Dear [Name of Individual if provided by Agency] or [Sir/Madam],

Re: Request for Data Sharing under Biocidal Products Regulation 528/2012 (“the BPR”)

Further to an inquiry that we made to the European Chemicals Agency under Article 62(2) of the BPR, we have been informed that you – [insert name of company/person indicated by the Agency] – are the owner [submitter – depending on the information received from ECHA] of the following data:

- Data which are subject to mandatory data sharing under the BPR:

  [Insert details of the data sought, copying precisely the description that was given to the Agency in your inquiry]

- Data which are not subject to mandatory data sharing under the BPR but to which we are also seeking access:

  [Insert details of the data sought, copying precisely the description that was given to the Agency in your inquiry]

In the first instance, could you confirm to us that the data noted above are all still protected whether under the BPR or its predecessor, the Biocides Directive 98/8?

Should they be protected, with this letter, and in terms of Article 63 BPR, we request that we enter into data sharing negotiations with a view at least to obtaining a right to refer to the data mentioned above. Our intention at this stage is to negotiate the sharing of those data for the following purposes under the BPR:

[Insert what the purpose is, e.g. seeking a product authorisation or seeking active substance approval or seeking inclusion on the Article 95 BPR list]
Optional [the following information can be provided in the letter, or an applicant may wish to do so after a non-disclosure agreement is signed]:

[Insert territorial limitations, e.g. seeking only a product authorisation in one Member State]

[Insert the type of data sharing you are seeking, e.g. right of reference, ownership of studies, receipt of hard copies, etc.]

[Insert any other limitations on the access that you are seeking]

We would appreciate a reply to this letter by the [day] of [month] [year] with the following:

- confirmation of when our first meeting can take place to discuss the data sharing;
- the cost compensation requested for access to the data and details on how this cost has been calculated and
- details of a bank account into which we can make a payment should one need to be made in terms of Article 63(3) BPR

We request that all communications on the subject matter in this letter be made to:

[Insert name, address, email and contact telephone numbers].

We look forward to hearing from you by [insert date as given above].

[Please note that a copy of this letter has been sent to [insert the name of the data submitter or data owner, depending on the information received from ECHA] as indicated to us by the European Chemicals Agency.]

Yours sincerely,