The transitional regime is defined by Article 89 of Regulation (EU) No 528/2012: it is the period of time during which the making available on the market and use of biocidal products are governed by the national provisions in force in each Member State, pending approval of all the active substances they contain at European level. When all of a product's active substances have been approved, the transitional regime no longer applies and this product must be authorised in accordance with the BPR. The status of the biocidal active substances, and in particular the approval date of the approved active substances, can be consulted on the website of the European Chemicals Agency (ECHA)
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In France, the placing on the market and use of certain biocidal products previously required national marketing authorisation to be obtained in the transitional period ("transitional" MA). Act No. 2015-1567 of 2 December 2015 has removed this obligation, for products that were subject to this requirement.

Nevertheless, specific provisions remain in force for certain product types (see attached document)

In addition, biocidal products must also be brought into compliance with Article 95 of the BPR, with effect from 1 September 2015. Furthermore, products in the transitional regime remain subject to national requirements. They must:

- contain active substances that have been notified in the review programme for appropriate use, i.e. listed in Annex II of Regulation (EU) No 2019/227 and not been subject to non-approval decisions further to withdrawal. Otherwise, the product cannot be placed on the market.
- be labelled in accordance with the provisions of Article 10 of the Ministerial Order of 19 May 2004. A guide to labelling of biocidal products intended for those responsible for placing them on the market is available.
- be declared to the INRS for the purposes of toxicovigilance: French National Research and Safety Institute
- be declared to Simmbad before their actual placing on the market: Simmbad -

Declaration of biocidal products
. For further information on the declaration of products, send an email to the following address: simmbad@anses.fr

Once the active substances in the product are approved on the EU list of active substances of Regulation (EU) No 528/2012, the products will be subject to the authorisation of ANSES. Fees are defined in the National Order of 22 November 2017 and will have to be paid to ANSES. Applications for authorisations have to be submitted in the European system called R4BP3.