

## Deviation Report: Mismanagement of Biocidal Products and Packaging at ECHA HQ in Helsinki

**To:** European Chemicals Agency (ECHA)

**From:** BGHR - A swedish industry association - A little bit cleaner, a lot greener

**Date:** 2025-04-30

**Subject:** Non-compliant handling of expired biocidal products and refilling of used packaging

### 1. Description of the Deviation

We have observed a non-compliance issue concerning the handling of biocidal products within the conference building at the ECHA HQ at the Biocidal Stakeholders Event. Specifically, the following deviations have been identified:

- **Expired biocidal product packages** remain in circulation and are not removed from use or disposed of in accordance with applicable regulations.
- **Refilling of original branded containers** (e.g. 600 ml hand sanitizer bottles) with substances from bulk containers
- The refilled containers are then reused or redistributed **without appropriate relabelling**, batch traceability, or safety data sheet (SDS) references.

### 2. Risks and Regulatory Concerns

#### a. CLP and Labelling Violations

This practice violates the CLP Regulation (EC No 1272/2008), as the end user cannot be assured of the **identity, classification, or safety measures** required for the contents. Labels may be outdated or misleading, resulting in **inadequate hazard communication**.

#### b. Biocidal Products Regulation (BPR) Non-Compliance

According to Regulation (EU) No 528/2012 (BPR), all biocidal products must be used **as authorised** and in **original packaging** that preserves the integrity of the product information.

Refilling expired packaging with unknown content directly undermines compliance with product authorisation and traceability.

### c. Occupational Health and Safety Hazards

Staff are exposed to **unknown chemical mixtures** without proper hazard assessment. The absence of valid SDS and secure labelling impedes safe handling, increasing risks of **chemical exposure, fire hazards** (especially for flammable products like ethanol), and **occupational accidents**.

### d. Waste Management and Environmental Concerns

Expired or mislabelled biocidal products are improperly discarded or used beyond shelf life, leading to:

- **Non-compliant chemical waste streams;**
- **Uncontrolled emissions of VOCs or flammable vapors** in the waste chain;
- Violation of Article 4 of the Waste Framework Directive (2008/98/EC) regarding environmentally sound disposal.

## 3. Recommendations

The products were removed after our notification but we think a policy for the HQ should also contain how biocidal products are handled internally at the authority.

**The handling of biocidal products by ECHA must set an example for the rest of society.**

The way ECHA manages such products reflects – and directly influences – how these products are treated across sectors and by the general public. As the leading authority, ECHA must ensure that its practices uphold the highest standards of compliance, safety, and transparency, thereby **setting a clear benchmark for responsible chemical management throughout the EU**.

#### 4. Supporting Evidence

Photos and internal observations documenting this practice are available upon request.

**Sincerely,**  
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