

P76 : ARTICLES TREATED WITH BIOCIDAL PRODUCTS

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Purpose

In this study, articles treated with biocidal products have been assessed in the scope of Directive 98/8/EC Concerning the Placing of Biocidal Products on the Market and of Regulation (EU) No 528/2012 concerning the Making Available on the Market and Use of Biocidal Products.

Method

In this study, national and international legislation and practices in the countries of the European Union are reviewed.

Findings

The By-Law on Biocidal Products was published in the Official Gazette and entered into force on 31st Dec, 2009) in parallel with Directive 98/8/EC concerning the Placing of Biocidal Products on the Market. Regulation (EU) No 528/2012 concerning the making available on the market and use of biocidal products will repeal and replace Directive 98/8/EC and will be valid in EU Member States as of 1 September 2013. New procedures and structural changes are made with Regulation No. (EU) 528/2012. The authorization procedure is amended as National Authorization, Mutual Recognition in Sequence, Mutual Recognition in Parallel, Union Authorization, Simplified Authorization Procedure by Regulation (EU) No 528/2012.

It is states on page 77 of the "Manual of Decisions For Implementation of Directive 98/8/EC" which is not binding, but regarded as strong advice and last modified: 21.12.2011 that when an article has been treated with a biocidal active substance with the intention to control organisms harmful to the treated article/material itself (on the surface or inside), then the treated article shall not be considered as a biocidal product (Internal effect). Examples on such articles might be treated materials, like wood, leather, and most water based paints. However, the active substance (by itself or in a formulation) that has been used to treat the article is a biocidal product requiring authorization. Treated articles imported from non-EU countries are not currently covered by the BPD. According to article 3.1 (a) of Regulation (EU) No 528/2012, a treated article that has a primary biocidal function shall be considered a biocidal product. A treated article shall not be placed on the market unless all active substances contained in the biocidal products are approved.

The label on the treated articles should include the statement that the treated article incorporates biocidal products. Treated articles imported from non-EU countries are now covered by the BPR. The U.S. Federal insecticide, fungicide, and rodenticide act (FIFRA) a few products, such as paint layer protect have kept the exception. The European Union has prepared CA-dec12- Doc.5.1.g document on this issue. The Swedish Chemicals Agency (KEMI) made a study on articles treated with biocides in consumer products within three stakeholder groups; importing companies, municipalities and consumers in 2012. The survey addressed five groups of consumer goods: shoes, sports clothing, bedroom textiles, toys and building material. It stated that representatives from many of those companies which imported biocides treated articles said that the issue of biocides in products is not seen as very significant. This survey made by The Swedish Chemicals Agency shows also that biocides have been found in many products and mentions those articles treated with biocidal products which are very important in terms of human health and the environment.

Result

Guidelines for a national application plan on articles treated with biocidal products which may cause exposure to humans very frequently in their life taking into account studies elaborated in the European Union and in developed countries and total release of the biocides' load of treated articles being used in the same field are under urgent development.

Keywords: treated articles, biocidal products