Detergents and surfactants

2023/0124(COD) - 22/01/2026 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **approving** the Council's position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on detergents and surfactants and repealing Regulation (EC) No 648/2004.

The overall objective of the proposal is to simplify and modernise the legal framework that detergents need to comply with in order to be placed and circulate freely in the Union market, to create the legal basis for new innovative products like detergents containing microorganisms, to encourage sustainable new practices like the refill sale of detergents, as well as to introduce digital labelling and the Digital Product Passport for detergents and surfactants.

The main points of the Council's position are as follows:

Phosphorus content limit

Given that phosphorus is an essential element, the Commission should not be granted the power to adapt the limits to technical and scientific progress by delegated act.

Within two years of the entry into force of the regulation, the Commission is expected to assess the feasibility of: (i) reducing existing limits for consumer laundry detergents and automatic dishwasher detergents and (ii) introducing new limits for other categories of products. If appropriate, the Commission should present a legislative proposal.

In addition, the **comprehensive review** of the regulation, to be conducted by the Commission within seven years of entry into force should assess the possibility of phasing out phosphorus.

Biodegradability of ingredients

The Commission should define biodegradability criteria, first for water-soluble polymeric films used to encapsulate detergents and for all polymers within such films, and at a second stage for other organic substances used in high concentration in detergents, representing at least 10% of the product, excluding water.

In order to ensure a high level of protection of the environment, following a gradual and progressive approach, the Commission should also assess the feasibility to introduce biodegradability criteria for organic substances present in lower concentrations than 10%, or to lower such threshold. The deadlines for films and polymers are set as follows:

- for films used to encapsulate detergents: **3 years** (from the date of entry into force of the new Detergents Regulation) for adoptions of delegated acts and **6 years** for products to comply with new requirements;

- for other organic ingredients: **5 years** for adoption of delegated acts and **8 years** for compliance of products.

Detergents containing micro-organisms

The Council’s position replaces some of the strict requirements in the Commission proposal with **general safety criteria**. The Commission is expected to develop, in a delegated act amending Annex II of the

regulation, a risk assessment methodology within 30 months of the entry into force of the regulation, covering all potential risks while excluding animal testing methods.

Animal testing

The Council's position introduces a **general ban** on animal testing for proving compliance with the regulation, while allowing the Commission to authorise, by an implementing decision, such testing in exceptional cases.

Authorised representative

The Council's position introduces rules extending the mandate of authorised representatives of manufacturers established outside the EU to ensure the availability to market surveillance authorities of all the necessary information to verify that the labelling complies with the requirements of the Regulation.

Administrative burden

The Council's position distinguishes between surfactants made available to detergent manufacturers and those made available directly to end-users, and to simplify the rules for the former. In addition, **digital product passports** should be created for product models rather than for every batch of the same model.

Ingredients data sheets for detergents that are not hazardous to human health

Given the wide availability of such products and the high risk of accidental poisoning, a requirement that manufacturers and, where applicable, their importer or authorised representative provide an ingredients data sheet **before the products are placed on the market**, while using existing ECHA communication channels, is included. The Commission is empowered to set out further details on how the data sheets are to be communicated by a delegated act amending Annex IV of regulation.

Deferral of application

The date of application of the new Regulation was set at 42 months after its entry into force.