

Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (Text with EEA relevance)

## CHAPTER XVII

### FINAL PROVISIONS

#### *Article 90*

#### **Transitional measures concerning active substances evaluated under Directive 98/8/EC**

1 The Agency shall be responsible for coordinating the process of evaluation of dossiers submitted after 1 September 2012 and shall facilitate the evaluation by providing organisational and technical support to the Member States and the Commission.

2 Applications submitted for the purposes of Directive 98/8/EC for which the Member States' evaluation in accordance with Article 11(2) of Directive 98/8/EC has not been completed by 1 September 2013 shall be evaluated by the competent authorities in accordance with the provisions of this Regulation and, where relevant, Regulation (EC) No 1451/2007.

That evaluation shall be carried out on the basis of the information provided in the dossier submitted under Directive 98/8/EC.

Where the evaluation identifies concerns arising from the application of provisions of this Regulation which were not included in Directive 98/8/EC, the applicant shall be given the opportunity to provide additional information.

Every effort shall be made to avoid additional testing on vertebrates and to avoid causing delays to the review programme laid down in Regulation (EC) No 1451/2007 as a result of these transitional arrangements.

Notwithstanding paragraph 1, the Agency shall also be responsible for coordinating the evaluation process of dossiers submitted for the purposes of Directive 98/8/EC for which the evaluation has not been completed by 1 September 2013 and shall facilitate the preparation of the evaluation by providing organisational and technical support to the Member States and the Commission from 1 January 2014.

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) No 528/2012 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- Art. 90(1) omitted by [S.I. 2019/720 Sch. 2 para. 131\(2\)](#)
- Art. 90(2) word substituted by [S.I. 2019/720 Sch. 2 para. 131\(3\)\(b\)](#)
- Art. 90(2) word substituted by [S.I. 2019/720 Sch. 2 para. 131\(3\)\(c\)](#)
- Art. 90(2) word substituted by [S.I. 2019/720 Sch. 2 para. 131\(3\)\(d\)](#)
- Art. 90(2) words omitted by [S.I. 2019/720 Sch. 2 para. 131\(3\)\(a\)](#)
- Art. 90(2) words omitted by [S.I. 2019/720 Sch. 2 para. 131\(3\)\(e\)](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Annex 3 para. 4 substituted by [S.I. 2019/720 Sch. 2 para. 141\(3\)](#)
- Annex 3 para. 2 words omitted by [S.I. 2019/720 Sch. 2 para. 141\(2\)\(c\)](#)
- Annex 3 para. 2 words omitted by [S.I. 2019/720 Sch. 2 para. 141\(2\)\(d\)](#)
- Annex 3 para. 8 words omitted by [S.I. 2019/720 Sch. 2 para. 141\(5\)](#)
- Annex 3 para. 2 words substituted by [S.I. 2019/720 Sch. 2 para. 141\(2\)\(a\)](#)
- Annex 3 para. 2 words substituted by [S.I. 2019/720 Sch. 2 para. 141\(2\)\(b\)](#)
- Annex 3 para. 6 words substituted by [S.I. 2019/720 Sch. 2 para. 141\(4\)](#)
- Annex 2 para. 4 substituted by [S.I. 2019/720 Sch. 2 para. 140\(3\)](#)
- Annex 2 para. 2 words omitted by [S.I. 2019/720 Sch. 2 para. 140\(2\)\(b\)](#)
- Annex 2 para. 8 words omitted by [S.I. 2019/720 Sch. 2 para. 140\(5\)](#)
- Annex 2 para. 2 words substituted by [S.I. 2019/720 Sch. 2 para. 140\(2\)\(a\)](#)
- Annex 2 para. 6 words substituted by [S.I. 2019/720 Sch. 2 para. 140\(4\)](#)
- Annex 4 para. 1.3 words omitted by [S.I. 2019/720 Sch. 2 para. 142\(b\)](#)
- Annex 4 para. 1.5 words omitted by [S.I. 2019/720 Sch. 2 para. 142\(c\)](#)
- Annex 4 para. 3.1 words omitted by [S.I. 2019/720 Sch. 2 para. 142\(d\)](#)
- Annex 4 para. 1.2 words substituted by [S.I. 2019/720 Sch. 2 para. 142\(a\)](#)
- Annex 6 para. 10 word substituted by [S.I. 2019/720 Sch. 2 para. 143\(6\)](#)
- Annex 6 para. 13 words omitted by [S.I. 2019/720 Sch. 2 para. 143\(9\)\(a\)](#)
- Annex 6 para. 15 words omitted by [S.I. 2019/720 Sch. 2 para. 143\(10\)](#)
- Annex 6 para. 1 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(2\)\(a\)](#)
- Annex 6 para. 1 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(2\)\(b\)](#)
- Annex 6 para. 6 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(3\)](#)
- Annex 6 para. 8 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(4\)](#)
- Annex 6 para. 9 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(5\)\(a\)](#)
- Annex 6 para. 9 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(5\)\(b\)](#)
- Annex 6 para. 11 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(7\)](#)
- Annex 6 para. 12 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(8\)](#)
- Annex 6 para. 13 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(9\)\(b\)](#)
- Annex 6 para. 20 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 26 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 36 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 48 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 50 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 51 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 52 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 53 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 55 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 56 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 57 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)

- Annex 6 para. 58 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 59 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 60 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 62 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 64 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 66 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 67 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 68 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 69 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 71 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 72 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 73 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 74 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 75 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 77 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 78 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(11\)](#)
- Annex 6 para. 52 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(12\)](#)
- Annex 6 para. 75 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(13\)](#)
- Annex 6 para. 77 words substituted by [S.I. 2019/720 Sch. 2 para. 143\(14\)](#) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 143(14) substituted immediately before IP completion day by [S.I. 2020/1567, reg. 1\(2\), Sch. 2 para. 39\(b\)](#))
- Annex 6 para. 77 words substituted by [S.I. 2019/720, Sch. 2 para. 143\(14\)](#) (as substituted) by [S.I. 2020/1567 Sch. 2 para. 39\(b\)](#)
- Annex 6 para. 52 words substituted in earlier amending [S.I. 2019/720, Sch. 2 para. 143\(12\)](#) by [S.I. 2020/1567 Sch. 2 para. 39\(a\)](#)
- Art. 1(2)(c) omitted by [S.I. 2019/720 Sch. 2 para. 62\(3\)\(b\)](#)
- Art. 2(b) words substituted by [S.I. 2019/720, Sch. 2 para. 63\(2\)\(b\)](#) (as substituted) by [S.I. 2020/1567 Sch. 2 para. 22](#)
- Art. 2(c) words substituted by [S.I. 2019/720, Sch. 2 para. 63\(2\)\(c\)](#) (as substituted) by [S.I. 2020/1567 Sch. 2 para. 22](#)
- Art. 2(k) substituted by [S.I. 2019/720, Sch. 2 para. 63\(2\)\(d\)](#) (as substituted) by [S.I. 2020/1567 Sch. 2 para. 22](#)
- Art. 3(1)(d) words inserted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(a\)](#)
- Art. 3(1)(e) words inserted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(b\)](#)
- Art. 3(1)(f) words omitted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(c\)](#)
- Art. 3(1)(k) words substituted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 64(2)(d) substituted immediately before IP completion day by [S.I. 2020/1567, reg. 1\(2\), Sch. 2 para. 23\(a\)](#))
- Art. 3(1)(k) words substituted by [S.I. 2019/720, Sch. 2 para. 64\(2\)\(d\)](#) (as substituted) by [S.I. 2020/1567 Sch. 2 para. 23\(a\)](#)
- Art. 3(1)(m) words omitted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(e\)\(i\)](#)
- Art. 3(1)(m) words omitted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(e\)\(ii\)](#)
- Art. 3(1)(n) substituted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(f\)](#)
- Art. 3(1)(n) words substituted in earlier amending provision [S.I. 2019/720, Sch. 2 para. 64\(2\)\(f\)](#) by [S.I. 2020/1567 Sch. 2 para. 23\(b\)](#)
- Art. 3(1)(o) words omitted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(g\)](#)
- Art. 3(1)(p) words substituted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(h\)\(i\)](#)
- Art. 3(1)(p) words substituted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(h\)\(ii\)](#)
- Art. 3(1)(p) words substituted in earlier amending provision [S.I. 2019/720, Sch. 2 para. 64\(2\)\(h\)\(ii\)](#) by [S.I. 2020/1567 Sch. 2 para. 23\(c\)](#)
- Art. 3(1)(t) words inserted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(i\)](#)
- Art. 3(1)(x) omitted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(j\)](#)
- Art. 3(1)(af)-(ah) inserted by [S.I. 2019/720 Sch. 2 para. 64\(2\)\(k\)](#)
- Art. 3(1)(ai) substituted in earlier amending provision [S.I. 2019/720, Sch. 2 para. 64\(2\)\(k\)](#) by [S.I. 2020/1567 Sch. 2 para. 23\(d\)\(i\)](#)

- Art. 3(1)(aj) substituted for point (ah) the second time it occurs in earlier amending provision S.I. 2019/720, Sch. 2 para. 64(2)(k) by S.I. 2020/1567 Sch. 2 para. 23(d)(ii)
- Art. 3(3)-(7) substituted for Art. 3(3)(4) by S.I. 2019/720 Sch. 2 para. 64(3)
- Art. 5(1)(d) words substituted by S.I. 2019/720 Sch. 2 para. 65(a)
- Art. 6(5)(6) inserted by S.I. 2019/720 Sch. 2 para. 66(4)
- Art. 8(2A) inserted by S.I. 2019/720 Sch. 2 para. 68(5)
- Art. 8A inserted by S.I. 2019/720 Sch. 2 para. 69
- Art. 8A word substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 69 by S.I. 2020/1567 Sch. 2 para. 24
- Art. 9(1)(a) words substituted by S.I. 2019/720 Sch. 2 para. 70(2)(c)
- Art. 9(1)(b) words substituted by S.I. 2019/720 Sch. 2 para. 70(2)(d)
- Art. 9(1A) inserted by S.I. 2019/720 Sch. 2 para. 70(3)
- Art. 12(4) inserted by S.I. 2019/720 Sch. 2 para. 73(d)
- Art. 14(4)(a) words substituted by S.I. 2019/720 Sch. 2 para. 75(5)(d)
- Art. 14(4)(b) word substituted by S.I. 2019/720 Sch. 2 para. 75(5)(e)
- Art. 14(4A) inserted by S.I. 2019/720 Sch. 2 para. 75(6)
- Art. 14(4A) word substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 75(6) by S.I. 2020/1567 Sch. 2 para. 26
- Art. 14(5A) inserted by S.I. 2019/720 Sch. 2 para. 75(8)
- Art. 17A inserted by S.I. 2019/720, Sch. 2 para. 78A (as inserted) by S.I. 2020/1567 Sch. 2 para. 27
- Art. 19(1)(a) words substituted by S.I. 2019/720 Sch. 2 para. 80(a)
- Art. 19(4)(a) omitted by S.I. 2019/720 Sch. 2 para. 80(b)
- Art. 24A inserted by S.I. 2019/720 Sch. 2 para. 85
- Art. 25(1)(a) words substituted by S.I. 2019/720 Sch. 2 para. 86(a)
- Art. 25(1)(a) words substituted by S.I. 2019/720 Sch. 2 para. 86(b)
- Art. 26(2A)-(2C) inserted by S.I. 2022/1291 reg. 2(2)(a)
- Art. 26(3A)(3B) inserted by S.I. 2022/1291 reg. 2(2)(c)
- Art. 28(3)-(7) substituted for Art. 28(3)-(5) by S.I. 2019/720 Sch. 2 para. 89(c)
- Art. 29(1A)(1B) inserted by S.I. 2022/1291 reg. 2(3)
- Art. 29(2)(a) omitted by S.I. 2019/720 Sch. 2 para. 90(4)(b)
- Art. 29(2)(b) omitted by S.I. 2019/720 Sch. 2 para. 90(4)(b)
- Art. 30(1A)-(1C) inserted by S.I. 2022/1291 reg. 2(4)(b)
- Art. 30(2A) inserted by S.I. 2022/1291 reg. 2(4)(d)
- Art. 30(4) inserted by S.I. 2022/1291 reg. 2(4)(f)
- Art. 55(4)(d) and semicolon omitted in earlier amending provision S.I. 2019/720, Sch. 2 para. 102 by S.I. 2020/1567 Sch. 2 para. 28(a)
- Art. 55(7) Art. 55(9) renumbered as Art. 55(7) in earlier amending provision S.I. 2019/720, Sch. 2 para. 102 by S.I. 2020/1567 Sch. 2 para. 28(c)
- Art. 55(7)(8) omitted in earlier amending provision S.I. 2019/720, Sch. 2 para. 102 by S.I. 2020/1567 Sch. 2 para. 28(b)
- Art. 55(7) words substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 102 by S.I. 2020/1567 Sch. 2 para. 28(d)
- Art. 58(9) inserted by S.I. 2019/720 Sch. 2 para. 105(6)
- Art. 60(4)(5) inserted by S.I. 2019/720 Sch. 2 para. 107(3)
- Art. 60(4)(5) words substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 107(3) by S.I. 2020/1567 Sch. 2 para. 29
- Art. 69(2)(c) words omitted by S.I. 2019/720 Sch. 2 para. 115(3)(a)
- Art. 69(2)(o) words substituted by S.I. 2019/720 Sch. 2 para. 115(3)(b) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 115(3)(b) substituted immediately before IP completion day by S.I. 2020/1567, reg. 1(2), Sch. 2 para. 32)
- Art. 69(2)(o) words substituted by S.I. 2019/720, Sch. 2 para. 115(3)(b) (as substituted) by S.I. 2020/1567 Sch. 2 para. 32
- Art. 83A83B inserted by S.I. 2019/720 Sch. 2 para. 125
- Art. 83B(1) words substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 125 by S.I. 2020/1567 Sch. 2 para. 35(a)

- Art. 83B(4)-(7) omitted in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 35\(b\)](#)
- Art. 88(2) words substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 36\(a\)](#)
- Art. 88(3)(d) omitted in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 36\(b\)](#)
- Art. 88(6) Art. 88(8) renumbered as Art. 88(6) in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 36\(d\)](#)
- Art. 88(6) words substituted in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 36\(e\)](#)
- Art. 88(7)(8) omitted in earlier amending provision S.I. 2019/720, Sch. 2 para. 129 by [S.I. 2020/1567 Sch. 2 para. 36\(c\)](#)
- Art. 89(7) words inserted by [S.I. 2022/1291 reg. 2\(5\)\(a\)](#)
- Art. 89(7A)-(7C) inserted by [S.I. 2022/1291 reg. 2\(5\)\(b\)](#)
- Art. 89(8) words substituted by [S.I. 2022/1291 reg. 2\(5\)\(c\)](#)
- Art. 89(9) words inserted by [S.I. 2022/1291 reg. 2\(5\)\(d\)](#)
- Art. 89(9A) inserted by [S.I. 2022/1291 reg. 2\(5\)\(e\)](#)
- Art. 89(12) inserted by [S.I. 2022/1291 reg. 2\(5\)\(f\)](#)
- Art. 92(1A)-(1C) inserted by [S.I. 2019/720 Sch. 2 para. 133](#)
- Art. 93(a) word substituted by [S.I. 2019/720 Sch. 2 para. 134\(3\)\(a\)](#)
- Art. 93(a) words substituted by [S.I. 2019/720 Sch. 2 para. 134\(3\)\(b\)](#)
- Art. 93(b) word substituted by [S.I. 2019/720 Sch. 2 para. 134\(4\)](#)
- Art. 94(1)(a) words substituted by [S.I. 2019/720 Sch. 2 para. 135\(2\)\(b\)](#)
- Art. 94(1)(a) words substituted in earlier amending S.I. 2019/720, Sch. 2 para. 135(2)(b) by [S.I. 2020/1567 Sch. 2 para. 37](#)
- Art. 95(8) inserted by [S.I. 2019/720 Sch. 2 para. 136\(6\)](#)
- Art. 95A-95L inserted by [S.I. 2019/720 Sch. 2 para. 137](#) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 137 omitted immediately before IP completion day by virtue of S.I. 2020/1567, reg. 1(2), Sch. 2 para. 38)
- Art. 95A-95N inserted by S.I. 2019/720, Sch. 4 para. 2 (as inserted) by [S.I. 2020/1567 Sch. 4](#)
- Art. 95B(4A) inserted by [S.I. 2022/1291 reg. 2\(6\)](#)
- Art. 95C(4A) inserted by [S.I. 2022/1291 reg. 2\(7\)](#)
- Art. 95H(4A) inserted by [S.I. 2022/1291 reg. 2\(9\)](#)
- Art. 95FA and cross-heading inserted by [S.I. 2022/1291 reg. 2\(8\)](#)