

CG e-consultation: USE OF THE TERM "AS REQUIRED" FOR THE APPLICATION FREQUENCY

Document identifier

CG-54_e-c Use of the term as required for the application frequency_v2

Document history

Version	Changes	Date of agreement	Date of applicability
1.0	First edition (original unnumbered version)	24 November 2022 [at CG-54]	For already ongoing product authorisation applications (including Union authorisation applications in the peer-review step) and those submitted after 1 December 2022
2.0	Main changes in the document: <ul style="list-style-type: none"> • Version history is added • Introduction is added • The wording « maximum number of applications per day » is deleted, in order not to give the impression that the application frequency might be used as RMM, as this is not allowed. In general, the typical number of applications should correspond to a realistic worst-case considered for risk assessment. 	30 November 2023 [at CG-59]	For already ongoing product authorisation applications (including Union authorisation applications in the peer-review step) and those submitted after 17 April 2024 (publication date)

Topic:	Use of the term "as required" for the application frequency
Area:	<input type="checkbox"/> ACP (ACCP) <input type="checkbox"/> Efficacy (EFF)

	<input checked="" type="checkbox"/> Environment (ENV) <input checked="" type="checkbox"/> Human/animal health (HH) <input checked="" type="checkbox"/> Regulatory issue <input type="checkbox"/> Other
Initiating MS:	AT - Austria
Type of e-consultation:	<input checked="" type="checkbox"/> formal <input type="checkbox"/> informal (hereby referred to as `informal enquiry`)
To be discussed in the CG-meeting in the:	<input type="checkbox"/> Closed session <input checked="" type="checkbox"/> Open session <input type="checkbox"/> Not relevant (in case of informal enquiry)
To involve in the commenting phase:	<input type="checkbox"/> MSs only <input checked="" type="checkbox"/> MSs and ASOs
Requested timeframe for commenting:	<input type="checkbox"/> 3 weeks <input checked="" type="checkbox"/> Other:4 weeks Reason for the request: holiday season

1. Background

For product authorisation, the use frequency (“Number and timing of application”) has to be given in SPC and PAR according to the guidance and Annex VI, point (33) of the BPR. These values are relevant input parameters for human and environmental exposure and risk assessment.

Currently, Austria is experiencing that for PT01/PT02/PT04, applicants tend to use the term ‘as required’ or similar terms (e.g. ‘daily use’) for application frequency for professional/non-professional use.

The application frequency, e.g. expressed in applications per day, determines how often the product is applied and is a crucial input parameter especially for human exposure assessment. The exposure is calculated based on a certain number and a certain amount of applications per time, which should reflect realistic worst-case assumptions, and which is a relevant input parameter for systemic health exposure and risk assessment. The term ‘as required’ does not give neither any helpful information for the user nor any use instruction for safe application.

Therefore, we are of the opinion that the typical number of applications per day has to be stated in SPC and PAR.¹

The term ‘as required’ or similar terms, for determination of application frequency shall no more be accepted by the member states for the application frequency without further justification (e.g., justification based on safe use shown by a reverse reference scenario², where the outcome has to be well justified).

The methodology of reverse reference scenario and the input parameter for such a scenario shall be further discussed in HEAdhoc group.

Please note that although we referred to PT01/PT02/PT04 in the example, this generally may apply to all PTs.

2. Question and proposal

Q1: Do you agree that the term ‘as required’ (or similar terms) for determination of application frequency shall be no more accepted by the member states for the application frequency without further justification, as outlined above?

3. Conclusions

For product authorisation, the use/application frequency (“Number and timing of application”) has to be given in SPC and PAR¹ according to the guidance and Annex VI, point (33) of the BPR.

¹ This also has to be applied for the intended uses in the draft PAR and SPC submitted by the applicant.

² cf. to ECHA Guidance on the Biocidal Products Regulation Volume III Human Health - Assessment & Evaluation (Parts B+C), Version 4.0, December 2017, chapter 3.2.5.5 Reverse reference scenarios

The application frequency, e.g. expressed in applications per day, determines how often the product is applied and is a crucial input parameter especially for human exposure assessment. The exposure is calculated based on a certain number and a certain amount of applications per time, which should reflect realistic worst-case assumptions, and which is a relevant input parameter for systemic health exposure and risk assessment.

Consequently, the use frequency can generally not be used as an RMM for human health risk assessment.

The typical number of applications per day has to be stated in PAR and SPC¹ (cf. to examples³). In general, the typical number of applications should correspond to a realistic worst-case considered for risk assessment.

The term 'as required' does not give neither any helpful information for the user nor any use instruction for safe application. Thus, the term 'as required' (or similar terms, e.g. 'daily use') for determination of typical number of applications per day shall be no more accepted by the member states without further justification.

Such a justification could be based on showing safe use by a reverse reference scenario², where the outcome has to be well justified. (The methodology of a reverse reference scenario and the input parameter for such a scenario shall be further discussed in HEAdhoc group).

In case the term "as required" is applied, the Member States may nevertheless inform the user in the SPC about the frequencies or durations that have been considered for risk assessment and the derived RMMs for transparency reasons.

(Please note that the use frequency is in general person-related and not device-related for human health.)

Discussion took place at CG-54 meeting in the open session, where agreement was reached by consensus (version 1.0).

A revision was discussed at CG-59 meeting in the open session, where agreement was reached by consensus (version 2.0).

³ **Example 1**, hand disinfectants used in the medical sector: Nurses or hospital/medical staff should use hand disinfectants as often as necessary. However, in the case of hand disinfectants, a typical number of applications per day should be indicated.

Please be aware that a harmonised scenario is available for the assessment of medical hand disinfection (HEAdhoc recommendations No. 1 and 9). When a different figure should be used by the RefMS/eCA, further clarification by the applicant is needed to prove that this represents the realistic worst case for the given use scenario.

Example 2, surface disinfection products or hand disinfection outside the medical sector: no clear use frequency can be set, as there are currently no harmonised figures for the application rate of such uses in the guidance. Therefore, a typical number of applications per day should be indicated. Further clarification by the applicant is needed to prove that this represents the realistic worst case for the given use scenario.

Example 3, automated dosing: In certain situations "as required" can mean "adding the product intermittently to the system, in order to maintain a system concentration within certain defined limits". In such cases, the term "as required" might be acceptable. However, typical amount of product needed for application should be given.