

## Implications of Brexit for Active Substance and Biocidal Product Suppliers

As you will be fully aware, the transition period following the UK's exit from the European Union (EU) ends on 31<sup>st</sup> December this year. Inevitably, the UK's withdrawal leads to implications for UK biocidal active substance and biocidal product manufacturers and suppliers, as the EU Biocidal Products Regulation (EU) No. 528/2012 will no longer directly apply to the United Kingdom.

Uncertainty remains with the new biocidal product approval regime in the UK due to the ongoing trade negotiations between the UK and the EU. However, as part of their EU-exit planning the UK HSE had previously indicated that a valid biocidal product authorisation or active substance approval held by a UK entity on exit day, would continue to be valid in the UK until its normal expiry date. HSE also advised that companies may need to submit supporting data or other information that had previously been submitted to ECHA.

### EU market continuity

Besides the anticipated UK requirements, continued access to the EU market for biocidal actives marketed by UK entities will require some actions to be taken. Notably, for a UK entity to continue to be listed on the EU approved suppliers list (the so-called 'Article 95 list') for active substances, an EU-based representative is required. It is therefore recommended to appoint a representative in the European Union (or EEA or Switzerland) and communicate this appointment to ECHA before the transition period ends. To allow ECHA time to update the Article 95 list before the end of the transition period, ECHA recommends submitting the information no later than 31<sup>st</sup> October 2020.

To help maintain compliance and keep your biocidal products on the EU market, we would like to offer our services to assist in any of the technical or administrative aspects of the requirements. One of our EU-based Chemservice entities can act as your EU representative and submit the information to ECHA on your behalf. Alternatively or in addition, we can support you with any technical requirements for authorisation applications, study monitoring, etc.

### Why select Chemservice?

The multidisciplinary team at Chemservice has extensive experience with the Biocidal Products Regulation, supporting clients to achieve authorisations in the EU. Chemservice is a leading global consultancy to the chemical industry and its value chain with offices in Europe, South Korea and North America. For more than ten years, we continue to support our clients in the review, implementation and observation of national and international chemical regulations, as an independent service provider. We use our scientific, technical and strategic know-how to overcome regulatory barriers globally, giving our clients a competitive edge. For further information about Chemservice, please visit: [www.chemservice-group.com](http://www.chemservice-group.com).

**If you would like further information or to discuss our services in more detail, please do not hesitate to contact us at [uk@chemservice-group.com](mailto:uk@chemservice-group.com).**