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## Biocidal Products

The **Biocidal Products Regulation (BPR), Regulation 528/2012** is the European Regulation which sets out the framework for the registration, sale, supply and use of biocidal products. This Regulation was enacted into Irish Law by **Statutory Instrument No. 427 of 2013**.

The **Department of Agriculture, Food and the Marine (DAFM)** are the Competent Authority for Biocides in Ireland.

A biocidal product (or biocide) contains or generates an active substance(s) that is used to prevent or control various types of harmful or unwanted organisms. Such products include disinfectants, antimicrobials, preservatives, insect repellents, rodenticides and insecticides and others. Biocides control the intended target organism by a chemical or biological action. Biocides can be used by professionals and members of the public in a wide spectrum of use areas that are classified into product-types. Biocidal products are regulated to ensure they are effective and safe for persons, animals and the environment, and to minimise any unacceptable risks for people, non-target animals and the environment. The control of the marketing, sale and use of the products by DAFM is necessary to ensure only registered biocidal products are made available on the market in Ireland.

There are twenty-two categories of biocidal products, which are grouped into four main areas: **Disinfectants, Preservatives, Pest Control and Other Biocidal Products**. See [Product-types - ECHA \(europa.eu\)](https://echa.europa.eu).

## What part of the BPR applies to you?

In the BPR, the definitions applicable to you are:

*“(i) ‘**making available on the market**’ means **any supply** of a biocidal product or of a treated article for distribution or use in the course of a commercial activity, whether in return for payment or free of charge;*

*(j) ‘**placing on the market**’ means the first making available on the market of a biocidal product or of a treated article;*

*(k) ‘**use**’ means all operations carried out with a biocidal product, **including storage**, handling, mixing and application, except any such operation carried out with a view to exporting the biocidal product or the treated article outside the Union;*

*(l) ‘**treated article**’ means any substance, mixture or article which has been treated with, or intentionally incorporates, one or more biocidal products;*

*(y) ‘**advertisement**’ means a means of promoting the sale or use of biocidal products by printed, electronic or other media;”*

In order **to distribute, sell or advertise** any biocidal products, Irish legislation requires that the biocidal products are entered in the “Biocidal Products Register” first. The Register of biocidal products is divided between what are referred to as “**Notified**” products and “**Authorised**” products.

### **Advertising Biocidal Products**

Article 72 of the BPR specifies the legal requirements around Advertising of biocidal products, this includes websites, home delivery apps, print etc.

#### **Article 72 Advertising**

*1. Any advertisement for biocidal products shall, in addition to complying with Regulation (EC) No 1272/2008, include the sentences ‘Use biocides safely. Always read the label and product information before use.’. The sentences shall be clearly distinguishable and legible in relation to the whole advertisement.*

*2. Advertisers may replace the word ‘biocides’ in the prescribed sentences with a clear reference to the product-type being advertised.*

*3. Advertisements for biocidal products shall not refer to the product in a manner which is misleading in respect of the risks from the product to human health, animal health or the environment or its efficacy. In any case, the advertising of a biocidal product shall not mention ‘low-risk biocidal product’, ‘non-toxic’, ‘harmless’, ‘natural’, ‘environmentally friendly’, ‘animal friendly’ or any similar indication.’*

You can check the registers of products online at:

<http://www.pcs.agriculture.gov.ie/registers/biocidalproductregisters/>

- ❖ A Notified product has a “**PCS No**” which is a unique identifier. It will have 5 digits starting with 9 (PCS 9xxxx) or 6 digits starting with 1 (PCS 1xxxxx). Notified products are transitional products on the market whilst the evaluations are ongoing. These will all become revoked and replaced with Authorised products following completion of the evaluation.
- ❖ An Authorised product has an “**IE/BPA No**” or “**EU No**” which is a unique identifier. The IE/BPA Number has 5 digits and starts with a 7 (IE/BPA 7xxxx) but where there are products evaluated under one application, their approval number will also include a suffix (IE/BPA 7xxxx-001 or IE/BPA 7xxxx-01-001). Each suffix is linked to a different trade name/colour and is a unique identifier. An EU Number is assigned by the Agency (ECHA) for a union authorisation which allows the product to be placed on the market in every member state in Europe. The EU number starts with EU, followed by a hyphen, 7 digits, a hyphen and 4 digits, it may also have additional suffix (EU-xxxxxxx-xxxx or EU-xxxxxxx-xxxx x-x).
- ❖ Authorised products have been evaluated and proven safe and efficacious **ONLY** for the use(s) specified on the product label. Some authorised products have restrictions on sale and use, some specify who they can be sold to, and some such as anticoagulant rodenticides require wholesalers and retailers to keep records of goods in and goods out for professional and trained professional use products. Please make yourself aware of any restrictions linked to the sale and use of authorised products.
- ❖ The PCS or IE/BPA or EU number **MUST be printed on the product label.**

- ❖ Regular audits of products should be carried out every 6-12 months to ensure they remain compliant. When checking the status of product on either Register, if the status says “**Revoked**”, this means DAFM has withdrawn the prior notification/approval for that product. You will need to check if the revoked product has a period of grace applied. Details in relation to revocation and sell out of products are as follows:
- ❖ **Product Revoke Date** = Date which product(s) are revoked by DAFM/Agency and the authorisation holder may no longer place product on the Irish market from this date. Existing stock on the market can be sold out, but no new products can be made available on the market from the date of revocation.
- ❖ **Sell Out Date of Revoked Products** = this date is specified on the register; you CANNOT sell product after this date. It is typically 180 days after the date of revocation. Existing products on the market can be sold out.
- ❖ **Use-by Date of Revoked Products** = this date is specified on the register. You should inform customers that the product is revoked and that the product must be used by a specific date. If the end-user is identified using the product after this date, enforcement action may be taken for use of an illegal biocidal product.
- ❖ Further guidance on the product registers and details of all product types can be found at: [Glossary and abbreviations for biocide register 16-07-2024 170724.pdf \(agriculture.gov.ie\)](https://agriculture.gov.ie/glossary-and-abbreviations-for-biocide-register-16-07-2024-170724.pdf)

### Examples of Biocidal Products marketed in Pharmacies\*:

- ❖ Antibacterial hand wipes
- ❖ Antibacterial surface wipes
- ❖ Bleach or products containing bleach
- ❖ Anti-bacterial/disinfectant surface/multi surface sprays
- ❖ Hand Sanitiser/Anti-bacterial hand gel/ Anti-Microbial hand sprays or gels
- ❖ Anti-Bacterial Soap
- ❖ Insecticide products - sprays/bait stations/powders
- ❖ Insect repellent products
- ❖ Impregnated repellent collars for pets
- ❖ Hats or Coats with an insect repellent in the fabric
- ❖ Any product with a claim which kills or controls harmful organisms such as antibacterial/antimicrobial/sanitising/kills 99.9% of bacteria etc.,

## Other Biocidal Products that may be marketed in Pharmacies\*:

- ❖ Naval dips for corporal hygiene
- ❖ Teat Dips for corporal hygiene
- ❖ Disinfectants used for disease prevention and biosecurity.
- ❖ Hoof disinfectant products
- ❖ Veterinary Hygiene products

## Pest Control

All trained professional pest controllers must be registered with PCD and have a Pest Management Trained Professional (PMU) numbers to indicate their competence.

Only Pest controllers with a PMU No should be hired for pest control.

Pest Controllers have a legal requirement to follow the rules specified on the product labels.

Where rodents are identified and toxic bait (anticoagulant rodenticide) is required, PMU's will need to lay poison, and return every 5-7 days depending on the label instructions.

Completed records of all pest control should be maintained by pest controller and should be overseen by the premises owner or occupier.

## Further information

Further information on biocides can be found on our website:

<https://www.pcs.agriculture.gov.ie/biocides/>

Any questions in relation to biocides can be sent to our helpdesk: [biocides@agriculture.gov.ie](mailto:biocides@agriculture.gov.ie)