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**To**  
**Belgian Presidency of the Environment Council**  
**Joke Schauvliege**  
**Flemish Minister for Environment, Nature and Culture**  
**Koolstraat 35 bus 5**  
**BE-1000 Brussels**

Brussels, 14.12.2010

**Urgent recommendations concerning the biocide regulation**

Dear minister,

On 20 December 2010 the Environment Council will agree on its position on the EU biocide regulation. This legislative initiative is of high importance for the protection of human health and the environment because it regulates the authorisation and use of more than 50.000 products in Europe. Many of these products are sold for consumers and they often contain substances which are hazardous for human health, particularly for vulnerable groups, and the environment.

The signed environmental and health NGOs are committed for a regulation that effectively tackles the current shortcomings of biocides- management in Europe. The law should strengthen the protection level for consumers and the biodiversity.

We are concerned that many EU member states want to allow (highly) hazardous biocides on the market when establishing vague derogations and when leaving out a mandatory and efficient regime which prioritises sufficient and less hazardous alternatives for the same purpose.

We therefore ask you to table following amendments for Council's considerations:

- Highly hazardous active substances such as carcinogenic, endocrine disruptive and environmental toxic ingredients shouldn't be used. Derogations shall only be applied in case of a serious danger and if there is no effective and non-toxic alternative available for the same purpose. Please support the previous Council's draft on Article 5 (2) a) from 13 October 2010. Please support additional preconditions for Article 5 (2) as suggested by the EP resolution.



**A healthy world for all. Protect humanity and the environment from pesticides. Promote alternatives.**



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- Please ensure that (developmental) immuno- and neurotoxic active substances are substituted in order to protect vulnerable groups (amend Article 9 (1) accordingly).
- Biocidal Products of concern shall be replaced by facilitating the development of sound products and approaches. Please ensure the establishing of substitution plans in Article 21.
- An Union authorisation of biocidal products must be accompanied with EU-wide standards for the use phase. Please support an expeditious initiative for a Community Framework on the sustainable use of biocides (amend Article 15 or 33, respectively).
- National competent authorities shall have the flexibility to refuse problematic products that include Article 5 or 9 active substances. Please amend Article 29 (3) and 35 (4) accordingly.
- Problematic products which are water toxic or problematic for vulnerable groups shall be adequately evaluated and not authorised for wholesale. Please reject Article 16 (4) a and amend Article 21 (d).
- Please ensure that biocides in nano-form are not authorised as long as no adequate risk assessment methods are made available for them (amend Article 77). At least, please support a specific labelling for products that contain nano-biocides (amend Article 47 and 58).

Please do not hesitate to contact us for more information. We have elucidated our suggestions on the biocide regulation in detailed recommendations.<sup>1</sup>

In advance we should be most grateful if you would consider our recommendations and if you would inform your colleagues in the Environment Council about our letter as well.

Yours sincerely

<sup>1</sup> [http://www.pan-germany.org/gbr/project\\_work/biocide\\_policy\\_europe.html](http://www.pan-germany.org/gbr/project_work/biocide_policy_europe.html)



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This letter is also supported by:  
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CEPTA Slovakia,  
European Environmental Bureau (EEB),  
Fédération Inter-Environnement Wallonie,  
Health Care Without Harm Europe (HCWH),  
Levego Munkacsoport,  
Mouvement pour le Droit et le Respect des Générations  
Futures (MDRGF),  
Pesticide Action Network UK and  
Women in Europe for a Common Future (WECF)



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Mouvement pour le Droit et le Respect des Générations Futures



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