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

CEPE GUIDANCE
ON THE LABELLING OF TREATED ARTICLES

Version 4
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DISCLAIMER: This guidance document is designed to help members in the context of a compliance process. CEPE will take no responsibility for possible mistakes. Only legal text bind.

CONTENT

1. Document History

Version	Essential Changes	Date
Version 0.0	First Edition	May 2013
Version 1.0	The main reason for the first update was linked to the final position that the EU Commission took in May2015 on the labelling conditions for treated articles into the biocide active substance approval Regulations.	February 2016
Version 2.0	Because our members met difficulties in complying with both the CLP and the additional labelling provisions of the BPR, the second revision added practical examples to comply with both labelling requirements for skin sensitisers.	October 2016
Version 3.0	This version three includes a few relevant comments on these examples that were made following the issuance of the October 2016 version to avoid any misunderstanding on this complex issue.	November 2016
Version 4.0	This version updates expired information and added new inputs. The new extension of the review program and the specific label requirements related to the approval of BIT and MIT (gloves provisions) have been updated. The following points are new: Point 6 (B), the option of choosing between *'incorporates or contains',* and additional information on the use of the *'Risk of skin sensitisation'* phrase under the IPBC context.	February 2026

2. Introduction

The BPR (Biocidal Product Regulation 528/2012)- published on 27 June 2012- is the Regulation replacing the BPD (Biocidal Product Directive 98/8/EC). It has been applied since 1 September 2013. One of the changes introduced by the BPR is the extension of its scope to **treated articles**.

The definition is the following (Art 3)[1]

> *'treated article' means any substance, mixture or article which has been treated with, or intentionally incorporates, one or more biocidal products.*

The BPR also includes substances and mixtures as potential 'treated articles'. Hence, as explained in the examples below, many CEPE members products will fall under the BPR definition of treated articles and new obligations derive from it.

Article 58 introduces obligations for the placing on the market of "treated articles". This CEPE Guidance document focuses on point 3 of Art. 58, which describes the labelling requirements of treated articles under certain conditions. Two additional topics also related to treated articles but not related to labelling issues, are covered in the Annex.

CEPE Members are generally users of biocides such as:

- Product Type six (PT6): in-can preservatives.
- PT 7: dry-film preservatives.
- PT 8: wood preservatives.
- PT 21: anti-fouling activities.

Some members are also involved in the use of:

- PT 10: masonry preservatives.
- PT 2: disinfectants.
- PT 18: pest control.

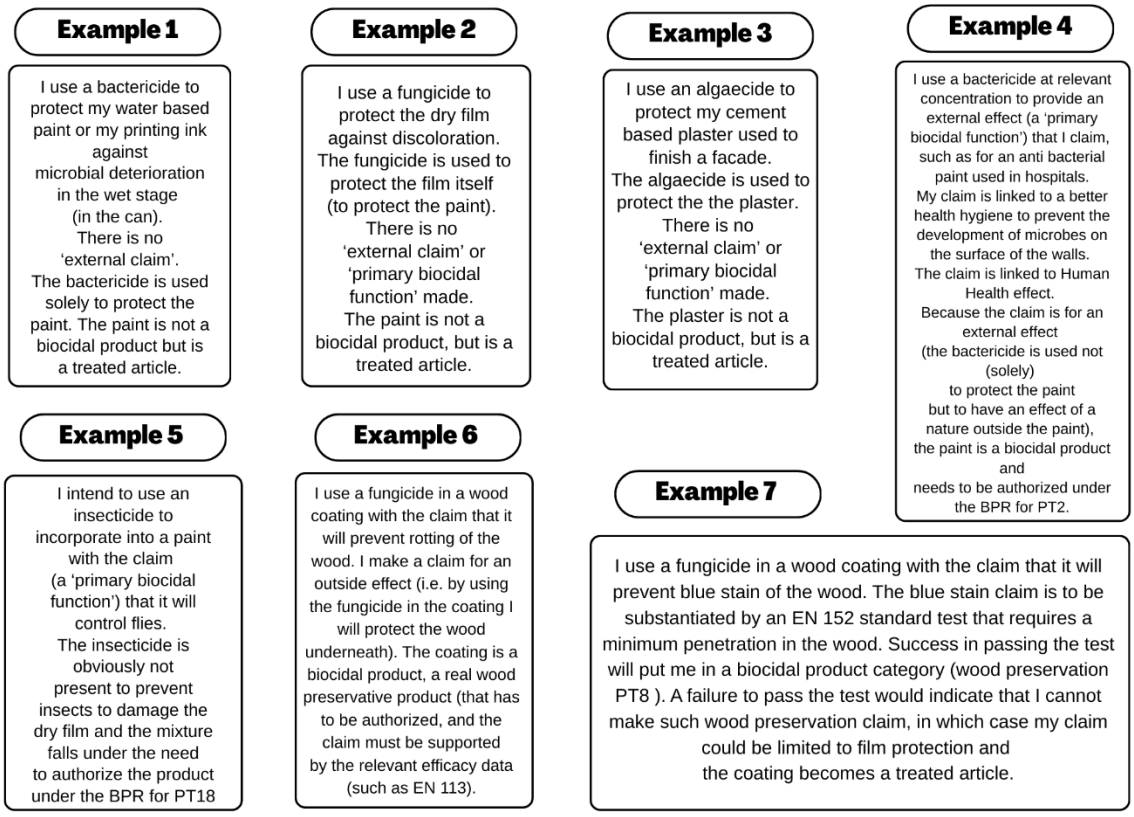
[1] In REACH: Registration, Evaluation and Authorization of Chemicals, Regulation 1907/2006, an article is defined as "an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition''.

3. Biocidal product or treated article?

The first important differentiation is to be made between “biocidal product” and “treated article”. It should be noted here that the BPR considers that a product that has a primary biocidal **function** shall be considered a biocidal product (such as an anti-fouling paint).

The second important aspect to understand is when a treated article has to be labelled, and this can take place in two occasions: 1) once a biocidal **property** is claimed, and 2) if the **approval conditions of the active substance** require specific provisions for treated articles.

The definition of a biocidal product that has been applied up to now under the BPD (1998/8) remains on the whole valid. The claim[2] is of key importance. Under the BPD as soon as a claim was made for an external biocidal effect, the product became a biocidal product. Under the BPR the term ‘internal effect’ or ‘external effect’ is not employed anymore, rather the key criterion is whether a treated article has a ‘primary biocidal function’. What ‘primary’ means is still subject to debate and is not of key importance for CEPE to understand whether you place on the market a biocidal product or a treated article[3]



[2] NB: be careful that a claim made in other documentation than the label, such as a Technical Data Sheet, or promotion in any form, such as on internet, would also be regarded as a relevant claim by the controlling Authorities.

[3] The BPR shall not apply to biocidal products or treated articles that are within the scope of a number of instruments, including cosmetics (1223/2009) and toy safety (2009/48)

4. Labelling of treated articles

Once you know that you are placing on the market a treated article (because you have used a biocide – your product was treated with or intentionally incorporates a biocidal product), the next question is: when do you have to label it?

The Article 58 (3) states:

> *3. The person responsible for the placing on the market of such a treated article shall ensure that the label provides the information listed in the second subparagraph, where:*
>
> *- in the case of a treated article containing a biocidal product,* ***a claim is made*** *by the manufacturer of that treated article regarding the biocidal properties of the article, or*
> *-****in relation to the active substance(s) concerned****, having particular regard to the possibility of contact with humans or the release into the environment, the conditions associated with the approval of the active substance(s) so require.*

There are therefore **two situations** that require labelling:

Situation 1: you make a claim regarding a biocidal property. Again, you have to carefully understand the consequence of making a claim. The term 'property' must be differentiated from the term 'function'. A product that has a primary biocidal function must be regarded as a biocidal product, but a treated article may still contain biocidal products that deliver a certain property to the article. A 'property' is a characterizing quality. However, a 'function' refers more specifically to the intended purpose of a product.

Example 1

The incorporation of a dry film preservative biocidal product in a coating does not make the coating a biocidal product (no external claim) but provides the coating with the property that it is protected against certain discoloration/disfigurement. If you make a claim of the type '*this paint is protected against disfigurement caused by fungi and algae*', then you will fall under situation 1 and you will have to label (see below for the label requirements).

Example 2

You use an in can preservative to protect your water based paint. Of course you do not claim that it is protected for microbial deterioration, it is obvious since without doing so the first customer would run away from your product once opening the can... In this case you would not need labelling according to situation 1, but you may need it according to situation 2

Situation 2: in relation to the active substance (s) concerned, this is not within the control of CEPE members but depends on the outcome of the BPR assessment of the relevant active(s) in the European Commission review program, which is currently running until December 31st, 2030. This condition means that if the outcome of the risk assessment for the use of the relevant active(s) in coatings would have demonstrated some remaining concerns (for Human Health and/or for the Environment), then the end-use product (your coating) will have to warn the user of certain dangers/risks/risk mitigation measures and comply with the labelling elements of Art 58(3).

The EU Commission, with the support of Member States, agreed in November 2015 that labelling provisions will apply for all skin sensitising active substances classified as category 1 or 1A (which means most of them as few are only 1B)[4]. A standard provision in the approval regulation of these substances is included (see the example of CMIT/MIT PT6 No 131/2016):

> *The person responsible for the placement on the market of a treated article treated with or incorporating C(M)IT/MIT (3:1) shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.*

There are other hazard-based classification criteria that will also trigger the labelling requirements: vP or vB, P and B, respiratory sensitisers, other substances identified as SVHC under REACH (could be due to endocrine disruptive effects or specific organ target toxicity etc.), and also if a use is restricted or if the active fulfils the exclusion criteria. It is expected in practice that skin sensitisers will be the substances that will mostly trigger such new labelling requirements.

When Commission started to add labelling requirements to substance approvals back in 2013 they only targeted skin sensitisers (and not PBT etc.) and made specific reference to it in the legal texts. Hence the paragraph that was added in the approval regulations of a few substances contained specific reference to skin sensitisation as per the example of IPBC for PT6 (Regulation 1037/2013):

> '*Where a treated article has been treated with or intentionally incorporates IPBC, and where necessary due to the possibility of skin contact as well as the release of IPBC under normal conditions of use, the person responsible for placing the treated article on the market shall ensure that the label provides information* ***on the risk of skin sensitisation****, as well as the information referred to in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012*'

As a consequence, the labelling requirements for some substances may differ due to the specific need to add reference to skin sensitisation.

In the case of IPBC it must be highlighted that when it was approved for PT8 in 2008 no labelling provision existed, and when it was approved for PT13 in 2015 the labelling requirement did not contain any more indication on the risk of skin sensitisation. This is somewhat confusing, and it shows the change of thinking of the Authorities throughout the years. Chapter six to this guide on *practical recommendations to implement the BPR labelling requirements in addition to the CLP requirements*, includes examples with IPBC. In order to keep coherence with the approval decisions when an example refers to IPBC (PT6) we include the '*Risk of skin sensitisation'* phrase[5], and when the examples concern an approval in progress like PT7, the phrase is not included.

[4] For further details see the EU COM document CA-May-15-Doc.6.1-Final 'Labelling of treated articles'.

[5] Commission Implementing Regulation (EU) No 1037/2013 of 24 October 2013 approving IPBC as an existing active substance for use in biocidal products for product-type 6 (OJ L 283, 25.10.2013, p. 38, ELI: http://data.europa.eu/eli/reg_impl/2013/1037/oj).

Notes:

1) The condition for skin sensitisation does not involve any threshold concentration. Hence, as soon as you intentionally add a biocide that meets one of these criteria in your product, the new labelling provisions apply.
2) The biocide that your raw material supplier added to preserve only the raw material does not fall in scope. The biocide in this case is present at a relevant concentration to preserve only the raw material and not at higher concentration that would preserve your own product. In other words, if your raw material, for example a binder, contains more biocide than the needed to only preserve the raw material itself during storage, and it acts to preserve the paint as well, the new labelling provisions apply.

The use of certain active substances at a concentration triggering skin sensitiser classification may condition the placing on the market of the concerned treated articles. As part of these conditions, specific labelling provisions may apply (see the recent examples of BIT PT6 No 2025/929 and MIT PT6 No 2025/1257)

Example of BIT:

(c) the person responsible for the placing on the market for use by non-professionals of a paint treated with or incorporating BIT at a concentration triggering classification of the mixture as skin sensitiser category 1A, ensures that: (i) the paint is supplied with appropriate protective gloves in compliance with European Standard EN 374 or equivalent; (ii) the label indicates that protective gloves must be worn during use.

Example of MIT:

(c) the person responsible for the placing on the market for use by non-professionals of a paint treated with or incorporating MIT at a concentration triggering classification of the mixture as skin sensitiser category 1 in accordance with Regulation (EC) No 1272/2008 ensures that: (i) the paint is supplied with appropriate protective gloves in compliance with European Standard EN 374 or equivalent; (ii) the label indicates that protective gloves must be worn during use.

5. Labelling requirements

Art 58(3) states the following:

> *The label referred to in the first subparagraph shall provide the following information:*
> *(a) a statement that the treated article incorporates biocidal products;*
> *(b) where substantiated, the biocidal property attributed to the treated article;*
> *(c) without prejudice to Article 24 of Regulation (EC) No 1272/2008, the name of all active substances contained in the biocidal products;*
> *(d) the name of all nanomaterials contained in the biocidal products, followed by the word 'nano' in brackets;*
> *(e) any relevant instructions for use, including any precautions to be taken because of the biocidal products with which a treated article was treated or which it incorporates.*

Some explanations corresponding to each of the points to Art 58 (3) mentioned above:

(a) Such statement could be as simple as '*This paint contains/ incorporates a biocidal product*'.

(b) This could be included in the previous phrase and read '*This paint contains/incorporates a biocidal product for the preservation of the dry film*'.

(c) This requires the naming of the actives used. The question is what chemical name should be used? In order to save label space CEPE advise using the shortest abbreviation possible, but it is still legally justifiable. See below under '*General principle for naming substances in products*' for further explanation.

(d) This does limit the requirement to state nano forms of biocide actives linked to the biocidal property claim such as '*contains (nano) silver*'.

(e) Typically, this should come from the outcome of the evaluation of the biocide products, when they will be authorized under the BPR and when such requirement would specifically apply. Example: *Protective gloves must be worn during us.*[6]

Hence, Art 58(3) of the BPR contains 5 requirements under (a) to (e) but not all are relevant for us.

- For in-can preservation PT6 it is expected that the sole relevant requirement is in (a) and (c): a statement that the treated article contains a biocide (or more than one).
- For dry-film preservation PT7 the property must be added in addition (according to (b)).

Specific instructions for the point (e) will depend on the approval conditions of biocidal products (mixtures).

[6] The person responsible for the placing on the market for use by non-professionals of a paint treated with or incorporating BIT at a concentration triggering classification of the mixture as skin sensitiser category 1A, ensures that the label indicates that protective gloves must be worn during use.

6. Practical recommendations to implement the BPR labelling requirements in addition to the CLP requirements.

When we issued the revised guidance (version 1) in February 2016, members expressed difficulties to identify the relevant names of biocide substances to use and combining the CLP and the BPR sentences when skin sensitisation is involved. This section provides guidance to members on those aspects.

Warning: the information provided below has been developed to facilitate the implementation of the labelling requirements as much as possible. However, members may have to adopt this based on own considerations (IT system, customer expectations…).

A) General principles for naming substances in products

ECHA labelling and packaging guidance recommends following the hierarchy in CLP Article 18(2) for naming of substances in mixtures (Annex VI name; C&L inventory name; other internationally recognised name e.g. INCI nomenclature), but states that it is preferable to use the name that is most well-known to the user/consumer, which is likely to be a shorter name. Also, if a substance has to be named on the label under both CLP and other legislation, the same name should be used for both.

The labelling requirements of BPR Article 58(3) require BPR names to be used. These are published in the approval regulations for the active substances.

CEPE recommends using the abbreviation for a biocide if given as the name in the official approval regulation. Otherwise use the shortest name available, typically the INCI name.

Examples:

- **C(M)IT/MIT (3:1)** is used in Regulation 2016/131.
  (*CLP Annex VI name*: reaction mass of: 5-chloro-2-methyl-4-isothiazolin-3-one [EC no. 247-500-7] and 2-methyl-2H -isothiazol-3-one [EC no. 220-239-6] (3:1))

- **IPBC** is used in Regulation 1037/2013
  (*CLP Annex VI name*: 3-iodo-2-propynyl butylcarbamate)

- 2-methyl-2H-isothiazol-3-one, **MIT** is used in Regulation 2025/1257

- 1,2-Benzisothiazol-3(2H)-one, **BIT** is used in Regulation 2025/929

B) Technical background on skin sensitising

There are three categories for skin sensitising substances: Category 1, Category 1A and Category 1B. The concentration threshold to classify mixtures containing such substances is the same for skin sensitisation Cat 1 and Cat 1B classifications: 1%.

The substances having a Cat 1A classification are more potent and have lower concentration limits for the classification of mixtures: either a generic limit 10 times lower than for Cat 1 and Cat 1B, or even lower on a case-by-case basis.

Mixtures classified for skin sensitisation must bear the following label elements: pictogram, signal word and hazard statement H317.

EUH 208, skin sensitising sentence to be applied from June 2015 at lower concentrations

When a person is first exposed to a skin sensitising chemical it requires a certain concentration to provoke the sensitisation ('induction'). But once the person has developed the allergy to a specific substance it can develop the symptoms, i.e. the allergic reaction, at lower concentration ('elicitation'). In order to provide sufficient information to users and help them avoid exposure once sensitised, the legislator, through the 2nd ATP to CLP (1), has added a requirement to apply a sentence at concentrations levels of **one tenth** of the classification limit of the substance:

EUH208 — "Contains (name of sensitising substance). May produce an allergic reaction".

The levels for elicitation are deliberately lower than the level for induction. This information is provided under the table 3.4.6 in the CLP text:

Table 3.4.6

Concentration limits for elicitation of components of a mixture

Component classified as:	Concentration limits for elicitation		
	Respiratory sensitiser Category 1		Skin sensitiser Category 1
	Solid/liquid	Gas	All physical states
Respiratory sensitiser Category 1	≥ 0,1 % (Note 1)	≥ 0,1 % (Note 1)	
Respiratory sensitiser Sub-category 1A	≥ 0,01 % (Note 1)	≥ 0,01 % (Note 1)	
Respiratory sensitiser Sub-category 1B	≥ 0,1 % (Note 1)	≥ 0,1 % (Note 1)	
Skin sensitiser Category 1			≥ 0,1 % (Note 1)
Skin sensitiser Sub-category 1A			≥ 0,01 % (Note 1)
Skin sensitiser Sub-category 1B			≥ 0,1 % (Note 1)

C) General principles for combining CLP and BPR label elements

CEPE recommends avoiding duplication and reducing the information on labels to a minimum as far as possible. Some principles for this:

- If a product contains several substances requiring EUH208, include all names in the same statement. Example: **"*Contains (name of sensitising substance). May produce an allergic reaction.*"**
- If a product contains several biocides to be named according to BPR Art. 58(3) (point (c)), include all names in the same sentence.
- If a biocide requires both above, avoid duplication by using the first part of EUH208 to cover the naming of the active substance(s). Example: **"*Contains (name of sensitising substance 1 + name of sensitising substance 2 + name of biocides to be named according to Art 58 (3)). May produce an allergic reaction*"**
- If the approval regulation requires identification of a specific risk, such as skin sensitisation, include short text for this at the end of the phrases **if** not already covered by EUH208 or other (supplemental) hazard statements.

NB1: if a biocidal active substance is not yet approved, use CLP labelling elements only (e.g. EUH208). Example: "**Contains DTBMA. May produce an allergic reaction."**

NB2: During the creation of version four to this guidance, members propose to include the possibility of choosing between 'contains' and 'incorporates' when using the phrase '*Contains/Incorporates biocidal product*'. This new proposal is based on both the consideration of what is currently advised by the BPR ((Article 58 (3a)) where there is the explicit reference to 'incorporates', and the fact that a lot of members use 'contains' based on the advice provided in precedent versions to this guidance. Both options are valid.

Difference between applicability dates

When there are differences in the applicability dates between the CLP and the BPR provisions concerning the same substance, both regulations need to be fulfilled at the moment each regulation requires to do so.

For example,

According to BIT regulation, in cases where a paint treated with or incorporating BIT at a concentration triggering classification as Skin Sensitiser Category 1A is placed on the market for non-professional use, the person responsible must ensure that the paint is supplied with appropriate protective gloves. The regulation states that the approval date for BIT in PT6 is October 1st, 2026.

In parallel, ATP 21 amends the classification threshold for Skin Sens. 1A; H317 to C ≥ 0.036%, with applicability from Septembers 1st, 2025.

Although the classification threshold for Skin Sens. 1A; H317 enters into force from September 1st, 2025, paints and inks containing BIT at concentrations ≥ 0.036% are requested to comply with the specific conditions stated on BIT regulation (gloves provisions) from October 1st, 2026.

D) Examples of single active substances

Substances like IPBC trigger the classification of a chemical mixture from 1% concentration on (with the CLP label elements) and between 0.1 and < 1% the EUH208 sentence has to be added, even though the mixture is not classified.

For a substance like MIT that has a specific concentration limit of 0.0015% (15 ppm), chemical mixtures have to be classified as skin sensitisers from 0.0015% (with the CLP label elements) and between 0.00015 (1.5 ppm) and < 0.0015% (15 ppm) the EUH208 sentence has to be added, even though the mixture is not classified.

As mentioned above, if a biocidal active substance is not yet approved, we recommend using CLP label elements only. Example: "**Contains DTBMA. May produce an allergic reaction."**

Some examples:

- Concentration leading to classification of the mixture: and substance/PT approved: **apply H317 and Art 58(3) for PT21.**

  Example: DCOIT in wood paint ≥15 ppm
  The product is classified as skin sensitiser and the hazard statement "**May cause an allergic skin reaction**" must appear on the label. The name of the substance must also be given due to BPR Article 58(3) and CLP Article 18(3): "**Contains/Incorporates a biocidal product: 4,5-dichloro-2-octyl-2H-isothiazol-3-one."**

- Concentration leading to EUH 208 and substance/PT not yet approved: **apply EUH 208 only**.

  Example: OIT used in paints as PT6. If OIT is present at concentrations leading EUH 208 (≥1.5 ppm and < 15 ppm):
  "**Contains OIT. May produce an allergic reaction''**

- Concentration leading to EUH 208 and substance/PT approved: **apply EUH 208 and Art 58(3**)

  Example 1: IPBC used in paint as PT6. ≥1000 ppm and <10000 ppm:
  "**Contains/Incorporates a biocidal product: Contains IPBC. May produce an allergic reaction**. **Risk of skin sensitisation''**

Example 2: BIT used in paint as PT6. BIT has a specific concentration limit for Skin Sens. 1A; H317: 0.036%

a) When the concentration of **BIT is lower than 360 ppm**, the obligation is to insert the phrase: **EUH208 (+EUH210 for professional products, CLP Reg.) + "Contains biocidal products" (Biocides Reg.):**
''Contains/Incorporates a biocidal product. Contains BIT: May produce an allergic reaction. Safety data sheet available on request (for professional products)''

The new provision "**Protective gloves must be worn during use**" should not be used when BIT is present in concentrations lower than 360 ppm.

b) The obligation to indicate the use of gloves only applies to products with **H317 (Skin sensitiser 1A)** and therefore with a BIT equal/greater than 360 ppm.

If BIT is present in a concentration leading to H317 1A (≥360ppm):
"**Contains/Incorporates a biocidal product. Contains BIT: May cause an allergic skin reaction**.
Protective gloves must be worn during use''
P280 can also be used to cover the protective gloves information requirement.

- Concentration below EUH 208 and substance/PT not yet approved: **no labelling info needed.**

- Concentration below EUH 208 and substance/PT approved: **apply Art 58(3):**

< 1.5 ppm: "**Contains/Incorporates a biocidal product: C(M)IT/MIT (3:1)**"
< 36 ppm: "**Contains/Incorporates a biocidal product: BIT**"
< 1000 ppm: "**Contains/Incorporates a biocidal product: IPBC. Risk of skin sensitisation**"

If the concentration of the biocidal active does not provide protection and it is derived from thePT6 used in the raw materials, it does not need to include the biocidal statement.

E) Examples of the use of multiple active substances

> A substance triggers H317, another one EUH 208, and a third one is < EUH 208:

DCOIT >15 ppm + BIT between 36 - 360 ppm + CMIT/MIT <1.5 ppm:
DCOIT drives H317 classification + BPR Art 58(3) (a) +(b)
BIT adds the substance name (CLP Annex II 2.8)+ BPR Art 58 (a)
CMIT/MIT requires BPR Art 58(3) (a)
"Contains DCOIT. May produce an allergic skin reaction. Contains/Incorporates a biocidal product: Contains BIT and CMIT/MIT (3:1)"

> A PT6 substance requires EUH 208 and a PT7 substance claims a biocidal property under EUH208:

CMIT/MIT at 10 ppm for PT6 + IPBC at 900 ppm for PT7 (with claim):
CMIT/MIT needs EUH 208 + BPR Art 58(a)
IPBC needs BPR Art 58(a) +(b)+ (c)
"**Contains/Incorporates a biocidal product: Contains C(M)IT/MIT (3:1). May produce an allergic reaction. Contains/Incorporates a biocidal product for the preservation of dry-film: IPBC''**

> Two PT6 substances require EUH 208 and a PT7 substance claims a biocidal property below the level for EUH 208:

CMIT/MIT at 10 ppm for PT6 + BIT at 30 ppm + IPBC at 900 ppm for PT7 (with claim):
CMIT/MIT and BIT need EUH 208 + BPR Art 58(a)
IPBC needs BPR Art 58(a) +(b)+ (c)
"**Contains/Incorporates a biocidal product: Contains C(M)IT/MIT (3:1) and BIT. May produce an allergic reaction. Contains/incorporates a biocidal product for the preservation of dry film: IPBC.**"

> A PT6 substance requires EUH 208 + another PT6 substance is under EUH 208 + a PT7 (with claim) substance also under EUH 208:

CMIT/MIT at 10 ppm for PT6 + IPBC at 900 ppm for PT7 (with claim) + BIT at 3 ppm for PT6:
CMIT/MIT needs EUH 208 + BPR Art 58(a)
IPBC needs BPR Art 58(a) +(b)+ (c)
BIT requires BPR Art (58) (a)
"Contains C(M)IT/MIT (3:1). May produce an allergic reaction. Contains/Incorporates a biocidal product: BIT. Contains/Incorporates a biocidal product for the preservation of dry-film: IPBC.''

7. Annex

Other obligations for treated articles

Article 58(2)

Treated articles shall only use approved biocide actives for the supported Product Types (from which derive the uses).

The status of approval of active substances can be consulted on the ECHA website here: http://echa.europa.eu/web/guest/information-on-chemicals/biocidal-active-substances

Article 95

Only approved biocide suppliers can place on the market biocide actives, and biocidal products can only be placed on the market if they contain a biocide active from the approved supplier list. Hence, the manufacture of treated articles in Europe can only be made using biocidal products containing actives coming from approved suppliers.

The list of approved suppliers can be found here:
http://echa.europa.eu/web/guest/information-on-chemicals/active-substance-suppliers

Article 58.5

> *Art. 58.5: Notwithstanding the labelling requirements set out in paragraph 3, the supplier of a treated article shall, where a consumer so requests, provide that consumer, within 45 days, free of charge, with information on the biocidal treatment of the treated article.*

In the absence of more accurate information on what precisely has to be communicated, it is recommended to obtain a legal opinion.

Article 94

This section concerns the deadline for placing on the market treated articles when an active substance/Product Type/use combination is not supported anymore or when a negative approval decision has been made.

Treated articles must no longer be placed on the market 180 days after a non-approval decision for an active substance contained in the biocidal product used to treat or intentionally incorporated in those treated articles. This is going to be the key date to follow for each relevant active/PT.

Placing on the market: the first making available on the market.
Making available on the market: any supply for distribution or use in the course of a commercial activity, whether in return of payment or free of charge.