

Conclusions from the workshop with ECHA's Accredited Stakeholders Organisations (ASOs) on the results of the BPRS - BEF-2 project on biocidal products with approved and non-approved active substances.

Most of the participants considered the BEF-2 findings as a reliable picture of the current EU biocides market. ASOs acknowledged that the high number of non-compliant biocidal products found during the BEF-2 inspections identify a concrete problem that need to be tackled.

The majority of ASOs highlighted the complexity of the biocide legislations. The difficulties in understanding national transitional measures, together with the challenges in solving borderline issues between BPR and chemicals legislations, are a challenge for companies in making biocidal products lawfully on the market.

Most of the ASOs are aware of the presence of free-riders in the biocides market. Some companies might not be aware of BPR obligations, and therefore act as free-riders, while other companies might take deliberately advantage of avoiding legal requirements. In this light, ASOs expressed support for targeted enforcement actions to guarantee a level playing field among companies. They also highlighted the importance for Member States to continue providing awareness campaigns, especially among small and medium companies. Industry associations might find difficult to reach all companies active in the biocides market and share relevant and useful information concerning the BPR.

Some ASOs reported that the high non-compliance rate concerning misleading terms on labels and advertisement might be linked to the unclarity and difficulties (especially for small and medium enterprises) in understanding and interpreting Article 69(2) and Article 72(3) of the BPR. The harmonisation of practises among Member States is a crucial aspect for defining what terms can be used on biocidal products' labels and advertisement.

Regarding the obligations of Article 95 of the BPR, ASOs confirmed the findings of the BEF-2 controls, namely that companies can identify appropriate suppliers. ASOs pointed out that the campaigns organised when Article 95 obligations entered into force were successful.

Finally, most of the ASOs highlighted the importance for authorities in performing chemical analysis when inspecting biocidal products. Identifying higher/lower concentrations of active substances, or illegal components in biocidal products can lead to a safer market. The Working Group members confirmed the need to continue performing chemical analysis also in future BPRS enforcement projects.

Some ASOs delivered feedbacks concerning the clarity of the BEF-2 report, especially about differentiating the findings related to disinfectants and related non-compliances from the overall results. The BEF-2 Working Group stressed the difficulties in summarising the vast amount of data collected in the operational phase of the project and took note of the ASOs' suggestion for future project reports.

Overall, the participants of the workshop appreciated the opportunity to discuss the findings of the BEF-2 project with the BPRS and BEF-2 Working Group.