

**TRIS Notification 2021/42/D (Germany)**

**Statement**

**Ordinance on the reorganisation of secondary national  
legislation on biocidal products**

**28 April 2021**

Pesticide Action Network (PAN) Germany strongly supports the intended German ordinance as stipulated in TRIS notification 2021/42/D.

We welcome that the Ordinance aims at ensuring a high level of protection of human and animal health as well as of the environment from the effects of biocidal products by improving the practical application of Regulation (EU) No 528/2012 in Germany through accompanying provisions.

**The intended ordinance on the notification and supply of biocidal products supports the purpose and ensures compliance with the substantive requirements of Regulation (EU) No 528/2012 (BPR).**

The intended ordinance specifies at national level what is not regulated in sufficient detail in the BPR. The BPR already set the scope of these provisions in Art. 17 (5) (Making available on the market and use of biocidal products), in Art. 18 (Measures geared to the sustainable use of biocidal products), and in Art. 65 (Compliance with requirements): The BPR aims at the sustainable use of biocides and seeks to establish a report and surveillance system in the Member States. The Federal Environment Agency has already provided a "[Proposal for a concerted European approach towards a sustainable use](#)" in 2014. As long as there are no harmonised rules for the sustainable use of biocidal products in the EU, it is necessary to establish such rules on the national level.

**The ordinance will improve the proper use of biocidal products**

According to BPR Art. 17 (5), proper use shall involve "the rational application of a combination of physical, biological, chemical or other measures as appropriate, whereby the use of biocidal products is limited to the minimum necessary and appropriate precautionary steps are taken".

This definition of proper use goes far beyond a correct application of a biocidal product. It rather implies knowledge and expertise of integrated management measures for hygiene, material protection and pest management in terms of IPM standards and the prioritisation of preventive measures. This requires education and training, especially in preventive measures and alternative non-chemical methods. It also requires appropriate training and application guidelines for professional users and – as minimum - competent advice for non-professional costumers before making a decision how to solve or avoid a pest problem and before purchase a product.



