

**Question for written answer E-001940/2016
to the Commission**
Rule 130
Merja Kyllönen (GUE/NGL)

Subject: Problems with the implementation of the Biocides Regulation (EU) No 528/2012)

The implementation of the Biocides Regulation (EU) No 528/2012) is proving problematic as regards the registration of ethanol-based disinfectants in Finland, where legislation requires denaturing to be carried out in a manner different to that practised in other EU Member States. The price charged for registration of biocides varies between countries, and the basic charge in Finland is very high. In Finland, IPA (isopropyl alcohol) is not listed as a permitted denaturant, unlike in other countries. In their current form, ethanol-based biocides to be registered for the Finnish market find themselves in the position of a marginal product. As the Finnish Chemicals Authority Tukes interprets IPA as being a secondary biocide, a joint Nordic disinfectant which accords with each country's practices cannot be registered unless the range of ethanol denaturing substances is first harmonised.

EU legislation places large undertakings operating in the industry at an advantage in relation to small undertakings. The charges for registering materials requiring registration for use in packaging are proportionately more expensive for small unit quantities or volumes than for large ones. Large European competitors gain an advantage on the market, because the unit costs of small Finnish producers are significantly higher for the reasons stated above.

Amendments to legislation which cause packaging legends rapidly to become outdated compel small operators to order packaging materials in smaller batches, which is relatively more expensive. The short transition periods laid down in amendments to legislation – generally between one and two years – are not well suited to the needs of Finland's small businesses. It is common practice in the packaging industry for packaging materials which are required for products that sell in smaller total quantities to be acquired in quantities sufficient to cover needs for as long as 3–5 years at a time, and when amendments are introduced, customers are compelled to pay for the packaging that they have ordered, even if it then has to be destroyed because it no longer complies with current standards.

What will the Commission do to reduce red tape which is an expensive burden on small operators and to rectify their disadvantageous competitive position?

What will the Commission do to harmonise legislation on the denaturing of ethanol?