



29 September 2017

(17-5220)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>SWITZERLAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Federal Office of Public Health Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: State Secretariat for Economic Affairs SECO Holzikofenweg 36, 3003 Berne tbt@seco.admin.ch , www.seco.admin.ch
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Chemicals (substances and preparations); Biocidal Products
5. Title, number of pages and language(s) of the notified document: <ol style="list-style-type: none">1. Draft Ordinance on Protection against Dangerous Substances and Preparations (ChemO); 16 pages; available in German and French (see attachment);2. Draft Ordinance on Biocidal Products (OBP); 16 pages; available in German, French and Italian (see attachment);3. Draft Ordinance on Fees with respect to chemical products (ChemGebV) ; 3 pages; available in German, French and Italian (see attachment);4. Draft Implementing Ordinance on Biocidal Products of the Federal Department of Home Affairs; 3 pages, available in German, French and Italian (see attachment)
6. Description of content: <u>Chemicals (substances and preparations)</u> The Ordinance on Protection against Dangerous Substances and Preparations regulates the risk assessment of chemicals and the requirements to be fulfilled for using and placing on the market of chemicals which could endanger human health or the environment. The notified Draft Ordinance on Protection against Dangerous Substances and Preparations introduces among other things a risk-based obligation for the manufacturer/importer to communicate : <ol style="list-style-type: none">1. chemical intermediates traded in Switzerland;2. fibrous nanomaterials placed on the market; The obligation has to be fulfilled within 3 months after the first placing on the market.

Biocidal Products

The notified Draft Ordinance on Biocidal Products introduces the parallel trade for Biocidal Products with transitory authorisations and introduces among other things the possibility of the Swiss competent authority to assess active substance dossiers and product dossiers due to application for Union authorisations. These modifications necessitate in addition a revision of the Ordinance on Fees with respect to chemical products.

The Draft Implementing Ordinance on Biocidal Products of the Federal Department of Home Affairs is revised to adopt the Commission Implementing Regulation EU N° 2016/1802. Due to this adaption it is possible to obtain an authorisation for a same biocidal product if the reference product is an individual product covered under a biocidal product family authorisation.

7. Objective and rationale, including the nature of urgent problems where applicable:

In order to avoid technical barriers to trade and to guarantee a high level of protection of human health and the environment, the notified revisions follow the developments in the European Union.

Intermediates: The Swiss authorities do not have any data concerning intermediates. In order to protect workers and the environment a minimum knowledge of the substances used as intermediates is required.

Fibrous nanomaterials: The new obligation should give an overview to the authorities and the public over the fibrous nanomaterials placed on the market. Regulatory risk reduction measures are possible if special risks are recognized.

8. Relevant documents:

Ordinance on Protection against Dangerous Substances and Preparations (SR 813.11): [German](#), [French](#), [Italian](#), [English](#)

Ordinance on Biocidal Products (OBP): [German](#), [French](#), [Italian](#), [English](#)

Ordinance on Fees with respect to chemical products: [German](#), [French](#), [Italian](#)

Implementing Ordinance on Biocidal Products of the Federal Department of Home Affairs: [German](#), [French](#), [Italian](#)

9. Proposed date of adoption: 1 February 2018

Proposed date of entry into force: 1 February 2018

10. Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_00_f.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_00_x1.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_01_f.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_01_x1.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_01_x2.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_02_f.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_02_x1.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_02_x2.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_03_f.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_03_x1.pdf

https://members.wto.org/crnattachments/2017/TBT/CHE/17_4373_03_x2.pdf