EUROPEAN UNION
DELEGATION TO THE REPUBLIC OF MAURITIUS

Head of Delegation

Office of the Financial Secretary
Date: 15/01/16
Name of Officer: Mr Bussier
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13 JAN 2016

Port-Louis
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Mr Dev Manraj
Financial Secretary
Deputy NAO for EDF
Ministry of Finance and Economic Development
Port Louis

Subject: Impact of the Biocidal Products Regulation (EU) No 528/2012 of 22 May 2012 on the import of manufactured goods into the EU

Dear Mr Manraj,

We wish to inform you that Regulation (EU) No 528/2012 on the making available on the market and use of biocidal products1 (the BPR) applies since 1 September 2013. This regulation however contains provisions which apply not only to biocidal products but also to manufactured goods if they have been treated with or incorporate a biocidal product. Such manufactured goods are defined as treated articles under Article 3(1)(1) of that Regulation and a specific legal regime apply to them.

We wish to draw your attention to this specific regime, as it could have a significant impact on trade if economic operators do not take the benefit of the current period of transition to make goods compliant for export to the EU.

Article 58(2) of the BPR indeed specifies that a treated article can only be placed on the EU market if it has been treated with active substances which have been approved in the EU for that purpose. This provision also applies to and is critically relevant for treated articles imported from third countries.

Third country manufacturers of goods such as IT or electronic equipment, furniture, textiles, automobiles must be made fully aware of the provisions of the BPR on treated articles. Pursuant to Article 94 of the BPR, there is currently a period of transition but, from 1 March 2017 onwards, non-compliant treated articles will no longer be allowed on the EU market.

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For currently non-compliant treated articles, different options are available to manufacturers. They can in particular switch to substances approved or under evaluation in the EU or submit either themselves or through a third party, an application for the approval of the active substance used for the treatment or incorporated in the article to the European Chemicals Agency by 1 September 2016.

Given the importance of these provisions, The European Commission has developed a note on 'Frequently asked questions on treated articles' available from the Commission website (https://circabc.europa.eu/w/browse/d7363efd-d8fb-43e6-8036-5bcc5e87bf22). Should you have further questions on the matter, our services can be contacted at SANTE-BIOCIDES@ec.europa.eu.

I would appreciate if you could please disseminate this information as widely as possible and in particular to the various economic operators and relevant industry associations.

I thank you for your kind assistance.

Yours faithfully,

Marjaana SALL
Ambassador