Detergents

2002/0216(COD) - 31/03/2004 - Final act

PURPOSE: to establish rules designed to achieve the free movement of detergents in the internal market while, at the same time, ensuring a high degree of protection for the environment.

LEGISLATIVE ACT: Regulation 648/2004/EC of the European Parliament and of the Council on detergents.

CONTENT: the Council approved the amendments adopted by the European Parliament at second reading.

This Regulation establishes rules designed to achieve the free movement of detergents and surfactants for detergents in the internal market while, at the same time, ensuring a high degree of protection of the environment and human health. For this purpose, this Regulation harmonises the following rules for the placing on the market of detergents and of surfactants for detergents:

- the biodegradability of surfactants in detergents;
- restrictions or bans on surfactants on grounds of biodegradability;
- the additional labelling of detergents, including fragrance allergens; and
- the information that manufacturers must hold at the disposal of the Member States competent authorities and medical personnel.

The Regulation seeks to achieve these objectives by modernising the directives that lay down rules for the biodegradability of surfactants used in detergents and by incorporating and expanding labelling rules contained in Commission recommendation 89/542/EEC. Modernisation is provided by new biodegradability tests which will provide an enhanced level of protection to the aquatic compartment. In addition, the scope of the tests is extended to all classes of surfactant thereby including the 10% of surfactants that escape current legislation.

As regards the labelling, labelling rules are extended to include fragrance ingredients that could cause allergies, and manufacturers are obliged to disclose a full list of ingredients to medical practitioners treating patients suffering from allergies.

By 8 April 2007, the Commission shall evaluate, submit a report on and, where justified, present a legislative proposal on the use of phosphates with a view to their gradual phase-out or restriction to specific applications.

By 8 April 2009, the Commission shall carry out a review of the application of this Regulation, paying particular regard to the biodegradability of surfactants, and shall evaluate, submit a report on, and, where justified, present legislative proposals relating to:

- anaerobic biodegradation,
- the biodegradation of main non-surfactant organic detergent ingredients.

No later than 8 October 2005, Member States shall adopt appropriate legal or administrative measures in order to deal with any infringement of this Regulation and dissuasive, effective and proportionate sanctions for any such infringement.

ENTRY INTO FORCE : 08/10/2005.