

~~Information on the Sale of Biocidal Products—~~ ~~Biocidal Products Regulation (BPR)~~ ~~Biocidal Products~~

EU Requirements: The Biocidal Products Regulation ([EU](#) No 528/2012 (“BPR”)) is the European regulation on the use and ~~placing on the EU market~~[sale](#) of biocidal products [in the EU](#). Under the BPR ~~Regulation~~, biocidal products are required to be authorised before they can be ~~placed on~~[sold in](#) the ~~market~~[EU](#) and the active substances contained in that biocidal product must be previously approved, subject to a few exceptions.

It is your responsibility to comply with ~~the BPR Regulation. This material is for informational purposes only. It is not intended as legal advice. We encourage you to consult your legal counsel if you have questions about the laws and regulations concerning your product~~[EU BPR for biocidal products sold in the EU. You must also comply with any applicable national laws.](#)

[Please see below for further information about EU requirements.](#)

UK Requirements: From 1 January 2021, the [Chemicals \(Health and Safety\) and Genetically Modified Organisms \(Contained Use\) Amendment etc.\) \(EU Exit\) Regulations 2019 \(SI 2019/720\)](#) (“UK Biocidal Products Regulations”) apply to the use and sale in the UK of biocidal products. [Biocidal products sold in the UK are required to be authorized before they can be sold or supplied in the UK and the active substances contained in that biocidal product must be previously approved, subject to a few exceptions. Different rules apply to goods you sell in: \(1\) Great Britain \(England, Scotland and Wales\); and \(2\) Northern Ireland.](#)

[It is your responsibility to comply with applicable biocidal products requirements for biocidal products sold in the UK. If you sell on Amazon EU Stores in addition to the UK Store, then you must also comply with the BPR and any applicable national laws.](#)

[Please see below for further information about UK requirements.](#)

[This material is for informational purposes only and you should not take it as a substitute for legal advice. We encourage you to consult your legal counsel for any concerns about the laws and regulations concerning your product. This material only reflects the position at the date of writing and requirements across the EU and/or in the UK may change. You should refer to current UK Brexit guidance about your products \(see below\) to learn more about changes that may affect you from 1 January 2021.](#)

I. EU Requirements

General Information

Biocidal products are those that are used to protect against harmful organisms (~~such as~~[like](#) pests or bacteria), ~~via~~[through](#) an active substance or micro-organism intending to destroy, deter, render harmless, prevent the action of, or exert a controlling effect on the harmful organism by any means other than mere physical or mechanical action.

Requirements under the BPR ~~Regulation and UK legislation~~

Under the BPR, biocidal products generally require an ~~authorisation~~[authorization](#) before they can be ~~placed on~~[sold in](#) the ~~UK market~~[EU](#), and the active substances contained in that biocidal product must be previously approved. There are a few exceptions to the ~~authorisation~~[authorization](#) rule. ~~There are associated labelling requirements, which include the name and address of the authorisation holder, uses for which it is authorised, authorisation number and any applicable categories of users to which the use of the biocidal product is restricted. You should also ensure that the label is in the official language(s) of the Member State in which you offer the product for sale or supply.~~ We strongly encourage you seek advice from appropriate ~~UK government~~[EU](#) authorities if your products are biocidal products (see Additional Information below).

It is your responsibility to provide accurate and complete product information about biocidal products. If your products are biocidal products, verify that ~~they~~[your biocidal products](#) are properly ~~authorised~~[authorized](#) for sale. ~~You should~~, include [in your listing the proper disclaimer](#) ~~in your listing~~ (“Use biocides safely. [Always read the label and product information before use.](#)”) and [pictures of your product clearly showing the disclaimer and biocidal registration number \(where applicable\), and please provide us with the most updated SDS when setting up a new item.](#)

Additional Information

We strongly encourage you to visit the [European Commission’s website for more information on biocidal products and the EU’s biocidal products requirements:](#)

- [All EU National helpdesks under the BPR Regulation:](#)
<https://echa.europa.eu/support/helpdesks>
- [ECHA on Biocides:](#) <https://echa.europa.eu/guidance-documents/guidance-on-biocides-legislation>

II. UK Requirements

General Information

[Biocidal products are those that are used to protect against harmful organisms \(like pests or bacteria\), through an active substance or micro-organism intending to destroy, deter, render](#)

harmless, prevent the action of, or exert a controlling effect on the harmful organism by any means other than mere physical or mechanical action.

Where do the UK Biocidal Products Regulations apply?

The UK Biocidal Products Regulations apply to all biocidal products sold in the UK, but the provisions apply differently to Great Britain (England, Scotland and Wales, “GB”) and Northern Ireland. You can read more about the position in Northern Ireland (“NI”) below.

Requirements under the UK Biocidal Products Regulations

Under UK biocidal products requirements, biocidal products generally require an authorization before they can be sold in GB, and the active substances contained in that biocidal product must be previously approved.

There are a few exceptions to the authorization rule. We strongly encourage you seek advice from appropriate UK government authorities if your products are biocidal products (see Additional Information below).

It is your responsibility to provide accurate and complete product information about biocidal products. If your products are biocidal products, verify that your biocidal products are properly authorized for sale, include in your listing the proper disclaimer (“Use biocides safely. Always read the label and product information before use.”) and pictures of your product, clearly showing the disclaimer and biocidal registration number (where applicable), and please provide us with the most updated SDS when setting up a new item.

Northern Ireland

Please note that different rules apply in NI from 1 January 2021 as a result of the Northern Ireland Protocol. In particular:

- You should ensure that products meet applicable EU requirements under the BPR.
- NI-based businesses that are currently downstream users or distributors may have obligations in relation to chemicals traded from GB to NI.
- NI-based businesses may also have obligations to notify GB authorities if selling highly regulated goods in GB.
- Where a NI-based business has obtained an authorisation or other permit for a biocidal product which is valid in NI and wants to sell the product in GB, the NI business must notify HSE by submitting the same information that was submitted in support of the original authorisation or permit.
- “Qualifying Northern Ireland goods” can be sold in GB under unfettered access. The UK Government is issuing guidance on how this will work.

HSE has also produced the following specific guidance on what you need to do from 1 January 2021. You should consult your legal counsel if you have questions about how the laws and regulations apply to your products from 1 January 2021.

- [Brexit - General Chemicals Guidance](#)
- [Brexit - Guidance on Biocidal Products in GB](#)
- [Brexit - Guidance on Biocidal Products in NI](#)

Additional Information

We strongly encourage you to visit the following [UK Government Health and Safety Executive \(HSE\)](#) sites for more information on biocidal products and the ~~BPR Regulation~~ [UK's biocidal products requirements](#).

- <https://www.hse.gov.uk/biocides/index.htm>
- ~~<http://www.hse.gov.uk/biocides/faq.htm>~~
- ~~All EU National helpdesks under the BPR Regulation,~~
 - ~~[ECHA on Biocides](#),~~

We also encourage you to visit the UK's Business Companion website, which contains guidance on UK product compliance rules:

- <https://www.businesscompanion.info/en/get-started>