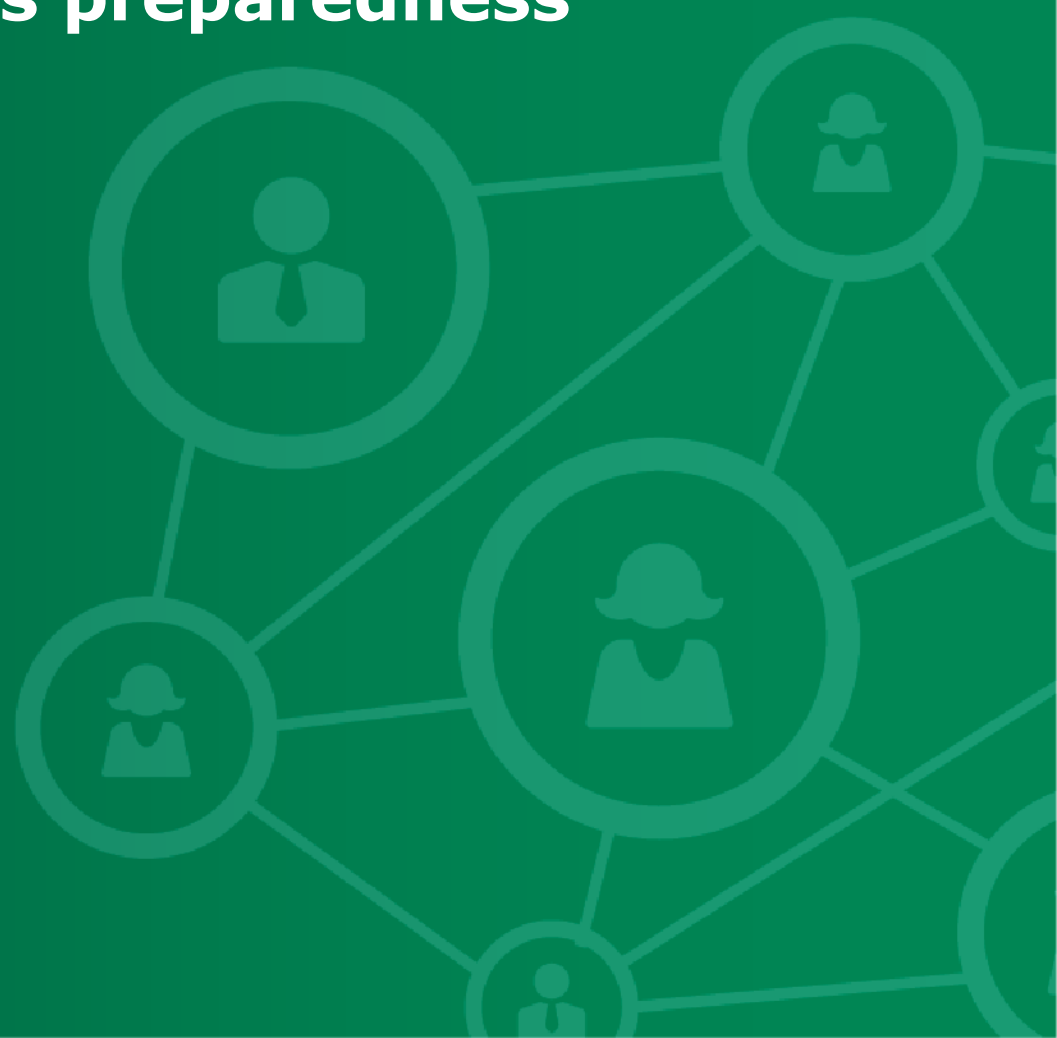


Withdrawal of the United Kingdom from the EU – ECHA's preparedness

Biocides Day

24 October 2018

Andreas Herdina
Director of Cooperation
European Chemicals Agency



Understanding the timelines

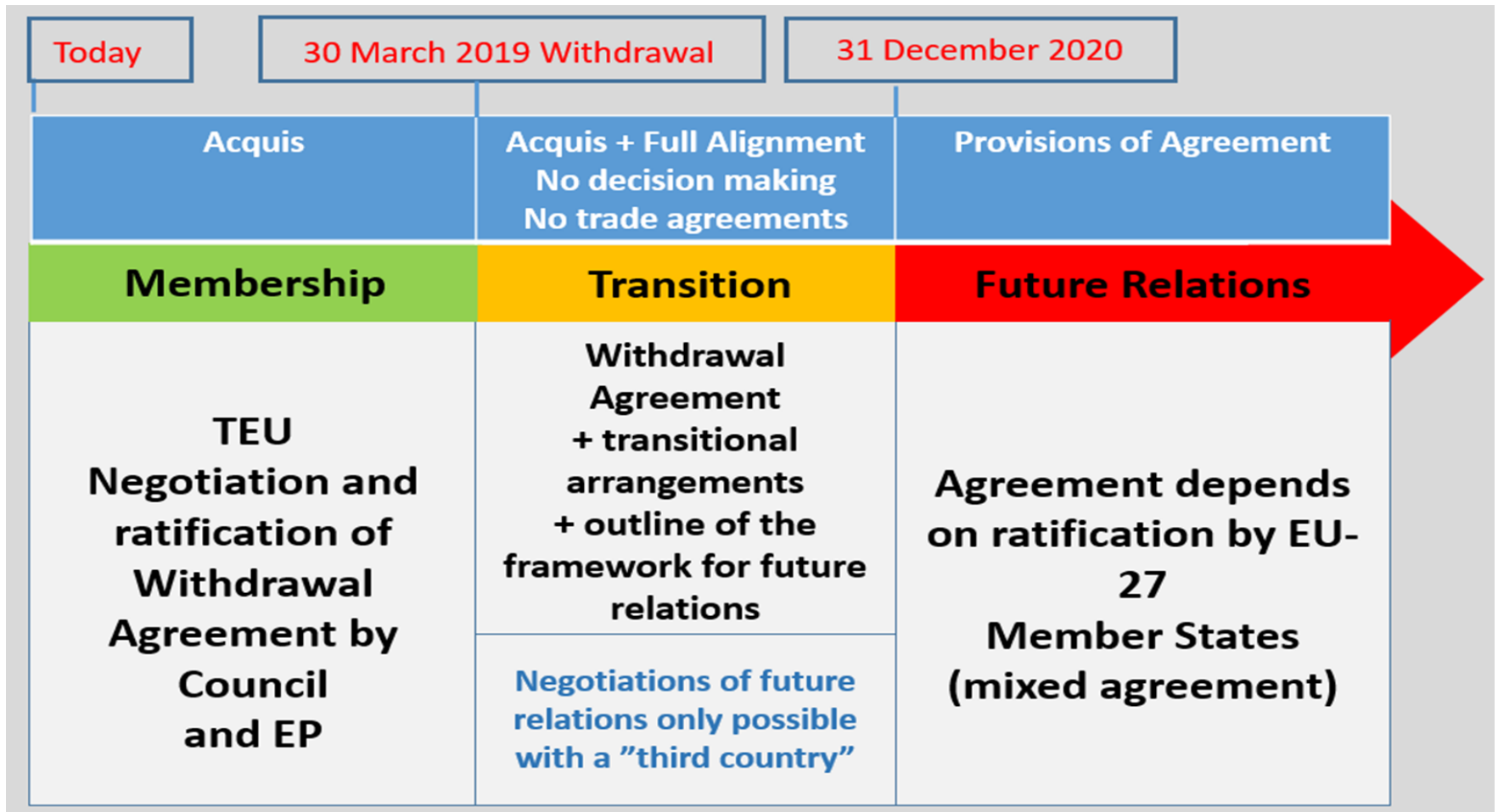
**Still unclear at this stage:
will a withdrawal agreement be
concluded and ratified?**

Relevance for a potential transition period





The timelines of withdrawal





New normal after “Brexit”

- Being in a third country, UK companies will:
 - no longer be subject to the Biocidal Products Regulation
 - retain limited involvement, as companies of a third (non-EU/EEA) country
- UK authorities will:
 - no longer participate in EU regulatory processes
 - no longer be part of or send experts to ECHA bodies
 - no longer need to have a REACH/BPR/CLP helpdesk
- Companies may benefit from a transition period
- Immediate impact on authorities



14 March: EU draft of withdrawal agreement text (see TF50 website)

15 March 2018

TF50 (2018) 33/2 – Commission to UK

-
- Subject:** Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.
- Origin:** European Commission, Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU.
- Objective:** Sent to the UK authorities and published on the TF50 website on 15 March 2018.



Provisionally agreed elements

PART FOUR TRANSITION

Article 121 *Transition period*

There shall be a transition or implementation period, which shall start on the date of entry into force of this Agreement and end on 31 December 2020.

Article 122 *Scope of the transition*

1. Unless otherwise provided in this Agreement, Union law shall be applicable to and in the United Kingdom during the transition period.

However, the following provisions of the Treaties and acts adopted by the institutions, bodies, offices or agencies of the Union shall not be applicable to and in the United Kingdom during the transition period:



Latest: European Council 18-19 October

- Still diverging views on the “**Irish backstop**” (agreed in principle in December 2017)
- Chief Negotiator Michel Barnier, France Inter radio, 19 October: “...*extremely **serious issue** remaining, which is to guarantee that there will be no border in Ireland, because it’s a **condition for peace***”
- Chief Negotiator Dominic Raab, Sunday Telegraph, 21 October: suggestion to **extend the transition period** instead of backstop



Important timelines ahead

- November: possibly Special Council meeting (questionable)
- December: regular Council meeting
- Ratification: if withdrawal agreement concluded
 - Ratification by Council, European Parliament and UK Parliament (self-imposed deadline of mid-January 2019 in draft EU withdrawal bill)
 - Withdrawal agreement implementation bill (WAIB)
- **30 March 2019, 00:00 (CET):** UK withdrawal takes effect (29 March 2019, 11 p.m. in London)

Negotiating the future EU-UK partnership

Can only be negotiated with non-EU-MS

- **Withdrawal agreement** can only include “**overall understanding** on the framework for the **future relationship**”
- Possible format: “**Annotated Headlines**”
- **Detailed negotiations** after conclusion of the withdrawal agreement and **after withdrawal** per 30 March 2019 takes effect





Council guidelines: no sectorial “cherry picking”



European Council

Brussels, 23 March 2018
(OR. en)

EUCO XT 20001/18

BXT 25
CO EUR 5
CONCL 2

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	European Council (Art. 50) (23 March 2018) - Guidelines

Delegations¹ will find attached the guidelines adopted by the European Council (Art. 50) at the above meeting.



“Chequers compromise” – White Paper

- 12 July: Chequers - **UK White Paper** with official negotiating position on future UK-EU relations
<https://www.gov.uk/government/publications/the-future-relationship-between-the-united-kingdom-and-the-european-union>
- “Common rule book on goods”
- David Davies and Boris Johnson resign from UK Cabinet
- Dominic Raab new UK Chief Negotiator





Explaining “no deal” scenarios (EU side)



EUROPEAN
COMMISSION

Brussels, 27.8.2018
COM(2018) 556 final/2

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN
CENTRAL BANK, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE,
THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT
BANK**

**Preparing for the withdrawal of the United Kingdom from the European Union
on 30 March 2019**



UK technical notes on “no deal”



Guidance

UK government's preparations for a 'no deal' scenario

Updated 24 August 2018

Guidance

Regulating biocidal products if there's no Brexit deal

How biocidal products like industrial disinfectants and wood preservatives would be regulated if the UK leaves the EU in March 2019 with no deal.

Published 12 October 2018

From: [Health and Safety Executive](#)

Documents



[Regulating biocidal products if there's no Brexit deal](#)

HTML

ECHA's preparedness





IT tools

ECHA

- Submission tools (R4BP3)
- HelpEx
- Portal for national authorities
- Interact
- Dissemination
- Internal tools

UK

- Defra allocated £ 5.8 million to develop UK IT tools
- “BREACH-IT” and other submission tools (e.g., for Biocides)
- No coordination with ECHA



Regulatory preparations

- No more UK **rapporteurs** since spring this year
- Participation in **technical seminars** hosted by Commission to identify surrogate evaluating authorities and necessary changes to R4BP 3
- Participation of UK experts in ECHA's Biocidal Products Committee (**BPC**) will end
- **Impact** on various regulatory processes analysed
- Regulatory alignment on island of **Ireland?**

Support available





Our web pages

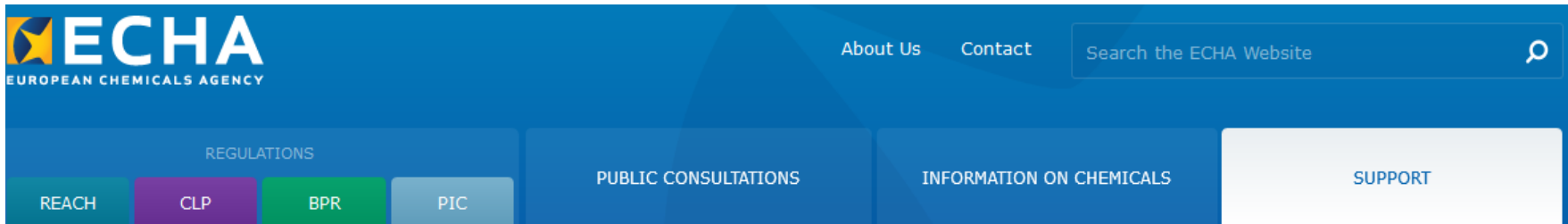
- Our main advice to different actors
- Questions and answers
- Regular updates
- Prepare: read and follow our updates

<https://echa.europa.eu/uk-withdrawal-from-the-eu>





All Q&As aligned with Commission



The screenshot shows the ECHA website navigation bar. On the left is the ECHA logo. To the right are links for 'About Us' and 'Contact'. A search box contains the text 'Search the ECHA Website'. Below these are several menu items: 'REGULATIONS' (with sub-items REACH, CLP, BPR, PIC), 'PUBLIC CONSULTATIONS', 'INFORMATION ON CHEMICALS', and 'SUPPORT'.

ECHA > Support > UK withdrawal from the EU > Advice to companies / Q&As > BPR

UK withdrawal from the EU

[Impact on ECHA - background](#)

[Advice to companies / Q&As](#)

[Cooperating with UK authorities](#)

[UK participation in ECHA's bodies and networks](#)

[Impact on ECHA's regulatory decisions](#)

[Inform yourself on the negotiations](#)

[Recruitment of staff](#)

[Procurement and contracts](#)

Advice to companies / Q&As

[General](#)

[REACH](#)

[CLP](#)

[BPR](#)

[PIC](#)

▼ **I understand that the Commission has also published information on the impact of the UK withdrawal on companies with obligations under the Biocidal Product Regulation (BPR). Where can I find that information?**

On 13 September 2017, the Commission published a "notice to business operators" on the impact of the UK withdrawal on the policy webpage of the Directorate General for Health and Food Safety. Simultaneously, it released a set of Q&As to be found on the same webpage. They provide similar information as that to be found on the ECHA webpages.

- [Notice to business operators \[PDF\]](#)
- [Commission policy webpage](#)

More info to follow in November

**Keep an eye on
our news and
webpages**



Thank you

andreas.herdina (at) echa.europa.eu

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