Reality Check workshop on the Biocidal Products Regulation (BPR)

2 October, 14:00 – 18:00

Brussels, in-person meeting

Summary conclusions

The reality check workshop on the Biocidal Products Regulation (EU) No 528/2012 (BPR) was held in Brussels on 2 October 2026, with the participation of representatives from 23 companies (active substance manufacturers, product formulators and downstream users) and five industry associations. Particular attention was given to involving SMEs in this event. Ten of the companies attending were SMEs and, of these, three were micro enterprises.

Organised as a follow-up to the Implementation Dialogue on biocides hosted by Commissioner Várhelyi in July 2025, the reality check was at the same time part of the targeted consultation activities in the context of the ongoing evaluation of the BPR. While the Implementation Dialogue outlined the difficulties faced by companies at a general level, the purpose of the reality check was to investigate in practical terms and at a more granular level specific technical aspects of the implementation of the Regulation. The discussion was centred around five main questions and aimed at identifying in practical terms the challenges faced by companies in the day-to-day implementation of the BPR.

- Concerning the question on the aspects they considered to be the most complex ones when applying for active substance approval and product authorisation, participants highlighted aspects related to guidance documents (frequent updates, inconsistent interpretation and application across Member States, lack of availability of guidance in other languages than English), difficulties in interacting with evaluating competent authorities and in finding competent authorities willing to act as evaluating competent authorities (especially for Union authorisations), high costs of data generation to create the application dossier, including data-sharing aspects such as difficulties in negotiating and obtaining access to data owned by other companies, as well as the lack of predictability of the time needed to complete assessments and to obtain approval/authorisation decisions.
- Companies were asked about the influence of the exclusion and substitution criteria introduced by the BPR on their decisions about the composition of biocidal products and whether these criteria would impact research and innovation. While acknowledging the rationale behind the criteria to restrict the use of most hazardous active substances and to encourage the use of those with a more favourable hazard profile, companies noted that, due to the reduction of the portfolio of active substances available for certain specific uses, in certain areas companies often have no other choice than to include active substances meeting those criteria in their products. Concerns were also expressed in relation to the restriction that products containing active substances meeting exclusion criteria above certain concentrations limits, but authorised under the derogation provisions of Article 5(2) and Article 19(5) of the BPR, may only be used by professional users, which limits severely the active substances available for products for the use by the general public in certain areas. Some participants considered that a risk-based approach should be sufficient for professional use. In terms of innovation, participants noted that, even though those criteria should incentivise companies to innovate, various BPR-related aspects, such as substantial delays, high regulatory costs and uncertainties in the approval and

authorisation processes, but also non BPR-related factors, such as CLP classification and labelling, actually stifle innovation on the EU market and direct it towards non-EU markets.

- When asked about areas of the BPR that are considered unclear, participants considered the legislation as overall clear, referring however to different interpretation on some aspects across Member States. Participants mentioned as examples provisions concerning treated articles, especially in relation to the stage of the process at which risk mitigation measures are to be assessed (active substance approval or product authorisation), unclear definition of '*data*' for the purposes of data sharing, lack of provisions on how to manage delayed active substance and product authorisation cases, lack of harmonised definition of certain terms or concepts like '*trained professional user'*. Participants also referred to the need to have clear information and instruction on the label of products for the users, and the appropriate level of claims on target organisms authorised without being too specific on individual species to ensure availability of products to cover all similar species. Clarity of guidance and inconsistent application of guidance across Member States were again mentioned as problematic aspects and it was suggested to include in the BPR clear indications of timelines of guidance applicability. Some participants asked for better articulation between BPR, REACH and CLP Regulations on substances of concern to reach the principle of One substance One assessment.
- In relation to best practices in the management of application for active substance approval and product authorisation, there was a broad consensus that pre-submission meetings of applicants with the evaluating competent authorities and the possibility to also have post-submission meetings with them are essential. Good communication in general with the evaluating competent authorities and building trust between them and applicants were also acknowledged as very important, as well as trust between Member States during peer reviews or mutual recognition. Companies brought forward various suggestions to improve the management of application processes, for instance involving the experts assisting applicants in the technical discussions between ECHA and Member States, carry out parallel discussions on different risk assessment aspects in the various Biocidal Products Committee Working Groups rather than successive ones, ECHA acting more as 'scientific thought leader', taking better into account monitoring data, and assessing the reality of use of (non-chemical) alternatives when performing analysis of alternatives.
- In terms of emerging needs for companies placing on the market active substances and biocidal products, as well as for users of biocidal products and of the society as a whole, participants highlighted the need to include sustainability and strategic autonomy in the processes, alongside considerations related to emerging pathogens, climate change, vector-borne diseases and pressure on the health systems. Participants noted that the pace of the BPR processes is too slow to address appropriately emerging needs and that derogations from the rules should not become the norm. Participants considered that active substances for the same uses should be assessed at the same time. Concerns were also raised in relation to the shrinking portfolio of active substances, which is problematic already today in certain areas and may lead to a situation where existing and emerging needs can no longer be addressed satisfactorily in those areas. Among the measures suggested by participants to increase the flexibility of the systems were the introduction of a fast-track procedure in case of emergencies and shorter timelines for the processing of changes to authorisations.

The feedback collected during the reality check will be used during the ongoing evaluation of the BPR.

Participants

The following stakeholders participated in the event:

Andermatt France
Arxada AG
Biocides for Europe
CEPA (European Association of Professional Trained Pest Managers)
CEPE (European Council of the Paint, Printing Ink and Artists' Colours Industry)
Citrefine International Ltd
Comercial Quimica Masso, SA
Detergents Europe
Diversey
Ecolab Ltd
Endura
Ensystex
ECHA (European Chemicals Agency)(observer)
iTech AB
Jungbunzlauer International AG
Kemira Oyj
Kersia
Kimberly-Clark
Laboratoire Astelia
Lanxess
Merck
Necon Technologies Ltd
Nouryon Surface Chemistry AB
Obermeier
Oxyxo
Römer BioTec GmbH
SME United
Tevan
WTR Europe GmbH