and articles intended to come into contact with food commodities, pigments and cosmetic products.
- 2) Establishment of a system of prioritisation by categories of items and complex objects intended for consumers and notified with regard to the potential exposure to nanomaterials and therefore to the toxic risk that may result from it.
- 3) Supervision of the new use, and the exposures it entails, related to the use of face masks by non-professional consumers by adding face masks as a category of items in the prioritisation system.
- 4) Modification of one of the cumulative conditions required in the context of the notification for the placing on the market of complex items or objects.
- 5) Determination of a date of entry into force for the provisions of Chapter 3 (the notification of complex items and objects in which one or more nanoparticle-manufactured substances have been incorporated) of the Royal Decree of 27 May 2014.

9. The main aims of the draft legislation are to:

- Improve the level of information by broadening the scope of the current legislation;
- Gain broader knowledge of the market, the characteristics of nanomaterials and the potential risk of human exposure to these substances;
- Optimally assess the risks associated with potential exposure to nanomaterials;
- Protect public health in general;
- Strengthen traceability and therefore make the intervention of the authorities possible in the event of a risk to human health or to the safety of workers;
- Strengthen the security of public procurement;
- Promote communication;
- Ensure transparency and reinforce the confidence of the public and workers vis-à-vis these substances.

10. References to basic texts: Belgian Law of 21 December 1998 on product standards for the promotion of sustainable production and consumption methods and the protection of the environment, health and workers.
Belgian Royal Decree of 27 May 2014 on the placing on the market of nanoparticle-manufactured substances.

11. No

12. -

13. No

14. No

15. -



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16. TBT aspect

No - The draft is neither a technical regulation nor a conformity assessment procedure

SPS aspect

No - The draft is not a sanitary or phytosanitary measure.

European Commission

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