Detergents

2002/0216(COD) - 04/09/2002 - Legislative proposal

PURPOSE : to present a proposal for a Regulation on detergents. CONTENT : this proposed regulation establishes 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. It lays down rules for: - the biodegradability of surfactants in detergents, and - the labelling of detergents. This proposal modernises the existing detergent directives, regarding the biodegradability of surfactants and the protection of the environment. The proposed new biodegradability tests ensure a higher level of environmental protection and at the same time are applicable to all types of surfactants in detergents. Furthermore, the requirements specified in Commission Recommendation 89/542, on labelling of detergents and cleaning products, and specific information to consumers related to the presence in detergents of fragrance substances are made binding for the products covered by this Regulation. The main points in the proposed legislation are: - a new definition for detergents to cover equivalent uses and be in line with developments in Member States; - the introduction of a definition for surfactants; - a clear and precise definition of the relevant types of biodegradability. The existing legislation on biodegradability of surfactants in detergents only covers primary biodegradability and it is only applicable to anionic and non-anionic surfactants. It needs to be replaced by new legislation, which lays the main emphasis on ultimate biodegradability and meets concerns related to the potential toxicity of persistent metabolites. The existing requirements regarding primary biodegradability are to be maintained on a second hierarchy level for those surfactants failing the ultimate biodegradability tests. Surfactants failing primary biodegradability tests cannot obtain marketing authorisation by way of derogation. The primary biodegradability requirements are extended to all surfactants, in particular cationic and amphoteric, whilst allowing for the possibility of applying instrumental analyses in those cases in which semi-specific analytical methods are not suitable. There are provisions to place on the market in exceptional cases surfactants failing the ultimate biodegradability test. Detergents not fulfilling requirements laid down by this Regulation will not be placed on the market. Specific labelling is introduced to inform consumers about fragrance substances and preservation agents that are present in detergents. Manufacturers of detergents remain responsible for not placing on the market detergent preparations containing non-complying surfactants and for ensuring that all the required technical documentation is available.