Revitalising the Review Programme

Where we are

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Outline

I - State of play of the Review Programme

II- Why the delays in the RP are a concern?

III- Actions to improve the situation

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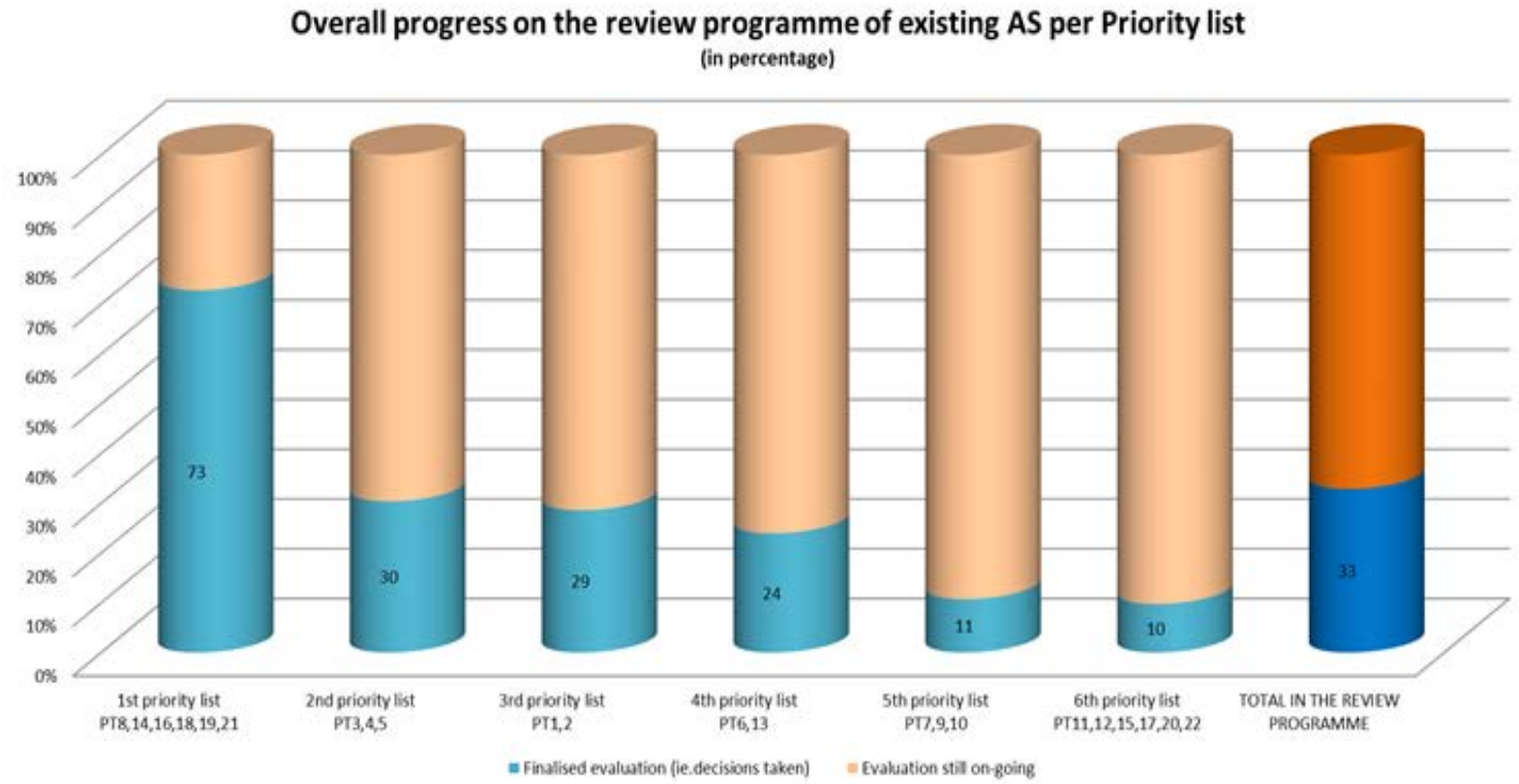
Progress of the Review Programme

September 2019: 33% of decisions adopted



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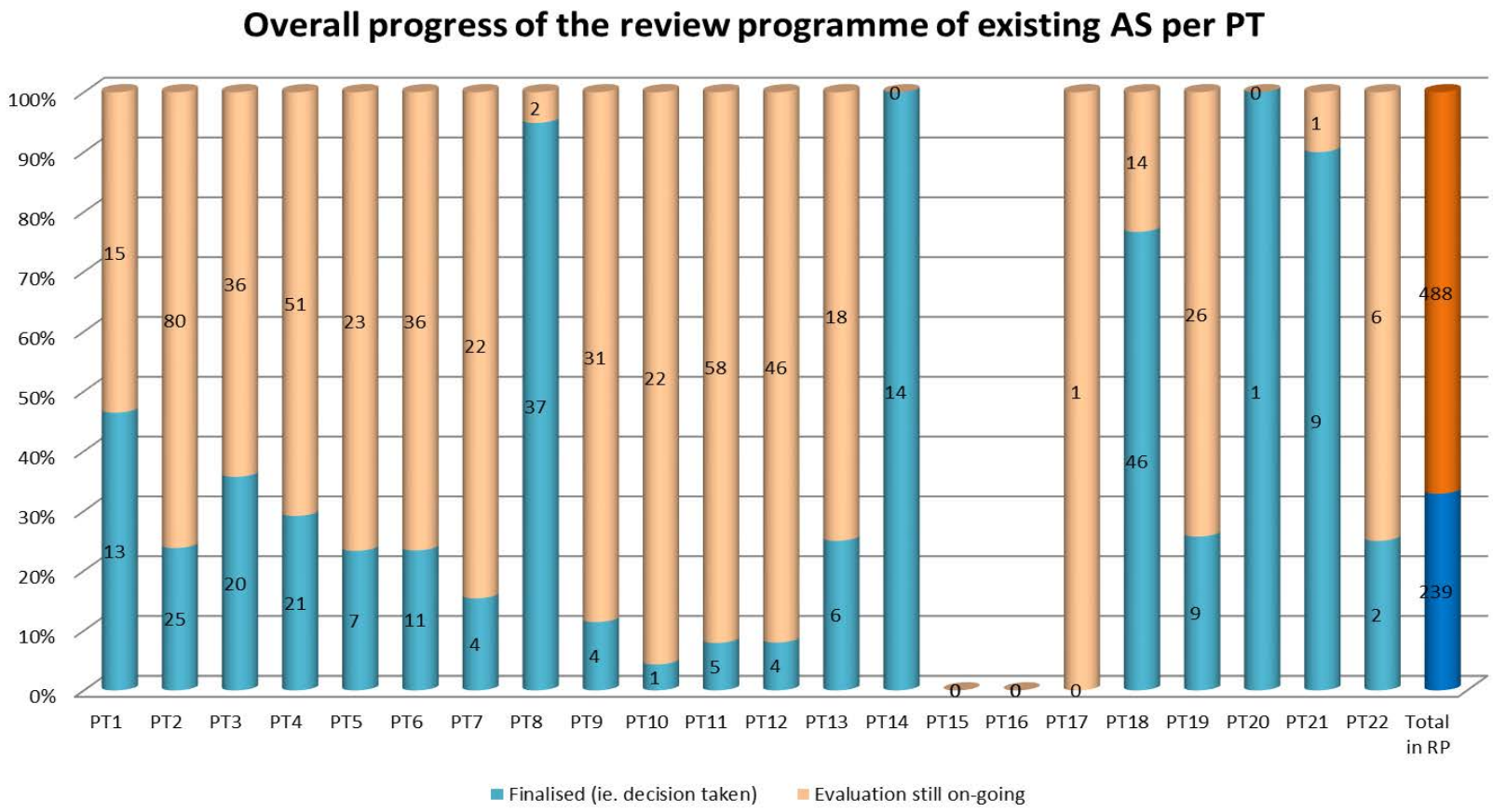
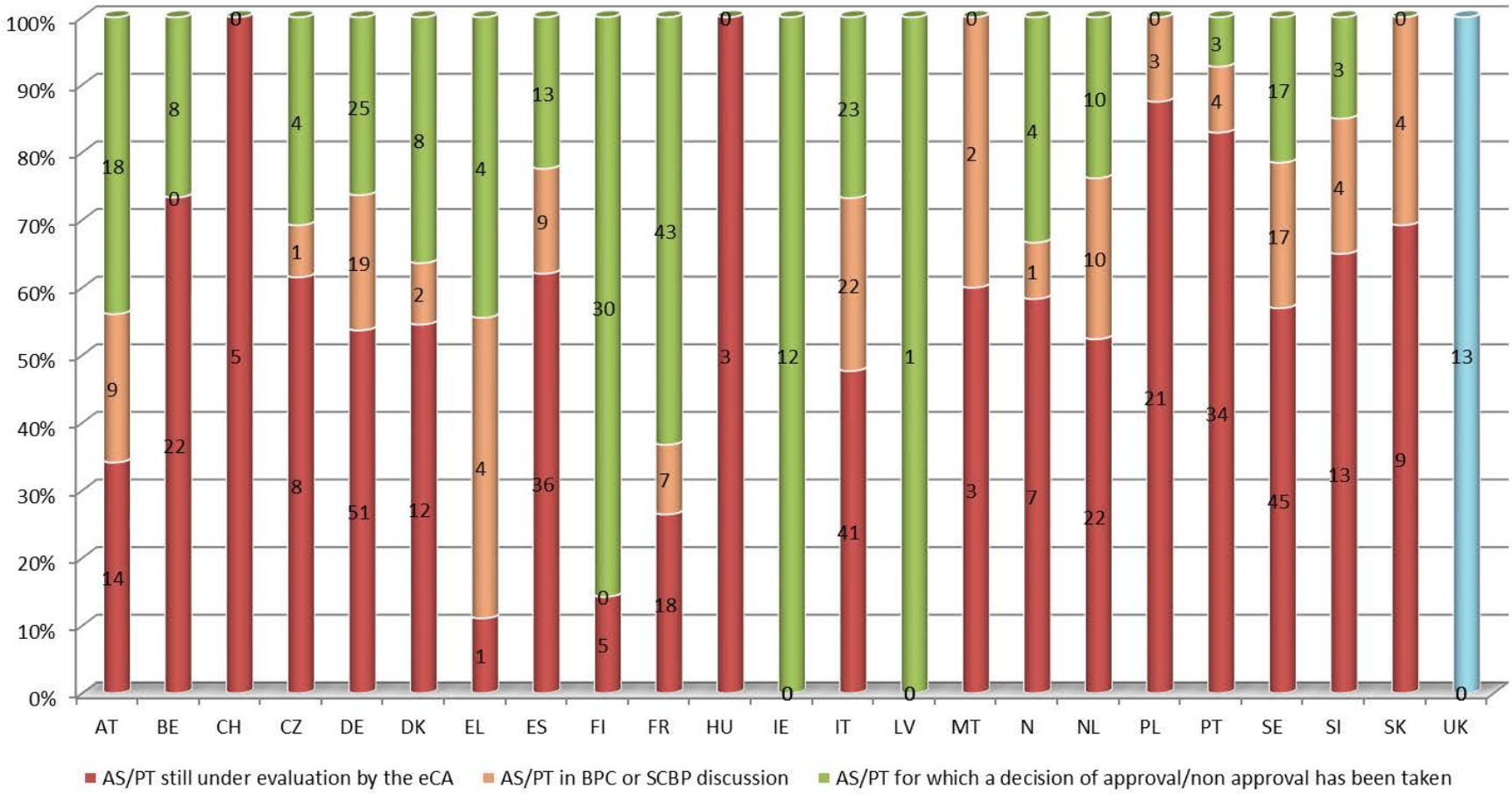
Progress of the Review Programme

September 2019: 239 AS/PT combinations decisions adopted



Progress of the Review Programme

Per Member States



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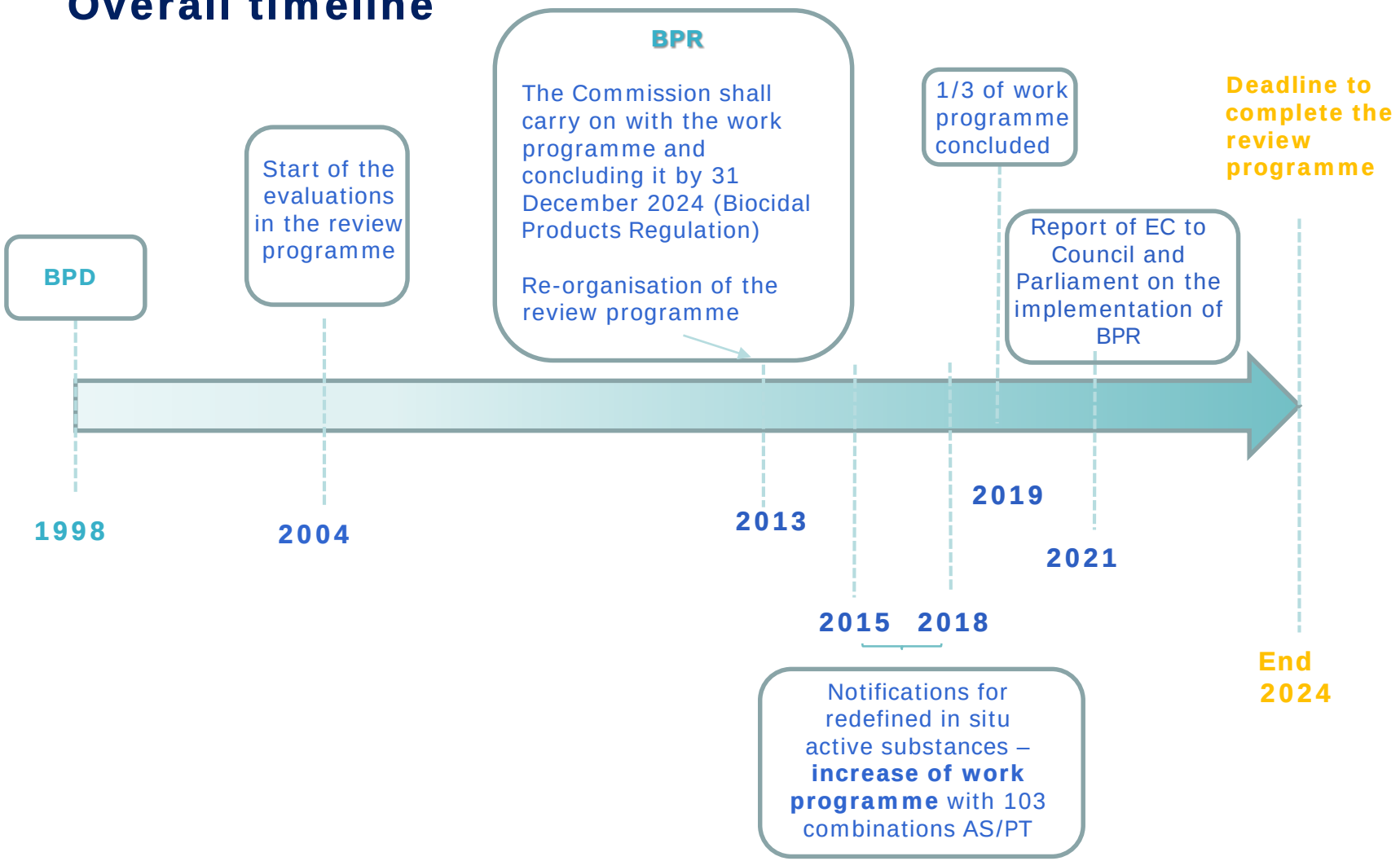
Overall timeline



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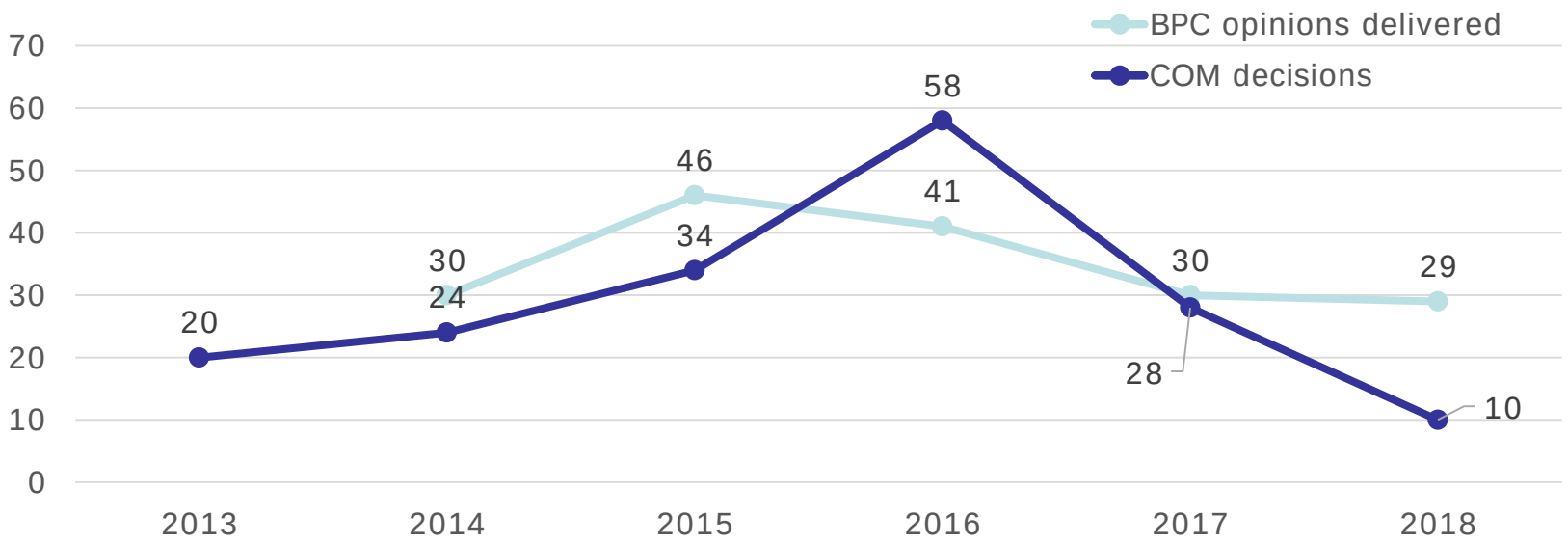
Recent years



- Hardly no draft report from MS submitted since 2017
- Drop in delivery of BPC opinions : delays from applicants, Member States + EDs
- Some BPC opinions need an update on ED assessment (new criteria since June 2018)
- **To complete the RP by end of 2024 :**
    - 50 opinions/year needed when the work was reorganised in 2013
    - Now : **81 opinions/year needed** because of the delays since 2013

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Delays in the RP are a serious concern

- The expected high level of safety for human health and environment is not achieved
- No level playing field for companies
- The more time it takes, the more complex it gets, the more resources it takes
- Resources in the Member States and ECHA for the implementation of the BPR are partly dependent on progress in the review programme
- Overall, 20 years (2004-2024) to complete the work is twice of what was originally expected

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Actions to accelerate delivery

- March 2015 ECHA workshop to review the AS assessment process
- March 2018 CA conclusions:

  CA-March18-Doc.5.1a - Final - Actions for AS review programme.pdf

- February 2019 ECHA workshop on the review programme:

  → And follow-up ECHA plan to be discussed at the November 2019 CA meeting

- June 2019 Commission Workshop on Fact Finding missions in Member States

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ECHA Workshop in March 2015

- **Discussion of the assessment process led to:**
  - Review of some processes
  - Additional guidance to help MS in the assessment, and clarify procedures for applicants (peer review)
  - Review some templates (e.g. common template for BPR evaluation and CLH dossier)

- **Commission letters to all Member States on the need to allocate appropriate resources and deliver on the objectives of the BPR**

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CA Conclusion in March 2018

- **Discussion for a year (2017-2018) with MS and stakeholders representatives on causes for delays and possible actions**
- **Agreed actions :**
  - For Applicants: better knowledge of BPR, procedures, rules, and respect of deadlines, etc.
  - For Member States: higher commitment to apply agreements, priority lists, better communication with applicants, early information of ECHA of any difficulty, avoid postponement of BPC discussions, etc.
  - For ECHA: improve support to MS and coordination, stricter management of BPC WG meetings in decision taking
  - For Commission: detailed later on

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ECHA workshop in February 2019

- **Discussion on further actions to deliver on the RP**
- **Agreed actions :**
  - Priorisation of dossiers and allocation of resources
  - Becoming tougher when requested data are not submitted
  - Reducing complexity wherever possible (access of information, guidance, procedures, focus on what matters for the outcome, …)
  - Finding pragmatic solutions within the legal framework
    - Need for better interactions between BPR and CLP processes
- **Already some deliveries :** CA-May19-Doc.7.1.a - ECHA communications.pptx
- **ECHA further action plan for discussion in November 2019 CA meeting**

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Commission workshop in June 2019 on fact finding missions in Member States

- **Between 2017 and 2018 the EC carried out five fact finding missions in Hungary, Germany, Belgium and The Netherlands**

- **Reports are publicly available:**
  - Hungary: http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4006
  - Germany: http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3976
  - Spain: http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4001
  - Belgium: http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4030
  - Netherlands: http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4047

- **On 19-21 June 2019: a workshop took place to take ownership of the findings and use them to improve the implementation of the BPR**

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Commission Actions

- Continue to closely monitor the progress/delays
- Additional FTEs granted to ECHA in 2019 – 2020, in particular to:
  - Provide additional support and guidance to Member States
  - Provide specific support for assessment of ED properties
- Support MS and ECHA on specific files
- Consider taking further action: infringement?

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Conclusion

- Implementation of EU legislations: priority for the new Commission (2019-2024)
- Review Programme: a long way to go, many challenges still ahead
- To deliver on the objectives of the BPR, progress in the Review Programme is key
- Many actions for improvement are already agreed, must be implemented by all parties more strictly
- Time to deliver!

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Thank you for your attention

For further information:

Commission website:

http://ec.europa.eu/health/biocides/policy/index_en.htm

https://circabc.europa.eu/w/browse/e947a950-8032-4df9-a3f0-f61eefd3d81b

(Sante-Biocides@ec.europa.eu)

ECHA website & Helpdesk on Biocides:

http://echa.europa.eu/regulations/biocidal-products-regulation

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