Revitalising the Review Programme

Where we are

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Outline

I - State of play of the Review Programme
II- Why the delays in the RP are a concern?
III- Actions to improve the situation
Progress of the Review Programme

September 2019: 33% of decisions adopted
Progress of the Review Programme

September 2019: 239 AS/PT combinations decisions adopted

Overall progress of the review programme of existing AS per PT

- Finalised (i.e., decision taken)
- Evaluation still on-going
Progress of the Review Programme

Per Member States

- AS/PT still under evaluation by the eCA
- AS/PT in BPC or SCBP discussion
- AS/PT for which a decision of approval/non approval has been taken
Overall timeline

BPD

1998

Start of the evaluations in the review programme

2004

BPR

The Commission shall carry on with the work programme and concluding it by 31 December 2024 (Biocidal Products Regulation)

Re-organisation of the review programme

2013

2015 2018

Notifications for redefined in situ active substances – increase of work programme with 103 combinations AS/PT

2019

Report of EC to Council and Parliament on the implementation of BPR

2021

Deadline to complete the review programme

End 2024
Recent years

- Hardly no draft report from MS submitted since 2017
- Drop in delivery of BPC opinions: delays from applicants, Member States + EDs
- Some BPC opinions need an update on ED assessment (new criteria since June 2018)
- To complete the RP by end of 2024:
  - 50 opinions/year needed when the work was reorganised in 2013
  - Now: **81 opinions/year needed** because of the delays since 2013
Delays in the RP are a serious concern

- The expected high level of safety for human health and environment is not achieved
- No level playing field for companies
- The more time it takes, the more complex it gets, the more resources it takes
- Resources in the Member States and ECHA for the implementation of the BPR are partly dependent on progress in the review programme
- Overall, 20 years (2004-2024) to complete the work is twice of what was originally expected
Actions to accelerate delivery

- March 2015 ECHA workshop to review the AS assessment process
- March 2018 CA conclusions:
  CA-March18-Doc.5.1a - Final - Actions for AS review programme.pdf
- February 2019 ECHA workshop on the review programme:
  → And follow-up ECHA plan to be discussed at the November 2019 CA meeting
- June 2019 Commission Workshop on Fact Finding missions in Member States
ECHA Workshop in March 2015

- Discussion of the assessment process led to:
  - Review of some processes
  - Additional guidance to help MS in the assessment, and clarify procedures for applicants (peer review)
  - Review some templates (e.g. common template for BPR evaluation and CLH dossier)

- Commission letters to all Member States on the need to allocate appropriate resources and deliver on the objectives of the BPR
CA Conclusion in March 2018

- Discussion for a year (2017-2018) with MS and stakeholders representatives on causes for delays and possible actions

- Agreed actions:
  - For Applicants: better knowledge of BPR, procedures, rules, and respect of deadlines, etc.
  - For Member States: higher commitment to apply agreements, priority lists, better communication with applicants, early information of ECHA of any difficulty, avoid postponement of BPC discussions, etc.
  - For ECHA: improve support to MS and coordination, stricter management of BPC WG meetings in decision taking
  - For Commission: detailed later on
ECHA workshop in February 2019

- Discussion on further actions to deliver on the RP

- Agreed actions:
  - Priorisation of dossiers and allocation of resources
  - Becoming tougher when requested data are not submitted
  - Reducing complexity wherever possible (access of information, guidance, procedures, focus on what matters for the outcome, …)
  - Finding pragmatic solutions within the legal framework
    - Need for better interactions between BPR and CLP processes

- Already some deliveries: [CA-May19-Doc.7.1.a - ECHA communications.pptx]

- ECHA further action plan for discussion in November 2019 CA meeting
Commission workshop in June 2019 on fact finding missions in Member States

- Between 2017 and 2018 the EC carried out five fact finding missions in Hungary, Germany, Belgium and The Netherlands

- Reports are publicly available:

- On 19-21 June 2019: a workshop took place to take ownership of the findings and use them to improve the implementation of the BPR
Commission Actions

- Continue to closely monitor the progress/delays
- Additional FTEs granted to ECHA in 2019 – 2020, in particular to:
  - Provide additional support and guidance to Member States
  - Provide specific support for assessment of ED properties
- Support MS and ECHA on specific files
- Consider taking further action: infringement?
Conclusion

• Implementation of EU legislations: priority for the new Commission (2019-2024)

• Review Programme: a long way to go, many challenges still ahead

• To deliver on the objectives of the BPR, progress in the Review Programme is key

• Many actions for improvement are already agreed, must be implemented by all parties more strictly

• Time to deliver!
Thank you for your attention

For further information:

Commission website:

https://circabc.europa.eu/w/browse/e947a950-8032-4df9-a3f0-f61eefd3d81b
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ECHA website & Helpdesk on Biocides: