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

Notification Number : 2023/0367/BE (Belgium)

Royal Decree amending the Royal Decree on the making available on the market and the use of biocidal products

Date received : 13/06/2023
End of Standstill : 14/09/2023

Message

Message 001

Communication from the Commission - TRIS/(2023) 1786

Directive (EU) 2015/1535

Notification: 2023/0367/BE

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20231786.EN

1. MSG 001 IND 2023 0367 BE EN 13-06-2023 BE NOTIF

2. Belgium

3A. FOD Economie, KMO, Middenstand en Energie
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3B. FOD Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu
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4. 2023/0367/BE - C00C - Chemicals

5. Royal Decree amending the Royal Decree on the making available on the market and the use of biocidal products

6. Products concerned: biocides

7.

8. This draft Royal Decree amends the Royal Decree of 4 April 2019 on the making available on the market and the use of biocidal products.

The principle new provisions are as follows:
- Article 2: a number of new definitions have been added
- Article 3: sale and use of biocidal products is only possible during the validity of the act, before the expiry date and in accordance with the applications and conditions granted
- Article 12: an application for an administrative change is possible up to three months for the approval of the active substance (instead of six months)
- Article 13: suspension can lead to cancellation in the event of insufficient remediation
- Article 16: an identical product can also be authorised with administrative changes
- Article 28: addition of:
– required elements on label (name, hazardous non-active substances, volume)
– mandatory place on label, required font size, language required
- Article 29: publicity shall be prohibited for applications exclusively authorised by the general public if the hazard score assigned to the product exceeds 0.
- Article 32b: obligations for the authorisation holder during the grace period:
– responsibility
– information obligation
– mandatory return

9. An amendment is essential for the following reasons:
- A number of technical adjustments are needed to adapt the text to current practice
- A number of additions are needed to better explain certain elements
- The current RB has a number of gaps
- A number of new provisions have been added
- A number of corrections are required
- A number of simplifications have been introduced to make the text more readable
- Better coherence with European Regulation 528/2012

10. Numbers or titles of basic texts:
B-2023-0367-NL-01
B-2023-0367-FR-01

11. No

12.

13. No

14. No

15. No

16.
TBT aspects: No

SPS aspects: No

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European Commission
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