

## **Approved Code of Practice (ACOP) for test methods for data submitted under the biocidal products regulations**

Regulation 37 of the Biocidal Products Regulations 2001 (BPR) requires that any tests carried out in support of an application under BPR are conducted according to guidance issued by the Ministers. The Directive requires that such tests should, as a general principle (and so not exclusively), be carried out according to the methods described in Annex V of the Dangerous Substances Directive 67/548/EEC (as amended).

The HSE Consultative Document issued in 1999 on proposals for the draft Regulations included a proposal to adopt Annex V of Directive 67/548/EEC as an Approved Code of Practice in support of regulation 37 but without publishing it separately. Annex V is amended on a regular basis, and adopting it as an ACOP in this way will avoid the need to amend the UK regulations every time Annex V is amended. The alternative, of prescribing test methods in regulations, would be constrictive in that it would remove any discretion to consider whether other test methods were suitable.

A Notice of Approval has been issued signalling the adoption of Annex V to 67/548/EEC as an ACOP, and the text is reproduced below. The Code of Practice came into effect on 17 November 2003.

### *Notice of Approval*

By virtue of section 16(1) of the Health and Safety at Work etc. Act 1974 and with the consent of the Minister of State for Work the Health and Safety Commission has on 10 November 2003 adopted as an Approved Code of Practice Annex V to EC Directive 67/548/EEC (as amended).

The Code of Practice is issued on behalf of the Ministers and gives practical guidance in support of regulation 37 of the Biocidal Products Regulations 2001 (SI 2001/880) on the tests for biocidal products that may be required by the competent authority in accordance with the said Regulations.

The Code of Practice comes into effect on 17 November 2003.

Signed

Mark Dempsey  
Secretary to the Health and Safety Commission