

Biocidal products: ban on misleading trade names

What is it?

Trade names containing terms such as bio, nature, etc. (see table below) are also considered misleading within the meaning of Art. 38 al. 1 OBP¹. These misleading terms are also prohibited from being used on labels and other documents accompanying biocidal products or in advertisements. From now on, their use or any reference to them in trade names will also be prohibited.

List of terms not permitted in the trade names of biocidal products. This list implies all translations into the various languages of the European Union

	Terms	Exceptions
1	'bio'	'biocide'/'biocidal', 'biofilm'
2	'natur' / 'nature' / 'natura' / 'natural'	'denatured' (and all translations in a language of the EU)
3	'organic'	
4	'eco' / 'ecological'	
5	'green'	- Description of the colour (e.g. green liquid) - Product type 2: If « green » refers to target organisms (green algae, green grows)
6	'safe'	
7	'vegetal' / 'vegetal origin' / 'botanical'	
8	'skin friendly' / 'hypoallergenic' / 'dermatologically tested' / 'sensitive' / 'soft protection'* / 'soft touch' / 'gentle'* / nourishing'* or similar terms that suggest skin tolerance	* Claim of surface compatibility

What about the company name?

The name of a company is not affected by the ban. If the company name includes one of the above terms, it is tolerated in the product name, as long as the company name is written out in full. However, these company names must not be perceived as a dominant element in relation to the trade name/product name. This means, among other things, that they must not appear on the label in a larger and more visible way than the trade name.

What about the names of the commercial lines?

Some commercial lines promote "natural/organic/ecological" products. The rules concerning the names of commercial lines are identical to those for product names, even if the name of the line is not part of the commercial name of the product itself. This indirectly implies that a

¹ https://www.fedlex.admin.ch/eli/cc/2005/468/en#art_38

The label must not be misleading in respect of the risks from the biocidal product to human health, animal health or the environment or its efficacy. It must not, in any case, mention the indications «low-risk biocidal product», «non-toxic», «harmless», «natural», «environmentally friendly», «animal friendly» or similar indications.

biocidal product cannot be part of a commercial line that promotes, for example, biological or ecological products.

Next steps

- For products already authorised and wearing a prohibited name, the trade name will be adapted/deleted at the next product modification or renewal of the authorisation.
- In the case of inspections by competent authorities, they will inform the Notification Authority (NA) if they come across a product with a prohibited trade name. The NA contacts the company and adapts the authorisation.

See also: CA-June23-Doc.4.9-Final_rev2