



**2023/0124(COD)**

2.10.2023

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004 (COM(2023)0217 – C9-0154/2023 – 2023/0124(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Manuela Ripa

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004  
(COM(2023)0217- C9 -0154/2023 - 2023/0124(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0217)
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0154/2023),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 12 July 2023<sup>1</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the opinion of the Committee on the Internal Market and Consumer Protection,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0000/0000),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C 349, 29.9.2023, p. 121.

## Amendment 1

### Proposal for a regulation Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(9a) Substances, other than surfactants, used in detergents remain in wastewater after use and are either removed by wastewater operators in costly processes or remain in the environment, potentially posing a risk to health and the environment. It is therefore necessary to ensure detergents as a whole are completely biodegradable. In order to give manufacturers time to adapt product formulations, sufficient transition periods should be established and test criteria should be established well in advance.***

Or. en

## Amendment 2

### Proposal for a regulation Recital 10

*Text proposed by the Commission*

*Amendment*

(10) Phosphorus is a key ingredient used in detergents. However, phosphorus and its compounds could cause damage to ecosystems and aquatic environments as they contribute to eutrophication. To further ensure a high level of protection of the environment, and reduce the contribution of detergents to that phenomenon, it is necessary to establish harmonised limits on the content of phosphates and phosphorus compounds in ***consumer laundry and consumer automatic dishwasher*** detergents. ***Similar limitations are not required for other types of detergents either because their contribution is not significant or because suitable alternatives are currently not***

(10) Phosphorus is a key ingredient used in detergents. However, phosphorus and its compounds could cause damage to ecosystems and aquatic environments as they contribute to eutrophication. To further ensure a high level of protection of the environment, and reduce the contribution of detergents to that phenomenon, it is necessary to establish harmonised limits on the content of phosphates and phosphorus compounds in ***certain consumer and industrial*** detergents. ***The frequent use of environmental labels such as the EU Ecolabel has shown that there is a strong demand for phosphate-free detergents with a limited overall phosphorus content.***

*available.*

Or. en

### **Amendment 3**

#### **Proposal for a regulation Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) This Regulation should implement measures to achieve a toxic-free environment to ensure the protection of health and the environment, In line with the Chemicals Strategy for Sustainability of the Commission of 14 October 2020, the generic approach to risk management should apply to detergents.. The most harmful substances should therefore be prohibited in detergents unless their use is technically necessary. In such cases, the Commission should be empowered to adopt restrictions for certain substances.***

Or. en

### **Amendment 4**

#### **Proposal for a regulation Recital 12 b (new)**

*Text proposed by the Commission*

*Amendment*

***(12b) In order to further the Union's transition towards a circular economy, the reuse and refill of packaging should be encouraged and promoted. For liquid detergents, consumers should be able to purchase light pouches that allows the reuse of the consumer's own packaging at home. Large retailers should make consumer laundry detergents available to consumers in refill stations. The safety of consumers should be ensured by applying***

*requirements for refill stations to all detergents.*

Or. en

## **Amendment 5**

### **Proposal for a regulation Recital 12 c (new)**

*Text proposed by the Commission*

*Amendment*

***(12c) Current practice shows that the use of animal testing is technically no longer necessary to ensure the safety of detergents. All animal testing should therefore be prohibited. The Commission should establish relevant alternative methods, where necessary.***

Or. en

## **Amendment 6**

### **Proposal for a regulation Recital 12 d (new)**

*Text proposed by the Commission*

*Amendment*

***(12d) The use of the claim 'animal testing free' or similar claims should only be allowed if it is ensured that within the supply chain no animal testing has occurred. Similarly, manufacturers should only be allowed to claim a product is 'vegan' or similar, if no animal-derived ingredients, such as gelatine, cholesterol or collagen, or animal by-products, such as honey or beeswax, have been used in the manufacturing or development of the product.***

Or. en



## Amendment 7

### Proposal for a regulation Recital 20

*Text proposed by the Commission*

(20) Since importers play a key role in guaranteeing the compliance of imported detergents and surfactants in the Union market, when placing a detergent or surfactant on the market, importers should indicate on the product their name, registered trade name or registered trade mark as well as their postal address ***and, where available, electronic means of communication through which they can be contacted.***

*Amendment*

(20) Since importers play a key role in guaranteeing the compliance of imported detergents and surfactants in the Union market, when placing a detergent or surfactant on the market, importers should indicate on the product their name, registered trade name or registered trade mark as well as their ***email and*** postal address.

Or. en

## Amendment 8

### Proposal for a regulation Recital 34

*Text proposed by the Commission*

(34) ***An exception should, nevertheless, be made for detergents sold to end-users in a refill format. In order to fully reap not only the benefits offered by digitalisation but also the large environmental benefits in terms of reduction of packaging and related packaging waste that the practice of refill sales offers, it should be permitted to provide all labelling information digitally with the exception of dosage instructions for consumer laundry detergents.***

*Amendment*

***deleted***

Or. en

## Amendment 9

### Proposal for a regulation Recital 61 a (new)

*Text proposed by the Commission*

*Amendment*

***(61a) In order to ensure the transition to a fully circular economy, the Commission should assess targets for sustainable renewable raw materials and recycled content for detergents. In line with the Union's climate and environmental objectives, detergents should in the future no longer be based on fossil fuel-derived chemicals.***

Or. en

## Amendment 10

### Proposal for a regulation Article 2 – paragraph 1 – point 1 – indent 3

*Text proposed by the Commission*

*Amendment*

– a mixture intended to modify the feel of fabrics in processes which are to complement the washing of fabrics;

– a mixture intended to modify the feel ***or odour*** of fabrics in processes which are to complement the washing of fabrics;

Or. en

*Justification*

*The regulation should also apply to "perfumes" in dishwashers, dryers and similar.*

## Amendment 11

### Proposal for a regulation Article 2 – paragraph 1 – point 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) 'hard surface cleaning product' means any all-purpose cleaner, kitchen cleaner, window cleaner or sanitary***

*cleaner;*

Or. en

*Justification*

*Definitions 3a - 3d are aligned with the relevant definitions used in the COM decisions on the EU Ecolabel.*

**Amendment 12**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***(3b) ‘consumer hand dishwashing detergent’ means a detergent placed on the market for use by non-professionals to wash by hand items such as glassware, crockery and kitchen utensils, including cutlery, pots, pans and ovenware;***

Or. en

**Amendment 13**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 3 c (new)**

*Text proposed by the Commission*

*Amendment*

***(3c) ‘industrial laundry detergent’ means a detergent for laundry placed on the market for use by specialised personnel in industrial and institutional facilities;***

Or. en

## Amendment 14

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 3 d (new)

*Text proposed by the Commission*

*Amendment*

***(3d) ‘industrial dishwasher detergent’ means a detergent placed on the market for use in professional dishwashers by specialised personnel;***

Or. en

## Amendment 15

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 33 a (new)

*Text proposed by the Commission*

*Amendment*

***(33a) ‘refill station’ means a refill station as defined in Article 3 (29) of Regulation (EU) .../... [Packaging and Packaging Waste Regulation];***

Or. en

## Amendment 16

### Proposal for a regulation

#### Article 4 – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

2. Paragraph 1 shall not apply to the following:

2. Paragraph 1 shall not apply to ***surfactants that are active substances as defined in Article 3(1), point (c), of Regulation (EU) No 528/2012 and that are used as disinfectants where they meet any of the following conditions:***

Or. en

## Justification

*This paragraph is aligned with the current Detergents Regulation. The exemption in this paragraph should only apply to active substances in biocidal products, as is the case currently.*

### Amendment 17

#### Proposal for a regulation

#### Article 4 – paragraph 2 – point a – introductory part

##### *Text proposed by the Commission*

(a) surfactants **that** are active substances **within the meaning of** Article 3(1), point (c), of Regulation (EU) No 528/2012 **and that are used as disinfectants where they meet any of the following conditions:**

(i) **the surfactants are included in the Union list of approved active substances as laid down in Article 9(2) of Regulation (EU) No 528/2012;**

(ii) **the surfactants are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014<sup>45</sup> ;**

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<sup>45</sup> **Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).**

##### *Amendment*

(a) **the** surfactants are **included in the Union list of approved** active substances **as laid down in** Article 9(2) of Regulation (EU) No 528/2012;

Or. en

### Amendment 18

#### Proposal for a regulation

#### Article 4 – paragraph 2 – point b

*Text proposed by the Commission*

(b) surfactants ***that are constituents of*** biocidal products ***authorised in accordance with*** Regulation (EU) No 528/2012;

*Amendment*

(b) ***the*** surfactants ***are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014<sup>1a</sup>;***

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***<sup>1a</sup> Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).***

Or. en

## **Amendment 19**

### **Proposal for a regulation Article 4 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) surfactants ***that*** are constituents of biocidal products ***and*** which may be made available on the market or used in accordance with Article ***89(2)*** of Regulation (EU) No 528/2012.

*Amendment*

(c) ***the*** surfactants are constituents of biocidal products, which may be made available on the market or used in accordance with Article ***55*** of Regulation (EU) No 528/2012.

Or. en

## **Amendment 20**

### **Proposal for a regulation Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. By... eight years from the date of entry into force of this Regulation],***

*detergents and detergent capsules shall be inherently biodegradable. That deadline shall not apply to substances falling under paragraph 2.*

*By... [four years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to supplement Annex I with inherent biodegradability criteria and test methods.*

*When adopting delegated acts in accordance with the second subparagraph, the Commission shall take into account manufacturing practices, the availability of technically and economically feasible alternatives, the impact on small and medium-sized enterprises and the impact on health and the environment.*

Or. en

#### *Justification*

*Full biodegradability is the most effective option in the toolbox of the Detergents Regulation. Currently, detergents may contain various substances that are hazardous and persistent in the environment, posing potential risks to ecosystems and animal and human health. The rapporteur therefore proposes to make all detergents inherently biodegradable, as large European manufacturers have already committed to achieve this.*

## **Amendment 21**

### **Proposal for a regulation Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 6a*

##### *Restrictions of hazardous substances*

*1. By... [four years from the date of entry into force of this Regulation], the use in detergents and surfactants of substances or mixtures classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 in any of the following*

*categories is prohibited:*

- (a) carcinogenicity, germ cell mutagenicity or reproductive toxicity category 1A, 1B or 2;*
- (b) endocrine disruption category 1 or 2;*
- (c) specific target organ toxicity category 1, either in single exposure or in repeated exposure;*
- (d) respiratory sensitisation category 1.*

*2. By... [eight years from the date of entry into force of this Regulation], the use in detergents and surfactants of substances or mixtures classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 in any of the following categories is prohibited:*

- (a) persistent, bioaccumulative and toxic ;*
- (b) very persistent, very bioaccumulative ;*
- (c) persistent, mobile, and toxic ;*
- (d) very persistent and very mobile ;*
- (e) hazardous to the aquatic environment.*

*3. In the event of an unacceptable risk to human health or the environment arising from the use of a substance in the manufacture of detergents or surfactants or from the presence of a substance in detergents or surfactants when they are placed on the market, or arising during their subsequent life cycle stages, that needs to be addressed on a Union-wide basis, the Commission shall adopt a delegated act in accordance with Article 27 to amend the restrictions in paragraphs 1 and 2.*

*4. By derogation from paragraphs 1 and 2 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article 27 to establish*



*restrictions of substances referred to in paragraphs 1 and 2, allowing their use in detergents where technically necessary.*

Or. en

#### *Justification*

*The Commission's Chemicals Strategy for Sustainability spelled out a goal of safe and sustainable products for a toxic-free environment, identifying measures to tackle the most hazardous substances in consumer products. The Strategy was widely welcomed by stakeholders including industry and civil society. Parliament has repeatedly asked for stricter protection of consumers from hazardous chemicals. The rapporteur proposes to implement this Strategy in the Detergents Regulation by prohibiting the use of certain hazardous substances, unless technically necessary.*

#### **Amendment 22**

#### **Proposal for a regulation Article 6 b (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 6b**

#### **Refill and reuse**

- 1. Without prejudice to Regulation (EC) No 1272/2008 and Regulation .../..., [Packaging and Packaging Waste Regulation], by... [four years from the date of entry into force of this Regulation], economic operators making detergents in liquid form available on the market directly to end-users shall provide the detergent also in light pouches made from mono-materials, allowing the reuse of end-users' own packaging.**
- 2. Without prejudice to Regulation (EC) No 1272/2008 and Regulation .../..., [the Packaging and Packaging Waste Regulation], economic operators making consumer laundry detergents available on the market directly to end-users and with a sales area larger than 400m<sup>2</sup> shall by ...[six years from the date of entry into force of this Regulation] provide refill**

*stations for consumer laundry detergents.*

**3. Detergents, independent of their classification as hazardous within the meaning of Regulation (EC) No 1272/2008, may be supplied to consumers and professional users via refill stations only if the conditions laid down in section 3.4 of Annex II to Regulation (EC) No 1272/2008 are fulfilled.**

Or. en

## **Amendment 23**

### **Proposal for a regulation Article 6 c (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 6c**

##### **Animal testing**

- 1. The safety of detergents and conformity with this Regulation shall be established using non-animal new approach methods.**
- 2. The following shall be prohibited:**
  - (a) the placing on the market of detergents and surfactants where the final formulation or ingredients or combinations of ingredients have been the subject of animal testing in order to meet the requirements of this Regulation;**
  - (b) the performance within the Union of animal testing of finished detergents and surfactants or ingredients or combinations of ingredients in order to meet the requirements of this Regulation.**

Or. en

#### *Justification*

*The rapporteur strongly believes that it is essential to phase out unnecessary animal testing and, as almost a million and a half Europeans have requested in the recent “European*

*Citizens initiative to end animal testing in cosmetics”, to turn towards non-animal approaches to assure the safety of products. The Detergents Regulation is therefore to be aligned with the existing ban of animal testing in cosmetics.*

## **Amendment 24**

### **Proposal for a regulation Article 7 – paragraph 3**

*Text proposed by the Commission*

3. Manufacturers shall keep the technical documentation and the product passport for 10 years after the detergent or the surfactant covered by that documentation or product passport has been **placed** on the market.

*Amendment*

3. Manufacturers shall keep the technical documentation and the product passport for 10 years after the **last time the** detergent or the surfactant covered by that documentation or product passport has been **made available** on the market.

Or. en

*Justification*

*Alignment with REACH Art 36(1). Since many products are often on the market for more than ten years, the date on which they were placed on the market should not be decisive, but the last time they were made available on the market.*

## **Amendment 25**

### **Proposal for a regulation Article 7 – paragraph 6 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) **upon request from** the Member States' appointed bodies;

*Amendment*

(a) **before placing the detergent on the market in** the Member State concerned;

Or. en

*Justification*

*The transmission of data for medical purposes only makes sense if, in the event of poisoning, the competent authority can provide the data immediately without requesting it from the manufacturer.*

## Amendment 26

### Proposal for a regulation

#### Article 7 – paragraph 6 – subparagraph 2 – point b

*Text proposed by the Commission*

(b) when the detergent for which a data sheet has already been **requested** no longer corresponds to the information included in that datasheet.

*Amendment*

(b) when the detergent for which a data sheet has already been **provided** no longer corresponds to the information included in that datasheet.

Or. en

## Amendment 27

### Proposal for a regulation

#### Article 7 – paragraph 8

*Text proposed by the Commission*

8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in **paper or** electronic **form**, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation, in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

*Amendment*

8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic **format and, on request, in paper format**, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation, in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

Or. en

*Justification*

*Provisions in Chapter III have been aligned, where possible, with the recently adopted Batteries Regulation, which contains equal provisions.*

## Amendment 28

### Proposal for a regulation

#### Article 8 – paragraph 1

*Text proposed by the Commission*

1. Manufacturers may, by a written mandate, appoint an authorised representative.

*Amendment*

1. Manufacturers may, by a written mandate, appoint an authorised representative. ***The authorised representative's mandate shall be valid only when accepted in writing by the authorised representative.***

Or. en

**Amendment 29**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The authorised representative shall provide a copy of the mandate to the competent authority, upon request.

*Amendment*

An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The authorised representative shall ***have the appropriate means to perform the tasks specified in the mandate.*** ***The authorised representative shall*** provide a copy of the mandate to the competent authority, upon request.

Or. en

**Amendment 30**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 2 – point b**

*Text proposed by the Commission*

(b) keep the product passport and technical documentation at the disposal of national market surveillance authorities for 10 years after the detergent or surfactant covered by those documents has been ***placed*** on the market;

*Amendment*

(b) keep the product passport and technical documentation at the disposal of national market surveillance authorities for 10 years after the ***last time the*** detergent or surfactant covered by those documents has been ***made available*** on the market;

### Amendment 31

#### Proposal for a regulation Article 9 – paragraph 4

*Text proposed by the Commission*

4. Importers shall indicate their name, registered trade name or registered trade mark and the postal and email address at which they can be contacted on the label of the detergent or surfactant. The contact details shall be in a language easily understood by end-users and market surveillance authorities.

*Amendment*

4. Importers shall indicate their name, registered trade name or registered trade mark and the postal and email address at which they can be contacted on the label of the detergent or surfactant. The contact details shall be in a language easily understood by end-users and market surveillance authorities ***and shall be clear, understandable and legible.***

Or. en

### Amendment 32

#### Proposal for a regulation Article 9 – paragraph 9

*Text proposed by the Commission*

9. Importers shall keep the reference to the unique product identifier at the disposal of the market surveillance authorities for a period of 10 years after the detergent or surfactant has been ***placed*** on the market and shall ensure that the technical documentation can be made available to those authorities, upon request.

*Amendment*

9. Importers shall keep the reference to the unique product identifier at the disposal of the market surveillance authorities for a period of 10 years after the ***last time the*** detergent or surfactant has been ***made available*** on the market and shall ensure that the technical documentation can be made available to those authorities, upon request.

Or. en

### Amendment 33

#### Proposal for a regulation Article 9 – paragraph 10

*Text proposed by the Commission*

10. Importers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in *paper or electronic form*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

*Amendment*

10. Importers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic *format and, on request, in paper format*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

Or. en

**Amendment 34**

**Proposal for a regulation  
Article 10 – paragraph 6**

*Text proposed by the Commission*

6. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in *paper or electronic form*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by detergents and surfactants which they have made available on the market.

*Amendment*

6. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic *format and, on request, in paper format*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by detergents and surfactants which they have made available on the market.

Or. en

**Amendment 35**

**Proposal for a regulation  
Article 12 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) to ensure that the package bears his or her name, registered trade name or registered trade mark and postal address preceded by the words ‘packaged by’ or ‘repackaged by’;

*Amendment*

(a) to ensure that the package bears his or her name, registered trade name or registered trade mark and postal **and email** address preceded by the words ‘packaged by’ or ‘repackaged by’;

Or. en

**Amendment 36**

**Proposal for a regulation**

**Article 12 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) to keep the reference to the unique product identifier at the disposal of the market surveillance authorities for 10 years after **having made** the detergent or surfactant available on the market.

*Amendment*

(c) to keep the reference to the unique product identifier at the disposal of the market surveillance authorities for 10 years after **the last time** the detergent or surfactant **has been made** available on the market.

Or. en

**Amendment 37**

**Proposal for a regulation**

**Article 15 – paragraph 2**

*Text proposed by the Commission*

**2. An economic operator making a detergent available on the market directly to an end-user in a refill format shall provide the physical label or the data carrier through which the digital label is accessible to the end-user.**

*Amendment*

**deleted**

Or. en



## *Justification*

*Products should bear clear and easily understandable labels consisting of the most important information right on the product. The same should apply for refill products.*

### **Amendment 38**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 3 – subparagraph 1 – point b**

##### *Text proposed by the Commission*

(b) the manufacturer's name, registered trade name or registered trade mark and the postal and email address at which they can be contacted. The postal address shall indicate a single point at which the manufacturer can be contacted;

##### *Amendment*

(b) the manufacturer's ***and, where relevant, the manufacturer's authorised representative's*** name, registered trade name or registered trade mark and the postal and email address at which they can be contacted. The postal address shall indicate a single point at which the manufacturer can be contacted;

Or. en

### **Amendment 39**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 5**

##### *Text proposed by the Commission*

5. The information referred to in paragraphs 3 and 4 shall be in a language which can be easily understood by end-users, as determined by the Member State concerned, and shall be clear, understandable and intelligible. The label shall be accessible for inspection purposes where the detergent or surfactant is made available on the market.

##### *Amendment*

5. The information referred to in paragraphs 3 and 4 shall be in a language which can be easily understood by end-users, as determined by the Member State concerned, and shall be clear, understandable and intelligible, ***in characters using a font size where the x-height, as defined in Annex IV to Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>1a</sup>, is equal to or greater than 1,2 mm. In case of packaging or containers the largest surface of which has an area of less than 80 cm<sup>2</sup>, the x-height of the font size shall be equal to or greater than 0,9 mm.*** The label shall be accessible for

inspection purposes where the detergent or surfactant is made available on the market.

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***1<sup>a</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).***

Or. en

#### **Amendment 40**

##### **Proposal for a regulation Article 15 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. For the purpose of achieving the objectives of this Regulation, the Commission shall adopt delegated acts in accordance with Article 27 to supplement this Regulation by establishing rules for legibility.***

Or. en

#### **Amendment 41**

##### **Proposal for a regulation Article 15 – paragraph 5 b (new)**

**5b. Without prejudice to Directive .../... [the Directive on green claims], the label of detergents and surfactants may refer to the fact that no animal tests have been carried out only if the manufacturer and its suppliers have not carried out or commissioned any animal tests on the finished detergent or surfactant, or its prototype, or any of the ingredients contained in it, or used any ingredients that have been tested on animals by others for the purpose of developing new detergents or surfactants. The label may only refer to the fact that the detergent or surfactant is 'vegan' or 'animal-free' if no animal-derived ingredients or animal by-products have been used in the production and development of the detergent or surfactant.**

Or. en

## **Amendment 42**

### **Proposal for a regulation**

#### **Article 16 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

***By way of derogation from point (b) of the first subparagraph, the labelling elements set out in part C of Annex V do not have to be duplicated on the physical label. In addition,*** where the dosage information for consumer laundry detergents in accordance with points 1 and 2 of part B of Annex V is provided on the digital label, a simplified dosage grid as set out in part D of Annex V may be provided on the physical label.

*Amendment*

Where the dosage information for consumer laundry detergents in accordance with points 1 and 2 of part B of Annex V is provided on the digital label, a simplified dosage grid as set out in part D of Annex V may be provided on the physical label.

Or. en

## *Justification*

*Consumers should be informed of all ingredients, and in particular allergenic substances in physical form, with digital labels providing additional information where necessary.*

### **Amendment 43**

#### **Proposal for a regulation Article 16 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. By way of derogation from paragraph 1, where detergents are made available on the market directly to an end-user in a refill format, the label elements set out in Article 15(3) and (4) may be provided in a digital label only, with the exception of dosage information for consumer laundry detergents as set out in point 1 and 2 of part B of Annex V, which needs to be provided also on a physical label.**

**deleted**

Or. en

### **Amendment 44**

#### **Proposal for a regulation Article 17 – paragraph 1 – point h**

*Text proposed by the Commission*

*Amendment*

(h) the digital label shall remain available for a period of 10 years from the moment the detergent or surfactant is **placed** on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created it, or for a longer period as required under other Union legislation covering the information that it contains;

(h) the digital label shall remain available for a period of 10 years from the moment the **last time the** detergent or surfactant is **made available** on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created it, or for a longer period as required under other Union legislation covering the information that it contains;

Or. en

## Amendment 45

### Proposal for a regulation

#### Article 17 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

The data carrier shall be physically present on the detergent or surfactant, their packaging or the documentation accompanying them.

*Amendment*

The data carrier shall be physically, **visibly, and indelibly** present on the detergent or surfactant, their packaging or the documentation accompanying them.

Or. en

## Amendment 46

### Proposal for a regulation

#### Article 18 – paragraph 2 – point f

*Text proposed by the Commission*

(f) it shall be accessible to end-users, market surveillance authorities, customs authorities, the Commission and other economic operators;

*Amendment*

(f) it shall be accessible to **customers**, end-users, market surveillance authorities, customs authorities, **competent national authorities, civil society organisations, researchers, trade unions**, the Commission and other economic operators;

Or. en

#### *Justification*

*Wherever possible, the rapporteur aims to align the provisions in the Detergents Regulation with other relevant EU legislation. In particular the ongoing negotiations on the Ecodesign for Sustainable Products Regulation served as a basis for amendments on the Digital Product Passport in order to ensure full interoperability between different pieces of legislation.*

## Amendment 47

### Proposal for a regulation

#### Article 18 – paragraph 2 – point g

*Text proposed by the Commission*

(g) it shall be available for a period of 10 years after the detergent or surfactant is **placed** on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

*Amendment*

(g) it shall be available for a period of 10 years after the detergent or surfactant is **last made available** on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

Or. en

**Amendment 48**

**Proposal for a regulation**

**Article 18 – paragraph 2 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

**(ha) it shall facilitate the verification of product compliance by competent national authorities;**

Or. en

**Amendment 49**

**Proposal for a regulation**

**Article 18 – paragraph 2 – point i**

*Text proposed by the Commission*

*Amendment*

(i) it shall fulfil the specific and technical requirements laid down pursuant to paragraph **8**.

(i) it shall fulfil the specific and technical requirements laid down pursuant to paragraph **9**.

Or. en

**Amendment 50**

**Proposal for a regulation**

**Article 18 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The data carrier shall be physically present on the detergent or surfactant, their packaging or the documentation accompanying them, in accordance with the implementing act referred to in paragraph 8.

*Amendment*

The data carrier shall be physically present on the detergent or surfactant, their packaging or the documentation accompanying them, in accordance with the implementing act referred to in paragraph 9.

Or. en

**Amendment 51**

**Proposal for a regulation**

**Article 19 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) end-users, economic operators and other relevant actors shall have access to the product passport free of charge;

*Amendment*

(c) end-users, economic operators and other relevant actors shall have **easy** access to the product passport free of charge **and without restricting access to registered users**;

Or. en

**Amendment 52**

**Proposal for a regulation**

**Article 19 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) product passports shall be designed and operated so that they are user-friendly;**

Or. en

## Amendment 53

### Proposal for a regulation Article 22 – paragraph 3

#### *Text proposed by the Commission*

3. Where, in the course of the controls referred to in paragraph 1 or paragraph 2, the market surveillance authorities find that the detergent or surfactant does not comply with the requirements laid down in this Regulation, they shall without delay require the relevant economic operators to take all appropriate corrective action to bring the detergent or surfactant into compliance with those requirements, to withdraw it from the market, or to recall it within a reasonable period which is commensurate with the nature of the risk referred to in paragraph 1.

#### *Amendment*

3. Where, in the course of the controls referred to in paragraph 1 or paragraph 2, the market surveillance authorities find that the detergent or surfactant does not comply with the requirements laid down in this Regulation, they shall without delay require the relevant economic operators to take all appropriate corrective action to bring the detergent or surfactant into compliance with those requirements, to withdraw it from the market, or to recall it within a reasonable period which is ***prescribed by the market surveillance authorities and*** commensurate with the nature of the risk referred to in paragraph 1.

Or. en

#### *Justification*

*Alignment with Batteries Regulation.*

## Amendment 54

### Proposal for a regulation Article 24 – paragraph 1

#### *Text proposed by the Commission*

1. Where, having carried out an evaluation under Article 22(1), a market surveillance authority finds that although a detergent or surfactant is in compliance with this Regulation, it presents a risk to health or to the environment, it shall require the relevant economic operator to take all appropriate measures to ensure that the detergent or surfactant concerned, when placed on the market, no longer

#### *Amendment*

1. Where, having carried out an evaluation under Article 22(1), a market surveillance authority finds that although a detergent or surfactant is in compliance with this Regulation, it presents a risk to health or to the environment, it shall require the relevant economic operator to take all appropriate measures to ensure that the detergent or surfactant concerned, when placed on the market, no longer



presents that risk, to withdraw the detergent or surfactant from the market or to recall it, within a reasonable period which is commensurate with the nature of that risk.

presents that risk, to withdraw the detergent or surfactant from the market or to recall it, within a reasonable period ***prescribed by the market surveillance authorities and*** which is commensurate with the nature of that risk.

Or. en

## Amendment 55

### Proposal for a regulation

#### Article 24 – paragraph 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***On duly justified imperative grounds of urgency relating to the protection of health or the environment, the Commission shall adopt an immediately applicable implementing act in accordance with the procedure referred to in Article 28 (2a).***

Or. en

## Amendment 56

### Proposal for a regulation

#### Article 26 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***5a. The Commission is empowered to adopt delegated acts in accordance with Article 27 to amend Annex II by approving appropriate non-animal approaches required for the testing of detergents in spray format containing micro-organisms before they are placed on the market.***

Or. en

## Amendment 57

### Proposal for a regulation Article 26 – paragraph 6

*Text proposed by the Commission*

*Amendment*

**6. Where new scientific evidence points to the need to introduce biodegradability requirements for substances and mixtures other than surfactants in detergents, including detergent capsules, the Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annex I to lay down biodegradability criteria for those substances and mixtures and test methods to verify compliance with them.**

*deleted*

*When adopting delegated acts in accordance with the first subparagraph, the Commission shall take into account the current manufacturing practices, the availability of technically and economically feasible alternatives and the impacts to small and medium-sized enterprises.*

Or. en

*Justification*

*This is reflected in the proposed changes to Article 4.*

## Amendment 58

### Proposal for a regulation Article 28 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.**

Or. en

*Justification*

*Follows from the proposed amendment to Article 24(4).*

**Amendment 59**

**Proposal for a regulation  
Article 29 – paragraph 1**

*Text proposed by the Commission*

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those measures and of any subsequent amendment affecting them.

*Amendment*

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. ***They shall include, where appropriate, financial penalties proportionate to the turnover of the legal person or to the salary of the natural person who committed the infringement, taking into account the specificities of small and medium-sized enterprises.*** Member States shall, without delay, notify the Commission of those measures and of any subsequent amendment affecting them.

Or. en

**Amendment 60**

**Proposal for a regulation  
Article 29 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, where applicable:***

- (a) the nature, gravity, and extent of the infringement;***
- (b) the intentional or negligent***

*character of the infringement;*

*(c) the population or the environment affected by the infringement, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of health and the environment.*

Or. en

## **Amendment 61**

### **Proposal for a regulation Article 32 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 32a*

##### *Renewable content review*

*By... [three years from the date of application of this Regulation], the Commission shall submit a report to the European Parliament and to the Council assessing the feasibility, the technical consequences and the impact on the protection of health and the environment of introducing mandatory obligations for renewable raw materials and recycled content for detergents and surfactants with the aim of ensuring all detergents and surfactants are fully made of renewable or recycled content by ...[10 years from the date of application of this Regulation] instead of being based on fossil fuel feedstock. In preparation of this report, the Commission shall in particular take into account the sustainable sourcing, global warming potential, the potential of using food waste into detergents, the potential land use change associated with alternative feedstocks and food security in the Union. The report shall be accompanied, where appropriate, by a legislative proposal.*

Or. en

## Amendment 62

### Proposal for a regulation Annex II – point 2 – point e a (new)

*Text proposed by the Commission*

*Amendment*

**(ea) *Pseudomonas aeruginosa, test method ISO 22717:2015;***

Or. en

*Justification*

*The Cosmetics Regulation prohibits two further pathogens. It is proposed to align the Detergents Regulation with the rules for cosmetics.*

## Amendment 63

### Proposal for a regulation Annex II – point 2 – point e b (new)

*Text proposed by the Commission*

*Amendment*

**(eb) *Candida albicans, test method ISO 18416:2015.***

Or. en

## Amendment 64

### Proposal for a regulation Annex II – point 7

*Text proposed by the Commission*

*Amendment*

7. Micro-organisms ***contained in detergents that are*** placed on the market in a spray format shall ***pass the acute inhalation toxicity test*** in accordance with ***the test method B.2., described in Part B of the Annex to Regulation (EC) No 440/2008.***

7. ***Detergents containing*** micro-organisms ***shall not be*** placed on the market in a spray format. ***The first sentence shall not apply to detergents containing micro-organisms which have passed appropriate non-animal test methods established*** in accordance with

**Article 26(5a).**

Or. en

*Justification*

*The proposal of the Commission to mandate animal testing for acute toxicity for detergents containing microorganisms is conflicting with expressed views of citizens, industry stakeholders and the European Parliament that clearly oppose animal testing. Moreover, in vivo tests are not suitable for determining the risk to consumers to inhale aerosols containing micro-organisms and would be an unnecessary use of animals.*

**Amendment 65**

**Proposal for a regulation  
Annex III**

<i>Text proposed by the Commission</i>	
Detergent	Limitations
Consumer laundry detergents	Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,5 grams in the recommended quantity of the detergent to be used in the main cycle of the washing process for a standard washing machine load as defined in Part B of Annex V for hard water: <ul style="list-style-type: none"><li>– for ‘normally soiled’ fabrics in the case of heavy-duty detergents,</li><li>– for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics.</li></ul>
Consumer automatic dishwasher detergents	Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,3 grams in the standard dosage as defined in Part B of Annex V.
<i>Amendment</i>	
Detergent	Limitations
Consumer laundry detergents	<b>I.</b> Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,5 grams in the recommended quantity of the detergent to be used in the main cycle of the washing process for a standard washing machine load as defined in Part B of Annex V for hard water:

	<ul style="list-style-type: none"> <li>– for ‘normally soiled’ fabrics in the case of heavy-duty detergents,</li> <li>– for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics.</li> </ul> <p><b>2. Shall not contain phosphate by... [four years from the date of entry into force of this Regulation].</b></p> <p><b>3. The total phosphorus content shall not be equal to or greater than: 0, 04 g/kg of laundry by... [four years from the date of entry into force of this Regulation].</b></p>
Consumer automatic dishwasher detergents	<p><b>1. Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,3 grams in the standard dosage as defined in Part B of Annex V.</b></p> <p><b>2. Shall not contain phosphate by... [four years from the date of entry into force of this Regulation].</b></p> <p><b>3. The total phosphorus content shall not be equal to or greater than 0, 2 g/wash by ...[ four years from the date of entry into force of this Regulation].</b></p>
<i>Consumer hand dishwashing detergents</i>	<p><b>1. Shall not contain phosphate by... [four years from the date of entry into force of this Regulation].</b></p> <p><b>2. The total phosphorus content shall not be equal to or greater than:</b></p> <p><b>(a) 0, 2 g/l of washing water by... [four years from the date of entry into force of this Regulation] and</b></p> <p><b>(b) 0, 08 g/l of washing water by [ seven years from the date of entry into force of this Regulation].</b></p>
<i>Hard surface cleaning product</i>	<p><b>1. Shall not contain phosphate by... [four years from the date of entry into force of this Regulation].</b></p> <p><b>2. All-purpose cleaners and window cleaners shall not contain phosphorus compounds by ...[four years from the date of entry into force of this Regulation].</b></p>

	<p><b>3. Kitchen cleaners and sanitary cleaners shall not contain total phosphorus content equal to or greater than:</b></p> <p><b>(a) 1, 5g/l of cleaning solution by... [four years from the date of entry into force of this Regulation] and</b></p> <p><b>(b) 1g/l of cleaning solution</b></p>
<b>Industrial laundry detergents</b>	<p><b>1. Shall not contain phosphate by... [four years from the date of entry into force of this Regulation].</b></p> <p><b>2. By... [seven years from the date of entry into force of this Regulation], shall not contain total phosphorus content equal to or greater than:</b></p> <p><b>(a) 0, 5 g/kg of laundry for light soil;</b></p> <p><b>(b) 1 g/kg of laundry for medium soil;</b></p> <p><b>(c) 1, 5 g/kg of laundry for heavy soil.</b></p>
<b>Industrial dishwasher detergents</b>	<p><b>1. By... [seven years from the date of entry into force of this Regulation], detergents used as pre-soaks or rinse-aids shall not contain phosphate or phosphorus compounds.</b></p> <p><b>2. By... [seven years from the date of entry into force of this Regulation], dishwasher detergents and multi-component systems shall not contain total phosphorus content equal to or greater than:</b></p> <p><b>(a) 0,15g/l of washing solution for soft water;</b></p> <p><b>(b) 0,3g/l of washing solution for medium water;</b></p> <p><b>(c) 0,5g/l of washing solution for hard water.</b></p>

Or. en

### *Justification*

*Phosphates are a main contributor to the widespread problem of eutrophication across Europe. Municipalities across Europe are investing heavily in downstream solutions to clean wastewater of phosphates. These efforts should be helped by avoiding phosphate emissions into wastewater upstream, where possible. Similarly to the biodegradability requirements,*



*industry is already advancing ahead of European legislation. There are numerous examples of manufacturers that have phased out phosphates in consumer and industrial products a long time ago. In order to further foster innovation in the sector, the thresholds for total phosphorus content in consumer products should be strengthened. Equally, there should be limits for certain industrial products, where current technologies already allow manufacturers to use products with little or no phosphate and other phosphorus substances.*

## **Amendment 66**

### **Proposal for a regulation Annex V – Part A – point 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) ***anionic*** surfactants,

(c) surfactants,

Or. en

*Justification*

*In order to simplify labelling requirements it is proposed to group all surfactants together.*

## **Amendment 67**

### **Proposal for a regulation Annex V – Part A – point 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) ***cationic surfactants,***

***deleted***

Or. en

## **Amendment 68**

### **Proposal for a regulation Annex V – Part A – point 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) ***amphoteric surfactants,***

***deleted***

Or. en

## Amendment 69

### Proposal for a regulation Annex V – Part A – point 1 – point f

*Text proposed by the Commission*

*Amendment*

**(f) non-ionic surfactants,** **deleted**

Or. en

## Amendment 70

### Proposal for a regulation Annex V – Part A – point 3 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

Preservatives shall be listed, using where possible the system referred to in Article 33 of Regulation (EC) No 1223/2009, irrespective of their concentration, ***provided that they meet the following conditions:***

Preservatives shall be listed, using where possible the system referred to in Article 33 of Regulation (EC) No 1223/2009, irrespective of their concentration.

Or. en

#### *Justification*

*due to the conditions listed by the Commission, a comprehensive and targeted labeling of preservatives is not possible. Not all preservatives fall under Regulation (EU) No. 528/2012 and not all of them necessarily have to be identified on the components (preliminary products) of detergents. It also appears difficult to assess whether a substance no longer has preservative properties, even in synergy with other preservatives.*

## Amendment 71

### Proposal for a regulation Annex V – Part A – point 3 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

**(a) contribute to the qualification of the detergent as a treated article within** **deleted**

*the meaning of Article 3(1), point (l), of Regulation (EU) No 528/2012;*

Or. en

#### **Amendment 72**

##### **Proposal for a regulation Annex V – Part A – point 3 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) are labelled on a constituent of the detergent.** **deleted**

Or. en

#### **Amendment 73**

##### **Proposal for a regulation Annex V – Part B – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) the recommended quantities and/or dosage instructions expressed in millilitres or grams appropriate to a standard washing machine load, for soft, medium and hard water hardness levels and making provision for one or two cycle washing processes,**

**(a) the recommended quantities and/or dosage instructions expressed in millilitres or grams *or, where relevant, number of pieces of capsules, pods or sheets* appropriate to a standard washing machine load, for soft, medium and hard water hardness levels and making provision for one or two cycle washing processes,**

Or. en

#### **Amendment 74**

##### **Proposal for a regulation Annex V – Part B – point 1 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) the capacity of any measuring cup,**

**(c) the capacity of any measuring cup,**

if provided, shall be indicated in millilitres or grams, and markings shall be provided to indicate the dose of detergent appropriate for a standard washing machine load for soft, medium and hard water hardness levels,

if provided, shall be indicated in millilitres or grams, and **clearly visible** markings shall be provided **in a colour that contrasts the colour of the measuring cup** to indicate the dose of detergent appropriate for a standard washing machine load for soft, medium and hard water hardness levels,

Or. en

## Amendment 75

### Proposal for a regulation

#### Annex V – Part B – point 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) for detergents packed in bottles, the dose of detergent appropriate for a standard washing machine load at least for soft and medium water hardness level shall be provided by clearly visible markings, preferably in a colour that contrasts the colour of the lid.***

Or. en

## Amendment 76

### Proposal for a regulation

#### Annex V – Part C

*Text proposed by the Commission*

*Amendment*

***C The following content information referred to in part A, may be provided on the digital label only, in accordance with Article 16(1), second subparagraph, in the manner specified in that part:***

***deleted***

- (a) anionic surfactants;***
- (b) cationic surfactants;***
- (c) amphoteric surfactants;***
- (d) non-ionic surfactants;***

- (e) *phosphates;*
- (f) *phosphonates;*
- (g) *soap.*

Or. en

#### **Amendment 77**

##### **Proposal for a regulation Annex V – Part D – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Points (c) and (ca) of paragraph 1 of Part B of this Annex shall also apply in case the simplified dosage information is provided.***

Or. en

#### **Amendment 78**

##### **Proposal for a regulation Annex VI – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the name, the address of the manufacturer or the manufacturer's authorised representative as well the manufacturer's unique operator identifier;

(b) the name, the ***postal and email*** address of the manufacturer or the manufacturer's authorised representative as well the manufacturer's unique operator identifier;

Or. en

#### **Amendment 79**

##### **Proposal for a regulation Annex VI – paragraph 1 – point f**

*Text proposed by the Commission*

(f) a full list of substances intentionally added in the detergent or surfactant and of preservatives **labelled in accordance with part A, point 3, first subparagraph, point (b), of Annex V**, using the International Nomenclature of Cosmetic Ingredients, or where it is not available, the European Pharmacopoeia name and, when also the latter is not available, the common chemical name or International Union of Pure and Applied Chemists name.

*Amendment*

(f) a full list of substances intentionally added in the detergent or surfactant and of preservatives, using the International Nomenclature of Cosmetic Ingredients, or where it is not available, the European Pharmacopoeia name and, when also the latter is not available, the common chemical name or International Union of Pure and Applied Chemists name.

Or. en

**Amendment 80**

**Proposal for a regulation**  
**Annex VI – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

**(fa) the labelling in accordance with Article 15.**

Or. en

## EXPLANATORY STATEMENT

As an essential product of every-day use, the detergents sector is a key pillar for the implementation of the European Green Deal. The manufacturing of detergents secures jobs in Europe and provides consumers with high-quality products. Many companies have already shown that there can be a market for innovative, safe, clean, sustainable and circular products. However, today, market forces and policies do not provide sufficient support for these European frontrunners. There is an obvious and urgent need for more innovation and competition in sustainable detergents in Europe. The Detergents Regulation has so far failed to address this need.

Therefore the Rapporteur welcomes the proposal by the European Commission for a revision for more innovation, as the inclusion of microbial cleaning products in the scope of the Regulation and the streamlining of information requirements for clearer consumer information, in particular with respect to overlaps with other Union legislation. The Rapporteur also welcomes the proposal for the refill sale of detergents in order to reduce the amount of packaging placed on the market.

However, the Rapporteur also finds that further measures are needed to reach the objectives of the protection of consumers, the environment and animals as well as a European climate neutral, toxic-free and safe circular economy. To this end, the Rapporteur proposes a number of amendments in order to create new opportunities to promote sustainability and increase competition and innovation in sustainable detergents on the European market.

### **Biodegradability of detergents**

With regard to the objective of protecting health and the environment, full biodegradability is the most effective option in the toolbox of the Detergents Regulation. Currently, detergents may contain various substances that are hazardous and persistent in the environment, posing potential risks to ecosystems and animal and human health. While the rapporteur appreciates that certain derogations have been removed from biodegradability criteria, the Commission's proposal falls short of providing for all detergents to be fully biodegradable. The rapporteur therefore proposes to make all detergents inherently biodegradable, as large European manufacturers have already committed to achieve this. European legislation should not fall behind, but should instead provide incentives for other manufacturers to follow suit and to provide for a level playing field.

### **Phosphates and phosphorus content**

Phosphates are a main contributor to the widespread problem of eutrophication across Europe. Municipalities across Europe are investing heavily in downstream solutions to clean wastewater of phosphates. These efforts should be helped by avoiding phosphate emissions into wastewater upstream, where possible. Similarly to the biodegradability requirements, industry is already advancing ahead of European legislation. There are numerous examples of manufacturers that have phased out phosphates in consumer and industrial products a long time ago. In order to further foster innovation in the sector, the thresholds for total phosphorus content in consumer products should be strengthened. Equally, there should be limits for certain industrial products, where current technologies already allow manufacturers to use products with little or no phosphate and other phosphorus substances.

### **Hazardous substances**

The Commission's Chemicals Strategy for Sustainability clearly spelled out a goal of safe and sustainable products for a toxic-free environment. It provided for concrete measures to tackle the most hazardous substances in consumer products. In particular, the Strategy establishes that the generic approach to risk management will be extended to ensure that consumer products – including, among other things, detergents – do not contain chemicals that cause cancers, gene mutations, affect the reproductive or the endocrine system, or are persistent and bioaccumulative.

The Chemicals Strategy was widely welcomed by stakeholders including industry and civil society and the European Parliament. The Parliament has on numerous occasions asked for stricter protection of consumers from hazardous chemicals. The rapporteur therefore proposes to implement the Chemicals Strategy in the Detergents Regulation by prohibiting the use of certain hazardous substances, unless they are technically necessary.

### **Better consumer information**

The rapporteur believes citizens should be able to make informed decisions while purchasing a product. Therefore products should bear legible, clear and easily understandable labels with the most important information directly on the product. The same should apply to refill products. The proposal by the Commission would need to be amended to ensure consumers are informed of all ingredients, and in particular allergenic substances in physical form, with digital labels providing additional information where necessary.

The environmental impact of detergents grows with the amount of detergents consumed. It is therefore important to avoid overconsumption, a key driver of allergies and pollution of this sector. It should be made easier for consumers to use the right dosage, in particular for laundry detergents. The simplification proposed by the Commission is a good first step, but in order to improve consumer information the rapporteur envisages much clearer and better visible measuring indications on the lid of the product and measuring device.

Only supplementary information should be available in a digital format only. The digital option should only be seen as a complementary tool and never as the only tool to enable informed consumer choice.

### **Animal Testing**

The rapporteur strongly believes that it is essential to phase out unnecessary animal testing and as almost a million and a half Europeans have requested in the recent “European Citizens initiative to end animal testing in cosmetics”, to turn towards non-animal approaches to assure the safety of products. In addition, in 2021 the European Parliament voted a Joint Motion for a Resolution on plans and actions to accelerate the transition to innovation without the use of animals in research, regulatory testing and education.

Therefore, the proposal of the Commission to mandate animal testing for acute toxicity for detergents containing microorganisms is clearly against the position not only of our citizens, but also of industry stakeholders that clearly oppose the demand for animal testing on microorganisms used in spray form as unnecessary. This is also in conflict with the animal protection commitments of industry and European legislators, considering that the Commission has on multiple occasions expressed its commitment to use animal testing as a last resort.

Moreover, in vivo tests are not suitable for determining the risk to consumers of inhaling aerosols containing micro-organisms and would be an unnecessary use of animals.



Consequently, the acute inhalation toxicity test for microbial cleaner sprays should be able to be replaced by alternative new approach methodologies (NAMs), which are more appropriate methods to address potential safety concerns. Such alternative risk-based approaches use benchmarks known to be safe for consumers based on data derived from human data and therefore better reflect the impact on humans directly.

### **Alignment with ESPR**

Wherever possible, the rapporteur aims to align the provisions of the Detergents Regulation with other relevant EU legislation. In particular the ongoing negotiations on the Ecodesign for Sustainable Products Regulation have served as a basis for amendments to the Digital Product Passport in order to ensure full interoperability between different pieces of legislation.

## **ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

<b>Entity and/or person</b>
Alertox - 400309213564-96
Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien (AISE) - 6168551998-60
Cruelty Free International - 842315534764-63
Danish Consumer Council - 39456841401-09
Environmental Coalition on Standards (ECOS) - 96668093651-33
EurEau - 39299129772-62
EuropaBio - 1298286943-59
Henkel - 13635802880-80
Industrieverband Körperpflege- und Waschmittel - 53934361209-47
New Reuse Alliance
Verein für Konsumenteninformation - 502554623335-14
Werner und Mertz
Umweltbundesamt
Unilever - 6200524920-25