Detergents

2002/0216(COD) - 14/01/2004 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution based on the report drafted by Mauro NOBILIA (UEN, I). Following the meeting of the Environment committee, (please see the summary of 02/12/03.), the Council and the Parliament held negotiations, which led to a "provisional compromise" adopted by the plenary: - with regard to metabolites, if further information is sought, stepwise testing strategies should be employed to ensure maximum use of in vitro and other non-animal test methods; the article headed "refusal of derogation" has been amended to "conditions for granting a derogation". Such conditions include consideration of the following criteria: use in low-dispersive applications, rather than in wide-dispersive applications; use in specific industrial and/or institutional applications only; and, the risk to the environment or to health posed by the volume of sales and the pattern of use throughout the EU is small compared to the socio-economic benefits, including food safety and hygiene standards; - the Commission may review a derogation as soon as information comes to light which would justify a significant revision of the technical file that was included in the application for derogation; - pending further harmonisation, Member States may maintain or lay down national rules concerning the use of phosphates in detergents. In committee, MEPs had asked for national standards on detergents to remain valid for as long as there is no contradictory European legislation. According to the provisional compromise, this rule would apply only to the use of phosphates in detergents; - by following the compromise, Parliament rejected an agreement from the Greens, which proposed the banning of phosphates or restrictions on their use. However, they voted to insist that the Commission should present a proposal to ban or restrict phosphates within three years. This is why the compromise is only "provisional" - the Council is proposing a five year period. Some Members expect the Council to agree to three years without recourse to conciliation, but the question remains open for the time being; - five years after the date of publication of the Regulation, the Commission will carry out a review of its application, paying particular regard to the biodegradability of surfactants, and where justified, present legislative proposals relating to anaerobic biodegradation, and the biodegradation of main nonsurfactant organic detergent ingredients; - in committee, Members had asked for an exhaustive list of all additives to be made public on the Internet, and according to the preference of the company, by telephone or in writing. The compromise proposes instead that "manufacturers shall make available on a website the ingredient datasheet mentioned above except for the following information: weight percentage ranges, constituents of perfumes and essential oils, constituents of colouring agents. This obligation shall not apply to industrial or institutional detergents containing surfactants, or to surfactants for industrial or institutional detergents, for which a technical data sheet or safety data sheet is available; - as requested by the Environment Committee, not only enzymes and disinfectants, but also perfumes and optical brighteners will be labelled. On the other hand, preservatives will not now belabelled. Three other proposals made by the Environment Committee were left out of the compromise and were therefore rejected by the plenary session: - the obligation to explain the areas of non-compliance with European ECOLabel standards when a product is labelled as 'Green' despite not meeting all the ECOLabel conditions; - the shortening and regrouping of the list of substances to be labelled; - the request to apply a sunset clause, according to which the standards adopted by a consultative committee would expire after 8 years if they were not renewed by the legislature.