

Detergents: use of phosphates and other phosphorous compounds

2010/0298(COD) - 24/06/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report drafted by Bill NEWTON DUNN (UK, ADLE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 as regards the use of phosphates and other phosphorus compounds in household laundry detergents.

It recommended that the European Parliament's position at first reading, under the ordinary legislative procedure, should be to amend the Commission proposal as follows:

Placing on the market: in order to ensure legal certainty and harmonised use of terms, it is appropriate to align the definition of "placing on the market" with the respective definitions provided in Regulation (EC) No 1907/2006 (REACH) and Regulation (EC) No 1272/2008 (classification, labelling and packaging).

Limit the use of phosphates and other phosphorous compounds: Members stress that some phosphorous-based ingredients are used at low levels in phosphate-free products such as phosphonates. Due to a concentration effect in compact products, the 0.5% phosphorous limit may be exceeded. Therefore, expressing the restriction as **maximum 0.5 gram of phosphorous by standard washing load** avoids impeding further compaction, which is a key driver of sustainability. They suggest that the date as of which the limitation applies should be set at 1 January 2015. It is appropriate also to limit the use of phosphates and other phosphorous compounds in household automatic dishwasher detergents, and to express the restriction in grams for the same reasons as above.

Members introduce a **transitional provision** which will ensure that detergents which are placed on the market in accordance with current legislation may continue to be made available on the market for another two years following the entry into force of this Regulation.

Information on sustainable use: household laundry detergent labels: (i) shall mention relevant information, by means of a logo and/or text, on encouraging the sustainable use of laundry detergents, such as recommendations for avoiding the incomplete filling of washing machines, paying attention to the dosing instructions, washing at low temperature and recycling/refilling packaging, and (ii) shall contain references to other existing sources, such as internet websites, containing further information for consumers, in order to allow them to have access to useful recommendations, suggestions and advice encouraging their sustainable use.

A new provision stipulates that in order to prevent distortions in environmental competitiveness, manufacturers shall not make any **environmental claims** on attributes which are merely complying with Union legislation.

Reporting: Members call on the Commission to carry out a series of evaluations:

- **by December 2013**, the Commission shall evaluate, submit a report to the European Parliament and to the Council on the use of phosphonates and polycarboxylates in detergents and, if justified, present a legislative proposal with a view to their gradual phase-out or restriction to specific applications;

- **by 31 December 2016**, the Commission shall evaluate, submit a report to the European Parliament and to the Council on the use of phosphates and other phosphorus compounds in **industrial and institutional detergents**;
- **by 31 December 2016**, the Commission shall evaluate, submit a report to the European Parliament and to the Council and, if justified, present a legislative proposal providing for a **limit of 0.2%** of phosphorous compounds in household laundry detergents and household automatic dishwasher detergents;
- **by 31 December 2014**, the Commission shall also evaluate and submit a report to the European Parliament and to the Council on the technical, economic and sustainable development perspectives for phosphate recovery and recycling from domestic sewage, animal manures and industrial wastes.

Implementing powers and delegated acts: Members introduce amendments concerning: (i) the adaptation of the basic act to the new procedures regarding implementing powers laid down by Regulation (EU) 182/2011; (ii) the adaptation of the basic act to the new procedures regarding delegated acts. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.