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P21. REGULATION OF BIOCIDAL PRODUCTS IN TURKEY: THE COMMISSION'S VIEW

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Turkey currently has the status of candidate country for EU accession and accession negotiations were opened in 2005. One of the criteria for becoming an EU Member State is acceptance of the EU acquis, the body of European Law. Chapter 12 of the acquis, Agriculture and Fisheries, includes legislation on biocides. Turkey's national legislation must therefore be brought into line with this.

The implementation of the customs union in 1995 marked a critical moment in the development of the trade relationship between the EU and Turkey. It helped to strengthen trade and investment links between the EU and Turkey and committed Turkey to aligning its legislation with the EU acquis.

The European Commission encourages candidate countries to further align their legislation, policies and best practices with European Union law and to strengthen their administrative capacity in order to be able to implement and enforce the legislation. A country's progress in aligning and implementing the EU acquis continues to be monitored throughout the accession negotiations.

As part of the process of aligning its legislation in order to qualify for accession, Turkey began to bring its national laws into line with Directive 98/8/EC on biocides. A new EU Regulation on biocidal products ('the BPR') is applicable since 1 September 2013. The EU legislation on biocides aims to provide a high level of protection for humans, animals and the environment, and to improve the functioning of the single EU market in biocidal products. The BPR repeals earlier legislation on biocides.

Biocidal products may only be placed and used on the EU market if they have been granted authorisation, and the active substances contained in these products must also first be approved at EU level. As of 1 September 2015, manufacturers of biocidal products available on the EU market must be able to demonstrate that the supplier from whom they purchase active substances is on the list of registered suppliers created in accordance with Article 95 of the BPR. The aim of this Article is to ensure that the costs of generating data and supporting the system for approval of active substances are shared fairly.

The BPR also sets rules on the use of products that have been treated with one or more biocidal products. Products to be placed on the EU market can only be treated with biocidal products whose active substances have been approved in the EU. Manufacturers and importers of treated articles must ensure that these products are labelled correctly. A transition period, ending on 1 September 2016, was granted in order to give manufacturers and importers time to adapt to the new rules on treated articles introduced in the BPR (replacing the rules from the earlier legislation, the Biocidal Products Directive). However, the labelling provisions do already apply since 1 September 2015.

The Commission is currently discussing with Member States the question of setting limits, where necessary, on the level of residues of active substances used in biocidal products.

In view of Turkey's status as a candidate country, both the BPR and Regulation (EC) No 1907/2006 (on the registration, evaluation, authorization and restriction of chemicals-REACH) offer an opportunity for intensifying cooperation between the EU and Turkey on biocides.