REGULATION OF TESTING OF BIOCIDES AND NON-AGRICULTURAL PESTICIDES IN THE UK

Is each **active substance** in the test formulation still being assessed under the EU Biocides **Review Programme** for the relevant **Product Type**?

No - **test formulation contains one or more of the following:**
1. a **new active substance**, 
2. an **existing active substance** which has been reviewed and included on the Approved List for the relevant Product Type
3. an **existing active substance** with a non-approval decision for the relevant Product Type in force

**THE RELEVANT LEGISLATION IS ARTICLE 56 OF EU BPR**

Will the testing involve or result in the release of the biocide into the environment?

**NO**

- Experimenter compiles a dossier of possible effects on humans, animals and the environment and maintains records in accordance with article 56(1) of EU BPR. Compliance with other legislation (e.g. COSHH) may be needed

**YES**

- Experimenter Notifies HSE under Article 56(2) of EU BPR
- Within 45 days of being Notified, HSE responds to the Experimenter with an opinion on the testing.
- No opinion from HSE within 45 days of Notification.
- HSE issues an R & D Notice listing conditions on testing to protect humans, animals and/or the environment

HSE PROHIBITS TESTING DUE TO UNACCEPTABLE ADVERSE EFFECTS ON HUMANS, ANIMALS AND/OR THE ENVIRONMENT

EXPERIMENTER MAY BEGIN TESTING

HSE issues a **COPR Experimental Permit**

EXPERIMENTER MAY BEGIN TESTING

Is the test formulation a non-agricultural pesticide in scope of the **Control of Pesticides Regulations** (COPR)?

**YES**

- Experimenter submits an RA01 form to HSE
- Could people be exposed to the biocide or could the biocide be released into the environment?
- Yes, potential for exposure to the environment or humans. On payment of invoice HSE continues assessment
- No exposure to the environment or humans

EXPERIMENTER MAY BEGIN TESTING

HSE PROHIBITS TESTING DUE TO UNACCEPTABLE ADVERSE EFFECTS ON HUMANS, ANIMALS AND/OR THE ENVIRONMENT

HSE issues a **Automatic Experimental Permit**

EXPERIMENTER MAY BEGIN TESTING

**NO**

- No action needed under EU BPR or COPR. Compliance with other legislation (e.g. COSHH) may be needed