

Biocidal Products Regulation

Ensure consumer information, adequate regulation of hazardous compounds and emerging risks by applying the precautionary principle within the BPR legal regime



Sascha Gabizon, WECF, mini-symposium, The Hague 8
October 2014

www.wecf.eu

Key advances of new BPR regime

Some key aspects of the new legal regime

- Substitution of most hazardous compounds (hazard-based approach, exclusion criteria)
- Sustainable use of biocides, comparison with non-chemical means of control
- Protection of vulnerable groups
- Union-wide authorization to ensure coherence

New Biocidal Products Regulation provides a unique opportunity and a comprehensive framework to deal with both market aspects and public health/environmental aspects of biocidal products

Used adequately and based on sound scientific data, it can benefit to ensure:

- effective protection of public health and the environment
- harmonization of the EU biocidal products market
- transition towards a sustainable use of biocides in the EU
- ensure sufficient level of knowledge and confidence of consumers in biocidal products.

Labelling and right to information on biocidal contents of treated articles

New compared to the former Directive legal regime, improvement of consumer information

Labelling

- Label of products if claim of biocidal properties
- Label based on public health and environment protection concerns

Right to know similar to REACH

- Upon request, the supplier must inform the consumer of the biocidal treatment within 45 days, free of charge.

Problem: lack of consumer info

- Very poor understanding and level of information of consumers on biocidal products
- Consumers are daily in contact, but unaware of health risks
- Danish ministry “license to kill” video’s and APP

Example: protect and inform Consumers on potential adverse effects of biocides in products

1) Treated articles – the case of textiles products

The case of anti-microbial treatments of textiles : triclosan, triclocarban, silver, nano-silver, formaldehyde for purpose of:

- anti-odour & anti-dirt treatments;
- Compounds washed out in water
- Effectiveness of the biocidal treatment? (KEMI, 2011)

2) **Rodenticides**: should apply cut-off criteria, do not accept the delay (50% no longer in free sales)

3) **Skin sensitizers**: apply the precautionary principle, label ALL, not create artificial exclusion where “little” exposure is “expected”

Managing known and emerging risks

1) Management of known risks

- Art 5 - Exclusion criteria: CMR, PBT, vPvB, EDCs
- Art 10 – candidates to substitution : respiratory sensitizers, risks for groundwater (room for interpretation and inclusion of developmental, immunotoxic and neurotoxic effects ? Skin sensitizers? incidences of resistance to widely used biocidal products & newly developed biocidal products?

2) Management of emerging risks

- **Nanobiocides:** Definition, Concern about dissemination in living organisms, Concern about fate in the environment
- **Endocrine Disrupters :** Common definition at EU level, delay and recently announced impact assessment, interim criteria are not being used!!

Problem: imports and non-authorized biocides

Great volume of imported products placed on the market and its consequences

Need to better ensure control and surveillance of **imported and internet sales of non-authorized substances/mixtures/articles**:

- Human resources (ECHA, national bodies)
- Technical resources (capacity to test treated articles contents of biocides)
- Financial resources (dedicated budgets)
- EU- wide system of surveillance and rapid alert system

Danish Consumer information

- As many as 75% of the Danes use household poisons, for example to kill mosquitos or get rid of algae on the terrace without knowing that they entail a risk for themselves or the information about household poisons.
- However, three in four Danes do not know that this entails a risk for ourselves and the environment.



You are here: [Home](#) / [Topics](#) / [Biocides](#) / [Think! Before you use everyday products containing poison](#)

TOPICS

Agriculture →

Air →

Biocides ↓

- › Introduction to the new aspects of BPR
- › Authorisation of biocidal products
- › Approval of active substances
- › Active substances and suppliers
- › Find authorised biocidal products
- › Legislation

Chemicals →

Think! Before you use everyday products containing poison.

The Danish EPA has launched a campaign called "Think!.. before you use everyday products containing poison".

The campaign aims at giving the consumer knowledge about what biocides are, and how to use them correctly without harming people or the environment



Music video





Pesticides	→
Noise	→
Sustainability	→
Waste	→

Many of us don't think twice about using household poisons when, for example, combating ants and preventing wood decaying fungus. Household poisons contain biocides and should therefore be used with consideration.

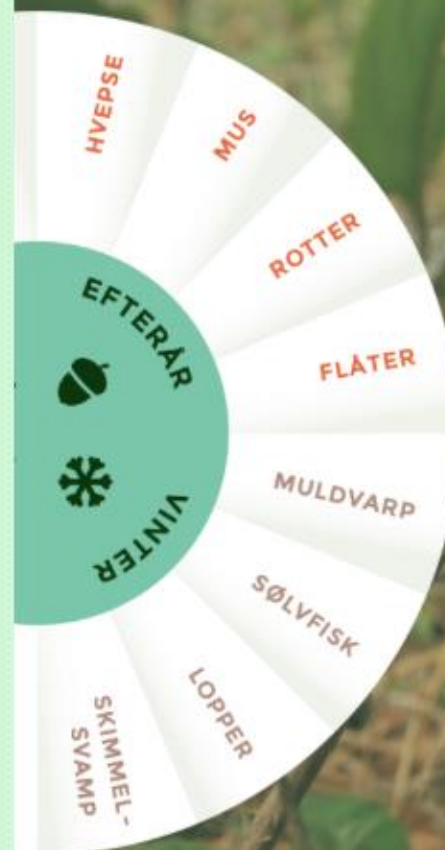
The Danish EPA has launched a campaign called "Think!.. before you use everyday products containing poison".

The campaign aims at giving the consumer knowledge about what biocides are, and how to use them correctly without harming people or the environment. Part of the campaign is a music video, another part is an app for mobiles, pc's and tablets and yet another part a campaign homepage.

You can find information about household poisons on the new website hverdagsgifte.dk (in Danish), on YouTube in a music video with Danish actor Nikolaj Kopernikus, and in a new app for your smartphone. Here, you can also find information about products that often contain household poisons. The technical term for household poisons is biocides. You can see how to use the poisons safely, and how to dispose them in a responsible manner. Furthermore, the Danish Ministry of the Environment website (www.mst.dk) offers advice on how to avoid using household poisons and use another solution



søg...

**PATTEDYR****SNEGLE****ALGER, SVAMPE OG
BAKTERIER****INSEKTER, FLÅTER OG
MIDER****SE MILJØSTYRELSENS
KAMPAGNEVIDEOER***Efterårets
plager
(årshjul)* →

Danish Biocide website

- For consumer information
<http://eng.mst.dk/topics/biocides/think!-before-you-use-everyday-products-containing-poison/>
- <http://www.bekaemp.dk>

▼ **Clothianidin for PT 18**

Clothianidin is an existing active substance evaluated in PT 18. Biocidal products containing clothianidin are intended for use in paint-on formulations for controlling insects such as house flies in animal housings and for domestic premises by non-professional users.

The BPC confirmed that clothianidin is a candidate for substitution because it is very persistent and toxic.

The evaluating competent authority of the active substance application is Germany.

▼ **MIT for PT 13**

2-Methylisothiazol-3(2H)-one (MIT) is an existing active substance evaluated in PT 13.

MIT is a preservative in metalworking fluids intended to be used only in professional applications to control the growth of a variety of microorganisms. Metalworking fluids are used to cool, lubricate and flush away metal shavings during the manufacturing of metal products. The biocidal product containing MIT is added directly to the sump of a metalworking operation to prevent contact with the active substance which has skin sensitising properties.

The evaluating competent authority of the active substance application is Slovenia.

▼ **MBM for PTs 6 and 13**

N,N'-Methylenebismorpholine (MBM) is an existing active substance evaluated in PTs 6 and 13. MBM belongs to the group of formaldehyde-releaser substances. Biocidal products containing MBM are used as bactericides for the preservation of fuels (PT 6) and the preservation of metalworking fluids (PT 13) which are prone to bacterial decay.

The PT 6 product is intended to be incorporated by industrial users into fuels during the formulation process where risk mitigation measures prevent toxic levels of exposure to the active substance or the released formaldehyde. The PT 13 product is intended to be incorporated by professional users into water-based metalworking fluids.

MBM is proposed to be classified as a carcinogen 1B therefore the BPC has confirmed that MBM is a candidate for substitution.

The evaluating competent authority of the active substance application is Austria.

Other problems

- **Data gaps** on biocidal contained in products and used for manufacturing, shortage of data in certain areas from the public authorities in charge of communicating to the public
- **Nature of information:** environmental information may be complex and difficult to convey to the public
- **Confidentiality:** commercial and industrial information, “culture” of resistance to transparency, overly wide interpretation of confidentiality
- **Format and cost of information:** absence of centralized contacts dedicated to environment, inadequate format of existing information, difficulties for the general public in obtaining the information, ignorance of the right to information which consumers are not using enough
- **Move from DG Env to Sanco:** assimilated to pesticides?? Bad decision!!

Protecting consumers and in particular vulnerable groups

- **Access to information by** authorities in charge of conveying information to consumers , balance protection of socio-economic interests and protection of public health
- **Free and public access** to information in various formats (paper, digital, public campaigns, etc.)
- **User-friendly formats** accessible to various populations, like those socially excluded, more vulnerable, ensure differences with data for professional users
- **Specific attention paid to vulnerable populations** (pregnant women, young children, etc.)
- **Promotion** by public authorities of the existence of the right to information