

ECHA announces supportive measures within the biocides framework in response to the COVID-19 pandemic

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The European Commission (EC) and the European Chemicals Agency (ECHA) have discussed further options to increase the manufacture and supply of biocidal active substances in order to help fight the spread of the SARS-CoV-2 virus, causing the Coronavirus disease (COVID-19) pandemic:

- One solution to this is if the active substance is already approved under the Biocidal Products Regulation (BPR; EU No 528/2012), such as isopropanol or propan-1-ol, Member State (MS) Competent Authorities (CA) can permit the placing on the market of biocidal products (not yet BPR authorised), for up to 180 days, using Article 55(1) of the BPR as a derogation from Article 19, particularly regarding technical equivalence, under Article 19 (1) (c), in the interest of public health. This could also include products not normally sold as biocides, e.g. cosmetics, which the EU will permit at this given time, but it's important to consider the different labelling requirements under the BPR and Regulation (EC) No 1272/2008 on classification, labelling and packaging (CLP).
- Some biocidal products may already be BPR authorised, but in this case, any new sources of active substances would require confirmation of technical equivalence and ECHA will offer a preliminary conclusion within a few working days and will keep a confidential list of technically equivalent sources to avoid duplication, both to expedite the situation. [Recommendations](#) are already in place regarding certain compositional requirements for propan-1-ol and propan-2-ol.
- If the active substance is not yet approved, i.e. ethanol, MSs can take all options available to them under their national legislation and ECHA could offer to centralise requests that will concern several MSs.

The EC has made available a [document](#) about the measures that national authorities could use to action this and some EU/EEA authorities have already issued temporary legislative changes in response. Until 31st August 2020, Switzerland will authorise specific alcohol-based disinfectants for human use (product-type 1). France will now temporarily authorise hydroalcoholic-based biocidal products in product-types 1 (human hygiene) and 2 (surface disinfection), but only until 31st May 2020. Until 31st August 2020, Germany will approve isopropanol-based biocidal products for hand disinfection (product-type 1). Sweden has also adopted a decree.

ECHA are exploring options for more flexibility with regards to their deadlines along with making three lists publically available covering 1) biocidal active substances approved or being reviewed for use in disinfectant products, 2) disinfectant products under product-types 1 and 2 that are authorised under the BPR and 3) those disinfectant products available under national regimes, to ease workload for authorities and industry.

ECHA reassures that they are working with the EC to help MS and industry to get more disinfectants on the market as soon as possible, and more definitive actions will follow soon. Do regularly visit [ECHA's dedicated COVID-19 web page](#).

CEA will also keep you posted on updates and are available to provide any regulatory support your business may need at this time, whether that be general advice or helping complete processes with the relevant regulatory authorities and also can assist with CLP related enquiries. Please [contact us](#) if you have any questions or require any help with this.