15.9.2010  A7-0239/359

Amendment  359
Christa Klaß
on behalf of the PPE Group
Dan Jørgensen
on behalf of the S&D Group
Corinne Lepage
on behalf of the ALDE Group
Sabine Wils
on behalf of the GUE/NGL Group

Report  A7-0239/2010
Christa Klaß
Placing on the market and use of biocidal products

Proposal for a regulation
Article 33 - paragraphs 1 and 2

Text proposed by the Commission

1. The Community authorisation may be granted to the following categories of biocidal products:
   (a) biocidal products containing one or more new active substances;
   (b) low-risk biocidal products.

2. Following the report of the Commission on the implementation of this Regulation referred to in Article 54(4) and in light of the experience gained with the Community authorisations, the Commission may add other categories of biocidal products in paragraph 1 of this Article.

Amendment

1. From 2013 the Community authorisation may be granted to the following categories of biocidal products:
   (a) biocidal products containing one or more new active substances;
   (b) low-risk biocidal products.

2. From 2017 the Community authorisation may be granted to all categories of biocidal products with the exception of biocidal products that contain active substances that fall under Article 5.

Or. en
15.9.2010 A7-0239/360

**Amendment 360**

Christa Klaß
on behalf of the PPE Group

Corinne Lepage
on behalf of the ALDE Group

**Report**

Christa Klaß
Placing on the market and use of biocidal products

**Proposal for a regulation**

**Article 41 - paragraph 2 a (new)**

- **Text proposed by the Commission**
- **Amendment**

2a. An amendment to an existing authorisation should fall under one of the following categories of changes:

a) "Administrative change"

b) "Minor change"

c) "Major change"

as defined in points (ta), (tb) and (tc) of Article 3(1) respectively.

- **Or. en**

**Justification**

The legislative text should clearly outline the main principles which shall be applied when amending authorisations, although the details of the procedures can be specified in the implementing measures. In particular, it is necessary to specify the types of changes that can be made to existing product authorisations.
Amendment 361
Christa Klaß
on behalf of the PPE Group
Corinne Lepage
on behalf of the ALDE Group

Report
Christa Klaß
Placing on the market and use of biocidal products

Proposal for a regulation
Article 42

Text proposed by the Commission

The Commission shall adopt implementing measures specifying the criteria and procedures related to a cancellation of an authorisation or amendments of the terms and conditions of an authorisation under Articles 39 to 41, including a dispute settlement mechanism.

Amendment

1. The Commission shall adopt implementing measures specifying the criteria and procedures related to a cancellation of an authorisation or amendments of the terms and conditions of an authorisation under Articles 39 to 41, including a dispute settlement mechanism.

1a. The criteria and the procedures referred to in paragraph 1 of this Article shall be based on, but not limited to, the following principles:

(a) a simplified notification procedure shall be applied for administrative changes to the authorisation;

(b) a reduced evaluation period shall be established for minor changes to the authorisation;

(c) in the case of major changes the evaluation period should be proportionate to the extent of the proposed change.

Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 72(4).

2. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 72(4).
Justification

The legislative text should clearly outline the main principles which shall be applied when amending authorisations, although the details of the procedures can be specified in the implementing measures. In particular, it is necessary to specify that different types of amendment procedures should be applied depending on the degree and significance of the foreseen changes (administrative, minor or major) to the biocidal product (compared to the original authorisation).