

Detergents

2002/0216(COD) - 04/05/2009 - Follow-up document

This report presents the results of the Commission's review on the biodegradation of the main non-surfactant organic ingredients in detergents pursuant to Regulation (EC) No 648/2004 on detergents.

When the Detergents Regulation was adopted in 2004, the criterion of ultimate biodegradability was considered to be an effective and proportionate way of ensuring that detergent surfactants do not pose a risk to the environment. Biodegradability was used as a proxy for environmental toxicity because insufficient direct data on the environmental toxicity of surfactants was available at that time. However, in the meantime, and in preparation for REACH, much effort has gone into carrying out targeted risk assessments on detergent ingredients. The Commission has therefore been able to **go further than required by the Regulation** and has been able to evaluate not only the biodegradability, but also the risk posed by those substances.

A study conducted for the Commission in 2006 reviewed the biodegradability and ecotoxicity of the main non-surfactant organic detergent ingredients. No risk to the environment has been identified for any of the non-surfactant organic detergent ingredients. Although risk cannot be definitely excluded for a few of those substances, as information on them is incomplete, the amount of additional data needed for a complete risk assessment is now relatively small. It is, therefore, not considered appropriate to propose legislation to impose a requirement of ultimate biodegradability on the non-surfactant organic ingredients. In fact, many of the non-surfactant organic ingredients for which data is complete are not ultimately biodegradable, but are neither toxic to human health nor to the environment. Applying a surrogate risk indicator such as ultimate biodegradability to the non-surfactant organic ingredients would therefore ban a number of them where it is known that they do not pose risks. It would therefore be more proportionate, as well as more scientifically robust, to complete instead the risk assessments on the few outstanding substances.

Uncertainties remain concerning the environmental fate of: (a) polycarboxylates and phosphonates, both of which are used in considerable tonnages in household detergent formulations and (b) Ethylendiammine tetra acetate (EDTA) and its salts (mainly used in I&I detergents), triethanolamine, FWA-5 and paraffins for which existing data are not yet sufficient to exclude the possibility of environmental risk.

The information requirements of the REACH registration dossiers will ensure that for most of these substances, comprehensive data on hazard properties and possible risks to human health or the environment will be submitted by industry to the European Chemical Agency (ECHA). In fact, for substances manufactured or imported in quantities of 1 000 tonnes or more per year registrations are due by December 2010 and chemical safety reports as part of the registration dossiers will need to demonstrate the safe use throughout their life cycle.

Therefore, the **REACH registration information should be sufficient** to decide whether restrictions on the above-mentioned detergent organic ingredients are needed on grounds of environmental risk, and if so, the restriction procedure of REACH would be the most appropriate instrument to impose such restrictions. Concerning polycarboxylates, for which according to REACH only the monomers need to be registered, a revised HERA risk assessment is foreseen in the near future which should clarify the remaining uncertainties with regard to potential environmental risks. The revised report will be submitted in April 2009. Furthermore EDTA will be also reviewed by the Commission by 2011 in view of a possible identification as a priority substance under the Water Framework Directive.

Consequently, the Commission **does not intend to propose legislation concerning the biodegradability of non-surfactant organic ingredients**. The concept of using biodegradability as an acceptance criterion for detergent ingredients has become redundant in light of comprehensive risk assessment data on the environmental toxicity of the substances.