



Notification Number: 2007/92/F

Decree on procedures for the declaration of biocidal products.

Date received : 20/02/2007

End of Standstill : 21/05/2007

Message

Message 002

Communication from the Commission - SG(2007) D/50462

Directive 98/34/EC

Translation of the message 001

Notification: 2007/0092/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidējimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200700462.EN)

1. Structured Information Line

MSG 002 IND 2007 0092 F EN 21-05-2007 20-02-2007 F NOTIF 21-05-2007

2. Member State

FR

3. Department Responsible

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3. Originating Department

Ministère de l'écologie et du développement durable.

Direction des pollutions et de la prévention des risques.

Sous direction des produits et des déchets

Bureau des substances et préparations chimiques

20 avenue de Ségur - 75302 Paris 07 SP



4. Notification Number

2007/0092/F -C10C

5. Title

Decree on procedures for the declaration of biocidal products.

6. Products Concerned

Products: Biocidal products within the meaning of Article 2 of Directive 98/8/EC of 16 February 1998 concerning the placing of biocidal products on the market

7. Notification Under Another Act

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8. Main Content

Article 34 of Act 2006-1172 of 30 December 2006 on water and aquatic environments stipulates that all biocidal products present on the French market must be subject to a declaration to the Minister responsible for Ecology. This declaration must be made before 1 July 2008 or before the products are first placed on the market, if this occurs at a later date.

This text is a Decree implementing Article 34 of Act 2006-1172, its purpose is to determine the information to be provided in the inventory, and to clarify how it is to operate.

Article 2 of the Decree specifies what information is to be provided: this essentially concerns information on the identity of the person responsible for placing on the market, the identity of the product, the nature of active substances, the use for which the product is placed on the market, information on the classification and labelling of the product and measures to be taken to prevent risks during use (safety information sheets).

Keywords: biocide; biocidal product; inventory; listing

9. Brief Statement of Grounds

Biocidal products are covered by the provisions of Directive 98/8/EC of 16 February 1998 concerning the placing of biocidal products on the market.

However, this Directive is being implemented very gradually, and numerous biocidal products will not in fact be covered by an authorisation requirement for placing on the market, pursuant to the Directive, for several years. Furthermore, the majority of these products are currently being sold freely in France, and an inventory has become necessary in order to understand these products better, to manage the gradual entry into force of the Directive on biocides, to facilitate ground-level controls and to manage any measures withdrawing the products from the market.

This inventory is clearly justified by the specific nature of these products, their uses, which are often critical for protecting human health, and the specific regulatory framework that applies to them.

The declaration will no longer be necessary once the biocidal products are fully subject to the authorisation requirement for placing on the market established by Directive 98/8/EC.

10. Reference Documents - Basic Texts

Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market.

Environment Code, Book V, Title II: Monitoring of the placing of active biocidal products on the market and authorisations for the placing of biocidal products on the market. Articles L 521-1 to L 522-18.



Decree No 2004-187 of 26 February 2004 transposing Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market.
Order of 19 May 2004 on the monitoring of the placing of active biocidal products on the market and on authorisation for the placing of biocidal products on the market. Article 10 on labelling.
Act 2006-1172 of 30 December 2006 on water and aquatic environments.

11. Invocation of the Emergency Procedure

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12. Grounds for the Emergency

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13. Confidentiality

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14. Fiscal measures

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15. Impact assessment

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16. TBT and SPS aspects

TBT aspect: YES, the draft will be notified within the TBT framework.

SPS aspect: NO, the draft will not be notified within the SPS framework.

Reason:

i) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.

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Single Market for goods
Prevention of Technical Barriers

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