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COMPROMISE AMENDMENTS

1 - 16

Draft report
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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))

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Compromise Amendment 1 Micro-organisms

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 56, 62, 63, 64, 135, 136, 141, 196, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359

Proposal for a regulation

Recital 60

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(60) In view of the need to ensure a high level of human health and environmental protection and the need to take into account new developments based on scientific facts, the Commission should submit to the European Parliament and to the Council	In view of the need to ensure a high level of health and environmental protection and the need to take into account new developments based on scientific facts, the Commission should submit to the European Parliament and to the Council a report on the

a report on the application of this Regulation. The Commission should in its report assess *inter alia* if this Regulation is achieving its objectives, taking into account the impacts on small and medium-sized enterprises.

application of this Regulation. The Commission should in its report assess *inter alia* if this Regulation is achieving its objectives, taking into account the impacts on small and medium-sized enterprises. **(Left 135)**

Proposal for a regulation

Recital 61

Text proposed by the Commission

(61) In order to ensure a high level of protection of health and the environment, foster innovation and boost competitiveness, the Commission should assess the safety requirements for detergents containing micro-organisms and the possibility to allow the use of new micro-organisms or strains of micro-organisms in detergents.

Amendment

In order to ensure a high level of protection of health and the environment, foster innovation and boost competitiveness, the Commission should assess the safety requirements for detergents containing micro-organisms and the possibility to allow the use of new micro-organisms or strains of micro-organisms in detergents ***or to restrict the presence of them, where necessary. (S&D 136)***

Proposal for a Regulation

Article 2 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘cleaning’ means the process by which an undesirable deposit is dislodged from a substrate or from within a substrate and brought into a state of solution or dispersion;

Amendment

(6) ‘cleaning’ means the process by which an undesirable deposit is dislodged from a substrate or from within a substrate and brought into a state of solution or dispersion, ***including by using micro-organisms (EPP141);***

Proposal for a Regulation
Article 5 – paragraph 1

Text proposed by the Commission

Detergents containing micro-organisms shall comply with the requirements laid down in Annex II.

Amendment

Detergents containing micro-organisms shall comply with the requirements laid down in Annex II.

Proposal for a Regulation
Article 26 – paragraph 6a (new)

Text proposed by the Commission

Amendment

6a. Where Commission Regulation (EC) 440/2008¹ provides for non-animal approaches for testing the respiratory sensitisation properties of micro-organisms, the Commission shall, without undue delay, adopt delegated acts in accordance with Article 27 to amend Annex II to this Regulation by determining the requirements for placing on the market detergents containing micro-organisms in a spray format. (Greens 56)

1 Commission Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 142, 31.5.2008, p. 1, ELI: <http://data.europa.eu/eli/reg/2008/440/oj>).

Proposal for a Regulation
Article 26 – paragraph 6b (new)

Text proposed by the Commission

Amendment

6b. The Commission is empowered to adopt delegated acts in accordance with

Article 27 to amend Annex II by updating the standards applicable for the enumeration of micro-organisms to take into account scientific and technical progress.

Proposal for a Regulation
Article 32 – paragraph 1

Text proposed by the Commission

By [OP: please insert the date = 3 years from the date of application of this Regulation], the Commission shall assess the effectiveness and relevance of the requirements of this Regulation for detergents containing micro-organisms as well as the possibility to include new micro-organisms or strains of micro-organisms allowed in detergents in Annex II.

Amendment

By [OP: please insert the date = 3 years from the date of application of this Regulation], the Commission shall assess the effectiveness and relevance of the requirements of this Regulation for detergents containing micro-organisms, ***in particular the list of pathogenic micro-organisms provided for in point 2 of Annex II and the effects of micro-organisms intentionally added to detergents on urban wastewater treatment processes***, as well as the possibility to include new micro-organisms or strains of micro-organisms allowed in detergents in Annex II. ***(S&D 196, 359)***

By ... [OP: please insert the date = 3 years from the date of application of this Regulation] and every 3 years thereafter, the Commission shall review the list of pathogenic micro-organisms provided for in point 2 of Annex II and, where necessary, adopt delegated acts in accordance with Article 27 to amend Annex II in order to take into account scientific and technical progress. (AM196 – S&D)

Proposal for a Regulation
Annex II – point 1

Text proposed by the Commission

1. Micro-organisms intentionally added to detergents shall comply with the following conditions:
 - (a) shall ***have an American Type Culture Collection (ATCC) number***, belong to a collection of an International Depository Authority (IDA) or have had their DNA identified in accordance with a “Strain identification protocol” (using 16S ribosomal DNA sequencing or an equivalent method);
 - (b) shall belong to both of the following:
 - (i) Risk Group I as defined by Directive 2000/54/EC – biological agents at work;
 - (ii) The Qualified Presumption of Safety (QPS) list issued by the European Food Safety Authority (EFSA).

This point shall not apply to micro-organisms intentionally added to detergents placed on the market for research and development purposes.

Amendment

1. Micro-organisms intentionally added to detergents shall comply with the following conditions:
 - (a) shall belong to a collection of an International Depository Authority (IDA) or have had their DNA identified in accordance with a “Strain identification protocol” (using 16S ribosomal DNA sequencing or an equivalent method) (***EPP337***);
 - (b) shall belong to both of the following:
 - (i) Risk Group I as defined by Directive 2000/54/EC – biological agents at work;
 - (ii) The Qualified Presumption of Safety (QPS) list issued by the European Food Safety Authority (EFSA).

This point shall not apply to micro-organisms intentionally added to detergents placed on the market for research and development purposes.

Proposal for a Regulation
Annex II – point 2

Text proposed by the Commission

2. The following pathogenic micro-organisms shall not be present in any of the strains included in the finished product when screened using the indicated test methods or equivalent:
- (a) *E. coli*, test method ISO 16649-3:2005;
 - (b) *Streptococcus (Enterococcus)*, test method ISO 21528-1:2004;
 - (c) *Staphylococcus aureus*, test method ISO 6888-1;
 - (d) *Bacillus cereus*, test method ISO 7932:2004 or ISO 21871;
 - (e) *Salmonella*, test method ISO 6579:2002 or ISO 19250.

Amendment

2. The following pathogenic micro-organisms shall not be present in any of the strains included in the finished product when screened using the indicated test methods or equivalent:
- (a) *E. coli*, test method ISO 16649-3:2005;
 - (b) *Streptococcus (Enterococcus)*, test method ISO 21528-1:2004;
 - (c) *Staphylococcus aureus*, test method ISO 6888-1;
 - (d) *Bacillus cereus*, test method ISO 7932:2004 or ISO 21871;
 - (e) *Salmonella*, test method ISO 6579:2002 or ISO 19250.
 - (f) ***Pseudomonas aeruginosa, test method ISO 22717:2015; (AM62 - Greens)***
 - (g) ***Candida albicans, test method ISO 18416:2015 (AM62 - Greens)***
 - (h) ***any other micro-organisms listed in Annex 1, Table 4 of Regulation (EU) 2020/741¹. (AM345 – S&D)***

¹ ***Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse***

(OJ L 177, 5.6.2020, p. 32,
ELI:
<http://data.europa.eu/eli/reg/2020/741/oj>).

Proposal for a Regulation
Annex II – point 3

Text proposed by the Commission

3. Intentionally added micro-organisms shall not be genetically modified microorganisms.

Amendment

4. Intentionally added micro-organisms shall not be genetically modified microorganisms.

Proposal for a Regulation
Annex II – point 4

Text proposed by the Commission

5. Intentionally added micro-organisms shall be, with the exception of intrinsic resistance, susceptible to each of the major antibiotic classes, namely aminoglycoside, macrolide, beta-lactam, tetracycline and fluoroquinolones, in accordance with the European Committee on Antimicrobial Susceptibility Testing (EUCAST) disk diffusion method or equivalent.

Amendment

4. Intentionally added micro-organisms shall be, with the exception of intrinsic resistance, susceptible to each of the major antibiotic classes, namely aminoglycoside, macrolide, beta-lactam, tetracycline and fluoroquinolones, in accordance with the European Committee on Antimicrobial Susceptibility Testing (EUCAST) disk diffusion method or equivalent.

Proposal for a Regulation
Annex II – point 5

Text proposed by the Commission

5. When placed on the market, detergents containing micro-organisms shall have a standard

Amendment

5. When placed on the market, detergents containing micro-organisms shall have a standard

plate count equal to or greater than 1×10^5 colony-forming units (CFUs) per ml in accordance with ISO 4833-1:2014.

plate count equal to or greater than 1×10^5 colony-forming units (CFUs) per ml in accordance with ISO **21149** or ISO 4833-1:2014. (**EPP347**)

Proposal for a Regulation Annex II – point 6

Text proposed by the Commission

6. The minimum shelf life of a detergent containing micro-organisms shall not be lower than 24 months and the microbial count shall not decrease by more than 10 % every 12 months in accordance with ISO 4833-1:2014.

Amendment

6. The minimum shelf life of a detergent containing micro-organisms shall not be lower than 24 months and the microbial count shall not decrease by more than 10 % every 12 months in accordance with ISO **21149** or ISO 4833-1:2014.

Proposal for a Regulation Annex II – point 7

Text proposed by the Commission

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.**

Amendment

7. **Detergents containing** micro-organisms **shall be allowed to** be placed on the market in a spray format **after appropriate non-animal approaches to testing the respiratory sensitisation properties of micro-organisms have been established in accordance with Article 26(6a).** (**AM64 – Greens**)

Proposal for a Regulation
Annex II – point 8

Text proposed by the Commission

8. Detergents containing micro-organisms shall not be placed on the market in a refill format.

Amendment

8. Detergents containing micro-organisms shall not be placed on the market in a refill format.

Proposal for a Regulation
Annex II – point 9

Text proposed by the Commission

9. All claims made **by the manufacturer** regarding the actions of the micro-organisms contained in the product **shall be supported by third-party testing.**

Amendment

9. **The manufacturer shall substantiate** all claims made regarding the actions or performance of the micro-organisms contained in the product **with appropriate tests. Those tests shall be verified by an independent third party.** (EPP355, ID356)

Proposal for a Regulation
Annex II – point 10

Text proposed by the Commission

10. It is prohibited to claim or suggest on the label or by any other communication that the detergent has an antimicrobial or disinfecting effect, unless the detergent complies with Regulation (EU) No 528/2012.

Amendment

10. It is prohibited to claim or suggest on the label or by any other communication that the detergent has an antimicrobial or disinfecting effect, unless the detergent complies with Regulation (EU) No 528/2012.

Proposal for a Regulation
Annex II – point 11

Text proposed by the Commission

11. The tests referred to in points 2, 5, 6, 7 and 9 shall be conducted by laboratories meeting any of the following conditions:
- (a) the laboratories are complying with the principles of good laboratory practice provided for in Directive 2004/10/EC of the European Parliament and of the Council¹ or international standards recognised as being equivalent;
 - (b) the laboratories are accredited in accordance with the standard for laboratories referred to in Regulation (EC) No 765/2008.

Amendment

11. The tests referred to in points 2, 5, 6, 7 and 9 shall be conducted by laboratories meeting any of the following conditions:
- (a) the laboratories are complying with the principles of good laboratory practice provided for in Directive 2004/10/EC of the European Parliament and of the Council² or international standards recognised as being equivalent;
 - (b) the laboratories are accredited in accordance with the standard for laboratories referred to in Regulation (EC) No 765/2008.

Compromise Amendment 2 Article 15 General labelling requirements

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments IMCO 7, IMCO 9, IMCO 71, IMCO 72, IMCO 73, IMCO 74, 37, 38, 39, 40, 252, 253, 254, 255, 256, 257, 258, 259

¹ Directive 2004/10/EC of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (OJ L 50, 20.2.2004, p. 44).

² Directive 2004/10/EC of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (OJ L 50, 20.2.2004, p. 44).

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) Labels communicate important use and safety information to users, such as the presence of skin or respiratory sensitisers (e.g. allergenic fragrances, preservatives or enzymes) in detergents and surfactants. By providing information on the content of those substances on the labels of detergents and surfactants, it is possible for users with allergies or allergic predispositions to make informed choices, and potential reactions related to the use of detergents and surfactants are thus reduced. It is therefore necessary to establish labelling requirements for detergents and surfactants.

Amendment

(26) Labels communicate important use, **health** and safety information to users, such as the presence of skin or respiratory sensitisers (e.g. allergenic fragrances, preservatives or enzymes) in detergents and surfactants. By providing information on the content of those substances on the labels of detergents and surfactants, it is possible for users with allergies or allergic predispositions to make informed choices, and potential reactions related to the use of detergents and surfactants are thus reduced. It is therefore necessary to establish labelling requirements for detergents and surfactants. (IMCO)

Proposal for a Regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. Detergents and surfactants that are made available on the market in individual packaging or in a refill format shall be accompanied by a label.

Amendment

1. Detergents and surfactants that are made available on the market in individual packaging or in a refill format shall be accompanied by a label.

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

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 **and** the data carrier through which the digital label is accessible to the end-user. (**S&D256, EPP254**)

Proposal for a Regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. The label of detergents and surfactants shall contain the following information:

- (a) a type number, batch number or other element allowing their identification;
- (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;
- (c) the name and trade name of the product;
- (d) the content of the detergent or surfactant in accordance with part A of Annex V;
- (e) instructions for use and special precautions, where necessary and relevant.

The information referred to in points (a), (b) and (c) of the first subparagraph shall appear on all documents accompanying detergents and surfactants transported in bulk.

Amendment

3. The label of detergents and surfactants shall contain the following information:

- (a) a type number, **model number**, batch number or other element allowing their identification; **(IMCO)**
- (b) the manufacturer's name **and, where relevant, the manufacturer's authorised representative's** name, registered trade name or registered trade mark, the postal and email address **and phone number** at which they can be contacted. The postal address shall indicate a single point at which the manufacturer can be contacted; **(Greens38, Renew257, ID258)**
- (c) the name and trade name of the product;
- (d) the content of the detergent or surfactant in accordance with part A of Annex V;
- (e) instructions for use and special precautions, where necessary and relevant.

The information referred to in points (a), (b) and (c) of the first subparagraph shall appear on all documents accompanying detergents and surfactants transported in bulk.

Proposal for a Regulation
Article 15 – paragraph 4

Text proposed by the Commission

4. In addition to the information referred to in paragraph 3, the label of consumer laundry detergents and consumer automatic dishwasher detergents shall contain dosage information in accordance with part B of Annex V.

Amendment

4. In addition to the information referred to in paragraph 3, the label of consumer laundry detergents and consumer automatic dishwasher detergents shall contain dosage information in accordance with part B of Annex V.

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 **and shall comply with the requirements set out in Section 1.2.1.4 and 1.2.1.5 of Part 1 of Annex I to Regulation (EC) No 1272/2008**. The label shall be accessible for inspection purposes where the detergent or surfactant is made available on the market. **(S&D259)**

Compromise Amendment 3 Article 16 Forms of labelling

Supported by EPP, S&D, RE, Greens, ID, The Left

Compromise amendment replacing Amendments IMCO 10, IMCO 12, IMCO 13, IMCO 14, IMCO 15, IMCO 16, IMCO 75, IMCO 76, IMCO 77, IMCO 78, IMCO 79, IMCO 80, 8, 42, 43, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273

Proposal for a Regulation
Recital 31

Text proposed by the Commission

- (31) Digital labelling could improve the communication of labelling information both by avoiding overcrowded physical labels and by allowing users to rely on various reading options available only for digital formats, such as increased font, automatic search, loud speakers or translation into other languages. Providing digital labels could also lead to a more efficient management of the labelling obligations by economic operators, by facilitating the update of labelling information, reducing labelling costs and permitting a more targeted information of users. Therefore, economic operators should be allowed to provide certain labelling information **only** through the digital label subject to certain conditions to ensure a high level of protection of detergents' users.

Amendment

- (31) Digital labelling could improve the communication of labelling information both by avoiding overcrowded physical labels and by allowing users to rely on various reading options available only for digital formats, such as increased font, automatic search, loud speakers or translation into other languages. Providing digital labels could also lead to a more efficient management of the labelling obligations by economic operators, by facilitating the update of labelling information, reducing labelling costs and permitting a more targeted information of users. Therefore, economic operators should be allowed to provide certain labelling information through the digital label subject to certain conditions to ensure a high level of protection of detergents' users **and the environment**. (Left 104, S&D 105, Renew 106, ID 107, EPP 108)

Proposal for a Regulation
Recital 32

Text proposed by the Commission

- (32) To avoid imposing an unnecessary administrative burden for economic operators and since, **in most cases**, the digital label is **only** complementary to the physical one, economic operators should be able to decide whether to use digital labels or provide all the information

Amendment

- (32) To avoid imposing an unnecessary administrative burden for economic operators and since the digital label is complementary to the physical one, economic operators should be able to decide whether to use digital labels or provide all the information on a physical label only. The choice

on a physical label only. The choice to provide a digital label should rest with manufacturers and importers, who are responsible for providing the accurate set of labelling information.

to provide a digital label should rest with manufacturers and importers, who are responsible for providing the accurate set of labelling information. (*Left 109, EPP 110, ID 111*)

Proposal for a Regulation

Recital 33

Text proposed by the Commission

(33) Digital labelling could also create challenges for the vulnerable population groups with no or insufficient digital skills and lead to an accentuation of the digital divide. For this reason, the specific information to be provided **only** in a digital label should reflect the current state of the digitalisation of the society and the particular situation of detergents users. In addition, all the labelling information concerning the protection of health and the environment, **as well as minimum** use instructions of detergents, should remain on the physical label, to enable all end-users to make informed choices before buying the detergent and to ensure its safe handling.

Amendment

(33) Digital labelling could also create challenges for the vulnerable population groups with no or insufficient digital skills and lead to an accentuation of the digital divide. For this reason, the specific information to be provided in a digital label should reflect the current state of the digitalisation of the society and the particular situation of detergents users **as well as readiness of the necessary wireless and other technological infrastructure allowing unrestricted access to the information**. In addition, all the labelling information concerning the protection of health and the environment, **including** use instructions of detergents, should remain on the physical label, to enable all end-users to make informed choices before buying the detergent and to ensure its safe handling. (*Renew 112, Left 113, ID 114, EPP115*)

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

(34) For detergents sold to end-users in a refill format, it should be ***ensured that*** all labelling information ***is available in a separately available label which should be attached to the packaging at the moment of refill.*** ***This should include the dosage instructions for consumer laundry detergents. (Greens 8, ID 116, EPP 117, S&D 118, Left 119)***

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) To ensure a level playing field among economic operators making available detergents on the market, and to protect end-users, general requirements for digital labelling should be laid down. For example, economic operators should ensure free and easy access to digital labels and that mandatory labelling information requested under this Regulation is separated from other information.

Amendment

(35) To ensure a level playing field among economic operators making available detergents on the market, and to protect end-users, general requirements for digital labelling should be laid down. For example, economic operators should ensure free and easy access to digital labels, ***available in maximum two buttons or clicks,*** and that mandatory labelling information requested under this Regulation is separated from other information. (IMCO)

Proposal for a Regulation
Recital 36

Text proposed by the Commission

(36) Given the current development of the digital skills, economic operators should also provide the labelling information by alternative means to end-users when they cannot access the digital label. This obligation

Amendment

(36) Given the current development of the digital skills, economic operators should also provide the labelling information by alternative means to end-users when they cannot access the digital label. This obligation

should be imposed as a safety measure to reduce any potential risks by the unavailability of the labelling information, *in particular as regards refilled detergents, where all the information may be provided in a digital label.*

should be imposed as a safety measure to reduce any potential risks by the unavailability of the labelling information. **(EPP 120, Left 121, ID 121)**

Proposal for a Regulation

Recital 37

Text proposed by the Commission

(37) Since detergents have the same use and present the same risks irrespective of the format in which they are made available on the market, economic operators making detergents available on the market in a refill format should ensure that these comply with the same requirements as the pre-packaged ones. In addition, consumers should receive the required labelling information also when opting for refilled detergents. The refill sale of detergents should, therefore, be explicitly covered by this Regulation in order to ensure a high level of protection of health and the environment and a level playing field for economic operators.

Amendment

(37) Since detergents have the same use and present the same risks irrespective of the format in which they are made available on the market, economic operators making detergents available on the market in a refill format should ensure that these comply with the same requirements as the pre-packaged ones. In addition, consumers should receive the required labelling information also when opting for refilled detergents. ***A physical copy of the label should also always be visible at the refill station.*** The refill sale of detergents should, therefore, be explicitly covered by this Regulation in order to ensure a high level of protection of health and the environment and a level playing field for economic operators. **(EPP 123, ID 124)**

Proposal for a Regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. Where detergents or surfactants are made available on the market, they shall be accompanied by the label

Amendment

1. Where detergents or surfactants are made available on the market, they shall be accompanied by the label

elements set out in Article 15(3) and, where applicable, Article 15(4) in the following form:

- (a) on a physical label;
- (b) on a digital label and duplicated on a physical label.

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.

elements set out in Article 15(3) and, where applicable, Article 15(4) in the following form:

- (a) on a physical label ***or (EPP262)***
- (b) on a digital label and duplicated on a physical label.

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. (***Greens 42, EPP 265, Left 266, S&D 267, EPP 268***)

Proposal for a Regulation **Article 16 – paragraph 2**

Text proposed by the Commission

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.

Amendment

2. Where detergents are made available on the market directly to ***an*** end-user in a refill format, ***the operator shall ensure that the label elements set out in Article 15(2), (3) and (4) are affixed to the packaging.*** (EPP272, Greens 43, Left 269, S&D 270)

Compromise Amendment 4 - Article 17 Digital labelling

Supported by EPP, S&D, RE, Greens, ID, The Left

Compromise amendment replacing Amendments IMCO 22, IMCO 81, IMCO 82, IMCO 83, IMCO 84, IMCO 85, IMCO 86, IMCO 87, IMCO 88, IMCO 89, IMCO 90, IMCO 91, IMCO 92, IMCO 93, 44, 45, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284

Proposal for a Regulation
Article 17 – paragraph 1

Text proposed by the Commission

1. Where detergents and surfactants carry a digital label in accordance with Article 16, the following rules shall apply to that label:
 - (a) all label elements referred to in Article 15(3) and, where applicable, Article 15(4) shall be provided in one place and separated from other information;
 - (b) the information on the digital label shall be searchable;
 - (c) the information on the digital label shall be accessible to all users in the Union;
 - (d) the digital label shall be accessible free of charge, without the need for prior registration, download or installation of applications, or to provide a password;
 - (e) the information on the digital label shall be presented in a **way** that addresses the needs of vulnerable groups and supports, as relevant, the necessary adaptations to facilitate access to the information by those groups;
 - (f) the digital label shall be accessible through digital technologies widely used and compatible with all major operating systems and browsers;

Amendment

1. Where detergents and surfactants carry a digital label in accordance with Article 16, the following rules shall apply to that label:
 - (a) all label elements referred to in Article 15(3) and, where applicable, Article 15(4) shall be provided in one place and separated from other information;
 - (b) the information on the digital label shall be **easily** searchable; (**EPP275**)
 - (c) the information on the digital label shall be accessible to all users in the Union;
 - (d) the digital label shall be accessible free of charge, without the need for prior registration, download or installation of applications, or to provide a password;
 - (e) the information on the digital label shall be presented in a **format** that addresses the needs of vulnerable groups, **including persons with disabilities**, and supports, as relevant, the necessary adaptations to facilitate access to the information by those groups; (**IMCO**)
 - (f) the digital label shall be accessible through digital technologies widely used and compatible with all

- | | |
|---|--|
| <p>(g) when the digital label is available in more than one language, the choice of language shall not be conditioned on the geographical location of the end-user;</p> <p>(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;</p> <p>(i) the information on the digital label shall be accessible via the data carrier.</p> | <p>major operating systems and browsers;</p> <p>(g) when the digital label is available in more than one language, the choice of language shall not be conditioned on the geographical location of the end-user;</p> <p>(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;</p> <p>(i) the information on the digital label shall be <i>easily</i> accessible via the data carrier. (IMCO)</p> |
|---|--|

Proposal for a Regulation
Article 17 – paragraph 2

Text proposed by the Commission

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

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the refill station.

Amendment

2. The data carrier shall be physically, ***indelibly, visibly and legibly*** present on the detergent or surfactant, their packaging or the documentation accompanying them, ***in a way that allows it to be processed automatically by digital devices. (Greens 45, S&D 277, IMCO)***

In addition to the requirement in the first subparagraph, where detergents and surfactants are

The data carrier shall be clearly visible to the end-user before any purchase and to market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales.

made available on the market in a refill format, the data carrier shall be present on the refill station.

The data carrier shall be clearly visible to the end-user before any purchase and to market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales.

Proposal for a regulation Article 17 – paragraph 3

Text proposed by the Commission

3. Where economic operators provide a digital label, the data carrier shall be accompanied by the statement ‘More comprehensive information on the product **is available online**’ or by a similar statement.

Amendment

3. Where economic operators provide a digital label, the data carrier shall be accompanied by the statement ‘**Please scan for** more comprehensive information on the product’ or by a similar statement. **(EPP 279)**

Proposal for a Regulation Article 17 – paragraph 4

Text proposed by the Commission

4. Economic operators **providing a digital label** shall not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the digital label online.

Amendment

4. Economic operators shall not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the digital label online. **(EPP 281)**

Proposal for a Regulation Article 17 – paragraph 5

Text proposed by the Commission

5. Economic operators **providing a digital label** shall provide the information present in the digital label by other means in any of the following cases:

Amendment

5. Economic operators shall provide the information present in the digital label by other means **and free of charge (IMCO)** in any of the following cases:

- (a) upon oral or written request by the end-user;
- (b) when the digital label is temporarily unavailable, including at the time of purchase.

Economic operators shall provide the information referred to in the first subparagraph independently from a purchase of a detergent or surfactant and free of charge.

- (a) upon oral or written request by the end-user;
- (b) when the digital label is temporarily unavailable, including at the time of purchase.

Economic operators shall provide the information referred to in the first subparagraph independently from a purchase of a detergent or surfactant and free of charge. (*EPP 283*)

Compromise Amendment 5 - Annex V

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments IMCO 120, IMCO 121, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 103, 331, 332, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380

Proposal for a Regulation Recital 28

Text proposed by the Commission

- (28) Fragrance substances are organic compounds with characteristic, usually pleasant, odours, which are widely used in detergents but also in many other products such as perfumes and other perfumed cosmetics. Those substances could cause an allergic reaction upon contact, especially to sensitised persons, even when contained in low concentrations. Therefore, it is important to provide information on the presence of individual allergenic fragrances in detergents so that sensitised persons can avoid contact with the substance to which they are allergic. It is therefore necessary to lay down strict requirements for the labelling of allergenic fragrances. However, those substances could

Amendment

- (28) Fragrance substances are organic compounds with characteristic, usually pleasant, odours, which are widely used in detergents but also in many other products such as perfumes and other perfumed cosmetics. Those substances could cause an allergic reaction upon contact, especially to sensitised persons, even when contained in low concentrations. Therefore, it is important to provide information on the presence of individual allergenic fragrances in detergents so that sensitised persons can avoid contact with the substance to which they are allergic. It is therefore necessary to lay down strict requirements for the labelling of allergenic fragrances. However, those substances could

also trigger a labelling requirement under Regulation (EC) No 1272/2008. Specific labelling requirements should therefore be established that would apply only when the labelling thresholds under Regulation (EC) No 1272/2008 are not met. This will not only prevent the unnecessary burden for economic operators but also ensure that end-users receive this information presented in a clear manner thus providing a high level of protection of human health even for sensitised persons.

also trigger a labelling requirement under Regulation (EC) No 1272/2008. Specific labelling requirements should therefore be established that would apply only when the labelling thresholds under Regulation (EC) No 1272/2008 are not met. This will not only prevent the unnecessary burden for economic operators but also ensure that end-users receive this information presented in a clear manner thus providing a high level of protection of human health even for sensitised persons. *Appropriate transition periods should be applied to new labelling requirements established by delegated acts (ID 103, 331, EPP 332).*

Proposal for a regulation

Article 26 – paragraph 7

Text proposed by the Commission

7. Where individual risk-based concentration limits for fragrance allergens are established in Regulation (EC) No 1223/2009 of the European Parliament and of the Council⁴⁶, the Commission shall adopt delegated acts in accordance with Article 27 amending Annex V in order to adapt the limit of the allergenic fragrances listed in Annex III to that Regulation accordingly.

⁴⁶ Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).

Amendment

7. Where individual risk-based concentration limits for fragrance allergens are established in Regulation (EC) No 1223/2009 of the European Parliament and of the Council⁴⁶, the Commission shall adopt delegated acts in accordance with Article 27 amending Annex V in order to adapt the limit of the allergenic fragrances listed in Annex III to that Regulation accordingly.

⁴⁶ Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).

Proposal for a Regulation
Annex V – Part A – point 1

Text proposed by the Commission

1. The weight percentage ranges ‘less than 5 %’, ‘5 % or over but less than 15 %’, ‘15 % or over but less than 30 %’, ‘30 % and more’, shall be used to indicate the content of the constituents listed below where they are added in a concentration above 0,2 % by weight:
- (a) phosphates,
 - (b) phosphonates,
 - (c) **anionic** surfactants,
 - (d) **cationic surfactants**,
 - (e) **amphoteric surfactants**,
 - (f) **non-ionic surfactants**,
 - (g) oxygen-based bleaching agents,
 - (h) chlorine-based bleaching agents,
 - (i) EDTA and salts thereof,
 - (j) NTA (nitrilotriacetic acid) and salts thereof,
 - (k) phenols and halogenated phenols,
 - (l) paradichlorobenzene,
 - (m) aromatic hydrocarbons,
 - (n) aliphatic hydrocarbons,
 - (o) halogenated hydrocarbons,
 - (p) soap,
 - (q) zeolites,
 - (r) polycarboxylates.

Amendment

1. The weight percentage ranges ‘less than 5 %’, ‘5 % or over but less than 15 %’, ‘15 % or over but less than 30 %’, ‘30 % and more’, shall be used to indicate the content of the constituents listed below where they are added in a concentration above 0,2 % by weight:
- (a) phosphates,
 - (b) phosphonates,
 - (c) surfactants, (**Greens 66-69**)
 - (d) **deleted**
 - (e) **deleted**
 - (f) **deleted**
 - (g) oxygen-based bleaching agents,
 - (h) chlorine-based bleaching agents,
 - (i) EDTA and salts thereof,
 - (j) NTA (nitrilotriacetic acid) and salts thereof,
 - (k) phenols and halogenated phenols,
 - (l) paradichlorobenzene,
 - (m) aromatic hydrocarbons,
 - (n) aliphatic hydrocarbons,
 - (o) halogenated hydrocarbons,
 - (p) soap,
 - (q) zeolites,
 - (r) polycarboxylates.

Proposal for a Regulation
Annex V – Part A – point 2

Text proposed by the Commission

2. The following classes of constituents, if added, shall be listed irrespective of their concentration:
- (a) enzymes,
 - (b) micro-organisms,
 - (c) optical brighteners,
 - (d) perfumes.

Amendment

2. The following classes of constituents, if added, shall be listed irrespective of their concentration:
- (a) enzymes,
 - (b) micro-organisms,
 - (c) optical brighteners,
 - (d) perfumes.

Proposal for a Regulation
Annex V – Part A – point 3

Text proposed by the Commission

3. 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:
- (a) contribute to the qualification of the detergent as a treated article within the meaning of Article 3(1), point (l), of Regulation (EU) No 528/2012;
 - (b) are labelled on a constituent of the detergent.

The condition listed in point (b) of the first subparagraph does not have to be met where preservatives do not exceed the elicitation thresholds referred to in point 3.4.3.3. / table 3.4.6. of Annex I to Regulation (EC) No 1272/2008 or they no longer have a preservation function in the final product even

Amendment

3. 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:
- (a) contribute to the qualification of the detergent as a treated article within the meaning of Article 3(1), point (l), of Regulation (EU) No 528/2012;
 - (b) are labelled on a constituent of the detergent.

The condition listed in point (b) of the first subparagraph does not have to be met where preservatives do not exceed the elicitation thresholds referred to in point 3.4.3.3. / table 3.4.6. of Annex I to Regulation (EC) No 1272/2008 or they no longer have a preservation function in the final product even

in synergies with other preservatives.

in synergies with other preservatives.

When a digital label is provided in accordance with Article 16 (1) preservatives shall be listed, using where possible the system referred to in Article 33 of Regulation (EC) No 1223/2009, irrespective of their concentration. (Greens 70, 71, S&D 361, 362)

Proposal for a Regulation Annex V – Part A – point 4

Text proposed by the Commission

4. If added at concentrations exceeding 0,01 % by weight, the allergenic fragrances that are listed in entries 45, 67-92 and [X] to [X] of Annex III to Regulation (EC) No 1223/2009, shall be labelled using the system referred to in Article 33 of that Regulation. The first sentence shall not apply to allergenic fragrances that meet the labelling thresholds under Regulation (EC) No 1272/2008.

Amendment

5. If added at concentrations exceeding 0,01 % by weight, the allergenic fragrances that are listed in entries 45, 67-92 and [X] to [X] of Annex III to Regulation (EC) No 1223/2009, shall be labelled using the system referred to in Article 33 of that Regulation. The first sentence shall not apply to allergenic fragrances that meet the labelling thresholds under Regulation (EC) No 1272/2008.

Proposal for a Regulation Annex V – Part A – point 5

Text proposed by the Commission

5. The requirements referred to in points 1 to 4 shall not apply to professional detergents and surfactants, provided that the equivalent information to that required in those points is provided in section 15 of the safety data sheet drawn up in accordance with Article 31 of Regulation (EC) No 1907/2006.

Amendment

5. The requirements referred to in points 1 to 4 shall not apply to professional detergents and surfactants, provided that the equivalent information to that required in those points is provided in section 15 of the safety data sheet drawn up in accordance with Article 31 of Regulation (EC) No 1907/2006.

Proposal for a Regulation
Annex V – Part A – point 6

Text proposed by the Commission

6. In addition to the information listed in points 1 to 5, as applicable, the label of detergents containing micro-organisms shall bear the following information:
- (a) an indication or a precautionary statement that the product is not to be used on surfaces in contact with food;
 - (b) an indication of the shelf life of the product;
 - (c) use instructions or special precautions, where relevant.

Amendment

6. In addition to the information listed in points 1 to 5, as applicable, the label of detergents containing micro-organisms shall bear the following information:
- (a) an indication or a precautionary statement that the product is not to be used on surfaces in contact with food;
 - (b) an indication of the shelf life of the product;
 - (c) use instructions or special precautions, where relevant.

Proposal for a Regulation
Annex V – Part B – point 1

Text proposed by the Commission

1. The label of consumer laundry detergents shall contain the following information:
- (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,
 - (b) for heavy-duty detergents, the number of standard washing machine loads of ‘normally soiled’ fabrics, and, for detergents for delicate fabrics, the number of standard washing machine

Amendment

1. The label of consumer laundry detergents shall contain the following information:
- (a) the recommended quantities and/or dosage instructions expressed in millilitres or grams ***or, where relevant, number of units*** 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, **(Greens 73, ID 366, EPP 367, S&D 368, S&D 369, IMCO)**
 - (b) for heavy-duty detergents, the number of standard washing machine loads of

loads of ‘lightly soiled’ fabrics, that can be washed with the contents of the package using water of medium hardness, corresponding to 2,5 millimoles CaCO₃/l,

- (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,

‘normally soiled’ fabrics, and, for detergents for delicate fabrics, the number of standard washing machine loads of ‘lightly soiled’ fabrics, that can be washed with the contents of the package using water of medium hardness, corresponding to 2,5 millimoles CaCO₃/l,

- (c) the capacity of any measuring cup, if provided, shall be indicated in millilitres or grams, and **clearly visible** markings shall be provided **that significantly contrast 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, **(Greens 74 EPP 370, 371)**
- (d) **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 on the lid, that significantly contrast the colour of the lid. (Greens 75)**

Proposal for a Regulation Annex V – Part B – point 2

Text proposed by the Commission

2. For the purposes of point 1, the standard washing machine loads shall be 4,5 kg dry fabric for heavy-duty detergents and 2,5 kg

Amendment

2. For the purposes of point 1, the standard washing machine loads shall be 4,5 kg dry fabric for heavy-duty detergents and 2,5 kg

dry fabric for light-duty detergents. A detergent shall be considered to be a heavy-duty detergent unless the claims of the manufacturer predominantly promote fabric care, namely low temperature wash, delicate fibres and colours.

dry fabric for light-duty detergents. A detergent shall be considered to be a heavy-duty detergent unless the claims of the manufacturer predominantly promote fabric care, namely low temperature wash, delicate fibres and colours.

Proposal for a Regulation Annex V – Part B – point 3

Text proposed by the Commission

3. The label of consumer automatic dishwasher detergents shall indicate the standard dosage expressed in grams or millilitres or number of **tablets** for the main washing cycle for normally soiled tableware in a fully loaded 12 place settings dishwasher, adjusting the standard dosage, where relevant, for soft, medium, and hard water hardness.

Amendment

3. The label of consumer automatic dishwasher detergents shall indicate the standard dosage expressed in grams or millilitres or number of **units** for the main washing cycle for normally soiled tableware in a fully loaded 12 place settings dishwasher, adjusting the standard dosage, where relevant, for soft, medium, and hard water hardness. (**ID 372, S&D 373, EPP 374, IMCO**)

Proposal for a Regulation Annex V – Part C

Text proposed by the Commission

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:

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

Amendment

deleted (Greens 76, EPP 375, S&D 376)

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

Proposal for a Regulation
Annex V – Part D

Text proposed by the Commission

The simplified dosage grid shall contain the following information:

- (a) basic instructions for use, where relevant;
- (b) the recommended quantities based on medium/*average* water hardness and different degrees of fabric soiling; and
- (c) an indication of the washing machine load.

Amendment

The simplified dosage grid shall contain the following information:

- (a) basic instructions for use, where relevant;
- (b) the recommended quantities based on *medium* water hardness and different degrees of fabric soiling; and **(EPP377)**
- (c) an indication of the washing machine load.

Proposal for a Regulation
Annex V – Part D

Text proposed by the Commission

Amendment

Points (c) and (d) of point 1 of Part B shall also apply where the simplified dosage information is provided. (Greens 77)

Compromise Amendment 6 - Article 7-13 Obligations of economic operators

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments IMCO 1, IMCO 2, IMCO 3, IMCO 4, IMCO 5, IMCO 23, IMCO 24, IMCO 25, IMCO 26, IMCO 30, IMCO 34, IMCO 36, IMCO 37, IMCO 38, IMCO 39, IMCO 40, IMCO 41, IMCO 42, IMCO 43, IMCO 44, IMCO 45, IMCO 46, IMCO 47, IMCO 48, IMCO 49, IMCO 50, IMCO 51, IMCO 52, IMCO 53, IMCO 54, IMCO 56, IMCO 57, IMCO 58, IMCO 59, IMCO 60, IMCO 61, IMCO 62, IMCO 63, IMCO 64, IMCO 66, IMCO 67, IMCO 68, IMCO 69, 7, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 93, 94, 95, 96, 97, 102, 151, 152, 153, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 228, 229, 230, 231, 232, 233, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248

Proposal for a Regulation
Recital 14

Text proposed by the Commission

(14) All economic operators intervening in the supply and distribution chain should take appropriate measures to ensure that they only make available on the Union market detergents and surfactants which are in conformity with this Regulation. It is necessary to provide for a clear and proportionate distribution of obligations which correspond to the role of each economic operator in the supply and distribution chain.

Proposal for a Regulation
Recital 15 a (new)

Text proposed by the Commission

Proposal for a Regulation
Recital 17

Text proposed by the Commission

(17) To facilitate compliance of the manufacturers with their obligations under this Regulation, manufacturers established in the Union should be allowed to appoint an authorised representative to carry out specific tasks on their behalf. Moreover, to

Amendment

(14) All economic operators intervening in the supply and distribution chain should take appropriate **and effective** measures to ensure that they only make available on the Union market detergents and surfactants which are in conformity with this Regulation. It is necessary to provide for a clear and proportionate distribution of obligations which correspond to the role of each economic operator in the supply and distribution chain. **(IMCO)**

Amendment

(15a) Manufacturers should keep the technical documentation, the product passport and, where applicable, the digital label for a period of 10 years following the date on which the last item of a batch or model of a detergent or the surfactant covered by that documentation, product passport or digital label has been placed on the market.

Amendment

(17) To facilitate compliance of the manufacturers with their obligations under this Regulation, manufacturers established in the Union should be allowed to appoint an authorised representative to carry out specific tasks on their behalf. **Such an**

ensure a clear and proportionate distribution of responsibilities between the manufacturer and the authorised representative it is necessary to set out the list of tasks that manufacturers should be allowed to entrust the authorised representative with. Further, to ensure the enforceability and effectiveness of the market surveillance requirements and that only compliant detergents and surfactants are placed on the Union market, the appointment of an authorised representative should be mandatory when the manufacturer is established outside of the Union.

appointment should be valid only when accepted in writing by the authorised representative. Moreover, to ensure a clear and proportionate distribution of responsibilities between the manufacturer and the authorised representative it is necessary to set out the list of tasks that manufacturers should be allowed to entrust the authorised representative with. Further, to ensure the enforceability and effectiveness of the market surveillance requirements and that only compliant detergents and surfactants are placed on the Union market, the appointment of an authorised representative should be mandatory when the manufacturer is established outside of the Union. ***(IMCO)***

Proposal for a Regulation Recital 18

Text proposed by the Commission

(18) With a view to facilitating the communication between economic operators, market surveillance authorities and consumers, economic operators should, as part of their contact details, indicate a ***website address*** in addition to the postal ***address***.

Amendment

(18) With a view to facilitating the communication between economic operators, market surveillance authorities and consumers, economic operators should, as part of their contact details, indicate a ***phone number*** in addition to the postal ***and email addresses***.

Proposal for a Regulation Recital 19

Text proposed by the Commission

(19) In order to safeguard the functioning of the internal market and to ensure that the objective of providing a high level of protection of health and the environment is achieved, it is necessary to establish that detergents and surfactants from third countries

Amendment

(19) In order to safeguard the functioning of the internal market and to ensure that the objective of providing a high level of protection of health and the environment is achieved, it is necessary to establish that detergents and surfactants from third countries

entering the Union market also comply with this Regulation. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those products. It is also necessary to lay down rules for importers to ensure that the detergents and surfactants they place on the market comply with those requirements and that the documentation drawn up by manufacturers **and, where relevant, the CE marking are** available for inspection by the competent national authorities. Provision should also be made for importers to ensure that a product passport is available for those products.

entering the Union market also comply with this Regulation. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those products. It is also necessary to lay down rules for importers to ensure that the detergents and surfactants they place on the market comply with those requirements and that the documentation drawn up by manufacturers **is** available for inspection by the competent national authorities. Provision should also be made for importers to ensure that a product passport is available for those products. **(EPP 93, 94, ID 95, Renew 96)**

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 postal **and email** address and **phone number** through which they can be contacted. **(Greens 7, S&D 97)**

Proposal for a regulation Recital 24

Text proposed by the Commission

- (24) **The CE marking, indicating the**

Amendment

- Deleted** (EPP 98, 100, Renew 99, ID 101,

conformity of a detergent with this Regulation, is the visible consequence of a whole process comprising conformity assessment in a broad sense. Regulation (EC) No 765/2008 of the European Parliament and of the Council³⁶ lays down the general principles of the CE marking. That Regulation should be applicable to detergents covered by this Regulation in order to ensure that products benefiting from the free movement of goods within the Union fulfil requirements providing a high level of protection of public interests such as health and the environment. In line with Regulation (EC) No 765/2008, the CE marking should be the only marking of conformity indicating that the detergent is in conformity with Union harmonisation legislation.

Proposal for a Regulation
Recital 25

Text proposed by the Commission

(25) To ensure a high level of protection of **human** health, manufacturers should be required to provide an ingredient data sheet for non-hazardous detergents. In order to optimise efficiency of the relevant requirements and in view of the system related to emergency health response already established under Regulation (EC) No 1272/2008, manufacturers should hold this information at the disposal of poison centres, **upon request**.

Amendment

(25) To ensure a high level of protection of health, manufacturers should be required to provide an ingredient data sheet for non-hazardous detergents. In order to optimise efficiency of the relevant requirements and in view of the system related to emergency health response already established under Regulation (EC) No 1272/2008, manufacturers should hold this information at the disposal of poison centres. **(Left 102)**

Proposal for a Regulation
Article 2 – paragraph 1 – point 13

Text proposed by the Commission

- (13) ‘making available on the market’ means any supply for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;

Amendment

- (13) ‘making available on the market’ means any supply for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;

Proposal for a Regulation
Article 2 – paragraph 1 – point 16

Text proposed by the Commission

- (16) ‘authorised representative’ means any natural or legal persons established within the Union that have received a written mandate from a manufacturer to act on their behalf in relation to specified tasks;

Amendment

- (16) ‘authorised representative’ means any natural or legal persons established within the Union that have received a written mandate from a manufacturer to act on their behalf in relation to specified tasks;

Proposal for a Regulation
Article 2 – paragraph 1 – point 19

Text proposed by the Commission

- (19) ‘economic operator’ means the manufacturer, the authorised representative, the importer or the distributor;

Amendment

- (19) ‘economic operator’ means the manufacturer, the authorised representative, the importer or the distributor;

Proposal for a Regulation
Article 2 – paragraph 1 – point 25

Text proposed by the Commission

(25) ‘corrective *measure*’ means a *measure* as defined in Article 3, point 16, of Regulation (EU) 2019/1020;

Amendment

(25) ‘corrective *action*’ means *an action* as defined in Article 3, point 16, of Regulation (EU) 2019/1020; (*IMCO*)

Proposal for a Regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. When placing detergents or surfactants on the market, manufacturers shall ensure that those detergents or surfactants have been designed and manufactured in accordance with this Regulation.

Amendment

1. When placing detergents or surfactants on the market, manufacturers shall ensure that those detergents or surfactants have been designed and manufactured in accordance with this Regulation.

Or. en

Proposal for a Regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Manufacturers shall draw up the technical documentation referred to in Annex IV and carry out the conformity assessment procedure referred to in that Annex.

Where compliance of a detergent or surfactant with the applicable requirements has been demonstrated by the procedure referred to in the first subparagraph, manufacturers shall:

- (a) create a product passport in accordance with Article 18,

Amendment

2. Manufacturers shall draw up the technical documentation referred to in Annex IV and carry out the conformity assessment procedure referred to in that Annex.

Where compliance of a detergent or surfactant with the applicable requirements has been demonstrated by the procedure referred to in the first subparagraph, manufacturers shall:

- (a) create a product passport in accordance with Article 18,

- (b) ensure that the data carrier is printed or otherwise placed on the label or on the packaging of the detergent or surfactant in a visible and legible manner in accordance with Article 18(3),
- (c) *where relevant, affix the CE marking in accordance with Article 14,*
- (d) before placing detergents or surfactants on the market, manufacturers shall include a reference of the product passport in the registry referred to in Article 20(1).

- (b) ensure that the data carrier is printed or otherwise placed on the label or on the packaging of the detergent or surfactant in a visible and legible manner in accordance with Article 18(3),
- (c) *deleted (ID 205, Renew 206, EPP 207, 208, IMCO)*
- (d) before placing detergents or surfactants on the market, manufacturers shall include a reference of the product passport in the registry referred to in Article 20(1).

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 *and, where necessary, update* 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. *(IMCO)*

Proposal for a Regulation
Article 7 – paragraphs 4 and 5

Text proposed by the Commission

COM text

Amendment

COM text

Proposal for a Regulation
Article 7 – paragraph 6

Text proposed by the Commission

6. Manufacturers placing on the market detergents that do not meet the criteria for classification as hazardous within the meaning of Regulation (EC) No 1272/2008, shall provide to Member States' appointed bodies referred to in Article 45 of that Regulation, the ingredient datasheet referred to in point 2.2 (e) of Annex IV.

Manufacturers shall provide the ingredient data sheet to the Member States' appointed bodies referred to in the first subparagraph in the following cases:

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

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

The appointed body referred to in the first subparagraph and the medical personnel to which the information contained in the datasheet has been provided shall keep it confidential and use it for medical purposes only.

Amendment

6. Manufacturers placing on the market detergents that do not meet the criteria for classification as hazardous within the meaning of Regulation (EC) No 1272/2008, shall provide to Member States' appointed bodies referred to in Article 45 of that Regulation, the ingredient datasheet referred to in point 2.2 (e) of Annex IV.

Manufacturers shall provide the ingredient data sheet to the Member States' appointed bodies referred to in the first subparagraph in the following cases:

(a) *at the time of placing a detergent on the market;* (Greens 25, Renew 214, S&D 215)

(b) when the detergent for which a data sheet has already been *provided* no longer corresponds to the information included in that datasheet. (Greens 26, S&D 216, Renew 217)

The appointed body referred to in the first subparagraph and the medical personnel to which the information contained in the datasheet has been provided shall keep it confidential and use it for medical purposes only.

Proposal for a Regulation
Article 7 – paragraph 7

Text proposed by the Commission

7. Manufacturers that consider or have reason to believe that a detergent or

Amendment

7. Manufacturers that consider or have reason to believe that a detergent or

surfactant which they have placed on the market is not in conformity with this Regulation shall immediately take the corrective **measures** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate. Furthermore, where manufacturers consider or have reason to believe that a detergent or surfactant which they have placed on the market presents a risk to health or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective **measures** taken.

Proposal for a Regulation
Article 7 – paragraph 7a new

Text proposed by the Commission

surfactant which they have placed on the market is not in conformity with this Regulation shall immediately take the corrective **actions** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate. Furthermore, where manufacturers consider or have reason to believe that a detergent or surfactant which they have placed on the market presents a risk to health or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective **actions** taken. **(IMCO)**

Amendment

7 a. Manufacturers shall, upon request, share relevant information in a timely manner with relevant economic operators, including distributors, importers and authorised representatives, in the supply chain concerned on any conformity issue or risk to health or the environment that they have identified in relation to their product, and of any consequent corrective action, recall or withdrawal. (IMCO)

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

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, (Greens 27)** necessary to

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.

demonstrate the conformity of the detergent or surfactant with this Regulation, in a language which can be easily understood by that authority. ***The relevant information and documentation shall be provided within 20 working days of receipt of the request. (IMCO)*** 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.

Proposal for a Regulation **Article 7 – paragraph 8a new**

Text proposed by the Commission

Amendment

8 a. Manufacturers shall make their communication channels, such as a telephone number, an email address or a dedicated section of their website, publicly available on their website, taking into account the accessibility needs of persons with disabilities and enabling end-users to submit complaints or concerns about potential non-conformity of products or safety issues. (IMCO)

Proposal for a Regulation **Article 8 – paragraph 1**

Text proposed by the Commission

Amendment

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

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. (Greens 28)***

Proposal for a Regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. Where the manufacturer is not established in the Union, the detergent or surfactant may only be placed on the Union market if the manufacturer designates, by a written mandate, an authorised representative.

Amendment

2. Where the manufacturer is not established in the Union, the detergent or surfactant may only be placed on the Union market if the manufacturer designates, by a written mandate, an authorised representative.

Proposal for a Regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Manufacturers that are not established in the Union, should inform the national competent authorities of the postal address and e-mail address of their authorised representative. (IMCO)

Proposal for a Regulation
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. 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.

The mandate shall allow the authorised representative to do at least the following:

- (a) verify that the product passport has been created in accordance with Article 7(2), point (a), that the technical documentation has been drawn up and the conformity assessment procedure has

3. 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. ***(Greens 29, IMCO)***

The mandate shall allow the authorised representative to do at least the following:

- (a) verify that the product passport has been created in

- been carried out by the manufacturer in accordance with Article 7(2);
- (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;
 - (c) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the detergent or surfactant with the requirements laid down in this Regulation;
 - (d) cooperate with the competent national authorities, at their request, on any action taken to eliminate the risks posed by a detergent or surfactant covered by the authorised representative's mandate.
 - (e) terminate the mandate if the manufacturer does not comply with the obligations of the manufacturer under this Regulation.
- accordance with Article 7(2), point (a), that the technical documentation has been drawn up and the conformity assessment procedure has been carried out by the manufacturer in accordance with Article 7(2);
- (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;
 - (c) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the detergent or surfactant with the requirements laid down in this Regulation, ***within 20 working days of the receipt of the request and in a language that can be easily understood by that authority***; (IMCO)
 - (d) cooperate with the competent national authorities, at their request, on any action taken to eliminate the risks posed by a detergent or surfactant covered by the authorised representative's mandate.
 - (e) terminate the mandate if the manufacturer does not comply with the obligations of the manufacturer under this Regulation ***and inform, within 20 working days, the market surveillance authority of the Member***

State in which the manufacturer is established of the termination of the mandate; (IMCO)

(ea) *where the authorised representative considers or has reason to believe that a detergent or a surfactant presents a risk to health or to the environment, inform the manufacturer thereof; (IMCO)*

**Proposal for a Regulation
Article 8 – paragraph 3a**

Text proposed by the Commission

Amendment

3a. *Where the authorised representative changes, detailed arrangements for the change shall be laid down in a mandate in accordance with paragraph 1, 2, and 3. (IMCO)*

**Proposal for a Regulation
Article 8 – paragraph 4**

Text proposed by the Commission

Amendment

4. The obligations laid down in Article 7(1) and the obligation to draw up technical documentation referred to in Article 7(2) shall not form part of the authorised representative's mandate.

4. The obligations laid down in Article 7(1) and the obligation to draw up technical documentation referred to in Article 7(2) shall not form part of the authorised representative's mandate.

Proposal for a Regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. Importers shall place only compliant detergents or surfactants on the market.

Amendment

1. Importers shall place only compliant detergents or surfactants on the market.

Proposal for a Regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. Before placing a detergent or surfactant on the market importers shall ensure the following:

- (a) the manufacturer has carried out the conformity assessment procedure and drawn up the technical documentation referred to in Article 7(2);
- (b) ***the detergent bears the CE marking referred to in Article 14;***
- (c) the manufacturer has created the product passport referred to in Article 7(2);
- (d) the relevant information on the product passport has been included in the registry referred to in Article 20(1);

Amendment

2. Before placing a detergent or surfactant on the market importers shall ensure the following:

- (a) the manufacturer has carried out the conformity assessment procedure and drawn up the technical documentation referred to in Article 7(2);
- (b) ***deleted (Renew 224, ID 225, EPP 226, 227, IMCO)***
- (c) the manufacturer has created the product passport referred to in Article 7(2);
- (d) the relevant information on the product passport has been included in the registry referred to in Article 20(1);

Proposal for a Regulation

Article 9 – paragraph 3

Text proposed by the Commission

3. Where an importer considers or has reason to believe that a detergent or

Amendment

3. Where an importer considers or has reason to believe that a detergent or

surfactant is not in conformity with this Regulation, the importer shall not place the detergent or surfactant on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or to the environment, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

surfactant is not in conformity with this Regulation, the importer shall not place the detergent or surfactant on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or to the environment, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

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, the postal and email address ***and phone number*** 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.*** ***(Greens 31, ID 229)***

Proposal for a Regulation **Article 9 – paragraph 5 to 7**

Text proposed by the Commission

COM text

Amendment

COM text

Proposal for a Regulation
Article 9 – paragraph 8

Text proposed by the Commission

8. Importers that consider or have reason to believe that a detergent or surfactant which they have placed on the market is not in conformity with this Regulation shall immediately take the corrective **measures** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate. Furthermore, where importers consider or have reason to believe that a detergent or surfactant which they have placed on the market presents a risk to health or the environment, they shall immediately inform the competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective **measures** taken.

Proposal for a Regulation
Article 9 – paragraph 8a new

Text proposed by the Commission

Amendment

8. Importers that consider or have reason to believe that a detergent or surfactant which they have placed on the market is not in conformity with this Regulation shall immediately **inform and cooperate with the manufacturer and the competent authorities and shall immediately (ID 231)** take the corrective **actions (IMCO)** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate. Furthermore, where importers consider or have reason to believe that a detergent or surfactant which they have placed on the market presents a risk to health or the environment, they shall immediately inform the **manufacturer and the (ID 231)** competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective **actions (IMCO)** taken.

Amendment

8 a. Importers shall, upon request from market surveillance authorities, share in a timely manner relevant information with relevant economic operators, including distributors, and authorised representatives, in the supply chain concerned as regards any conformity issue or risk to health or the environment that they have identified in relation to their product, and of any consequent corrective action, recall or withdrawal. (IMCO)

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 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.

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, (Greens 34)* necessary to demonstrate the conformity of the detergent or surfactant with this Regulation in a language which can be easily understood by that authority. *The relevant information and documentation shall be provided within 20 working days of receipt of the request. (IMCO)* 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.

Proposal for a Regulation
Article 9 – paragraph 10a new

Text proposed by the Commission

Amendment

10 a. Importers shall verify whether the communication channels referred to in Article 7(8a) are publicly available to consumers, thereby allowing them to submit complaints and concerns about potential non-conformity of products. Where such channels are not available, importers shall provide for them, taking into account accessibility needs for persons with disabilities. (IMCO)

Proposal for a Regulation
Article 10 – paragraph 1

Text proposed by the Commission

Amendment

1. When making a detergent or surfactant available on the market distributors shall act with due care in relation to the requirements of this Regulation.

1. When making a detergent or surfactant available on the market distributors shall act with due care in relation to the requirements of this Regulation.

Proposal for a Regulation
Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. Before making a detergent or surfactant available on the market distributors shall verify that the following conditions have been met:

(a) the detergent or surfactant is accompanied by the required documents and by a label that meets the requirements laid down in Articles 15, 16 and 17;

2. Before making a detergent or surfactant available on the market distributors shall verify that the following conditions have been met:

(a) the detergent or surfactant is accompanied by the required documents and by a label that meets the requirements laid down in Articles 15, 16 and 17;

(b) *the detergent bears the CE marking referred to in Article 14;*

(c) the manufacturer has complied with the requirements set out in Article 7(2) and (3) or, as applicable, the importer has complied with the requirements set out in Article 9(2).

(b) *deleted (EPP234, 236, ID235, Renew237, IMCO)*

(c) the manufacturer has complied with the requirements set out in Article 7(2) and (3) or, as applicable, the importer has complied with the requirements set out in Article 9(2).

Proposal for a Regulation Article 10 – paragraph 3

Text proposed by the Commission

3. Where a distributor considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the distributor shall not make the detergent or surfactant available on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or the environment, the distributor shall inform the manufacturer and, where relevant, the authorised representative or the importer to that effect as well as the market surveillance authorities.

Amendment

3. Where a distributor considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the distributor shall not make the detergent or surfactant available on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or the environment, the distributor shall inform the manufacturer and, where relevant, the authorised representative or the importer to that effect as well as the market surveillance authorities.

Proposal for a Regulation Article 10 – paragraph 4

Text proposed by the Commission

4. Distributors shall ensure that, while a detergent or surfactant is under their responsibility, its storage or transport conditions do not

Amendment

4. Distributors shall ensure that, while a detergent or surfactant is under their responsibility, its storage or transport conditions do not

jeopardise its compliance with this Regulation.

jeopardise its compliance with this Regulation.

Proposal for a Regulation **Article 10 – paragraph 5**

Text proposed by the Commission

5. Distributors that consider or have reason to believe that a detergent or a surfactant which they have made available on the market is not in conformity with this Regulation shall ***make sure*** that the corrective ***measures*** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate, are taken. Furthermore, where distributors consider or have reason to believe that a detergent or surfactant which they have made available on the market presents a risk to health or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective ***measures*** taken.

Amendment

5. Distributors that consider or have reason to believe that a detergent or a surfactant which they have made available on the market is not in conformity with this Regulation shall ***immediately inform and cooperate with the manufacturer or importer, as applicable, and the competent authorities and shall ensure (ID 241, EPP 242)*** that the corrective ***actions (IMCO)*** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate, are taken. Furthermore, where distributors consider or have reason to believe that a detergent or surfactant which they have made available on the market presents a risk to health or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the detergent or surfactant available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective ***actions (IMCO)*** taken.

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**, **(Greens 34, IMCO)** necessary to demonstrate the conformity of the detergent or surfactant with this Regulation. ***The relevant information and documentation shall be provided within 20 working days of receipt of the request. (IMCO)*** 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.

Proposal for a Regulation
Article 12 – paragraph 1

Text proposed by the Commission

Where an importer or distributor packages or repackages a detergent or surfactant and is not subject to the obligations of the manufacturer pursuant to Article 11, that importer or distributor, as applicable, shall have the following obligations:

- (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’;
- (b) to ensure compliance with Articles 14 to 17;
- (c) to keep the reference to the unique product identifier at the disposal of the market surveillance authorities

Amendment

Where an importer or distributor packages or repackages a detergent or surfactant and is not subject to the obligations of the manufacturer pursuant to Article 11, that importer or distributor, as applicable, shall have the following obligations:

- (a) to ensure that the package bears his or her name, registered trade name or registered trade mark, postal ***and email*** address ***and phone number at which they can be contacted*** preceded by the words ‘packaged by’ or ‘repackaged by’; ***(Greens 35, ID 244, S&D245)***
- (b) to ensure compliance with Articles 14 to 17;

for 10 years after having made the detergent or surfactant available on the market.

(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.

Proposal for a Regulation Article 13 – paragraph 1

Text proposed by the Commission

1. Economic operators shall, on request, identify the following to the market surveillance authorities:
 - (a) any economic operator who has supplied them with a detergent or a surfactant;
 - (b) any economic operator to whom they have supplied a detergent or a surfactant.

Amendment

1. Economic operators shall, on request, identify the following to the market surveillance authorities:
 - (a) any economic operator who has supplied them with a detergent or a surfactant;
 - (b) any economic operator to whom they have supplied a detergent or a surfactant.

Proposal for a Regulation Article 13 – paragraph 2

Text proposed by the Commission

2. Economic operators shall be able to provide the information referred to in paragraph 1 for 10 years after they have been supplied with the detergent or surfactant and for 10 years after they have supplied the detergent or surfactant.

Amendment

2. Economic operators shall be able to provide the information referred to in paragraph 1 for 10 years after they have been supplied with the detergent or surfactant and for 10 years after they have supplied the detergent or surfactant.

Compromise Amendment 7 - Article 22-25 Market Surveillance

Supported by EPP, S&D, RE, Greens, ID, The Left

Compromise amendment replacing Amendments IMCO 112, IMCO 113, IMCO 114, IMCO 116, 53, 54, 55, 58, 133, 134, 317, 318, 319, 320, 321, 322, 323, 324, 325

Proposal for a Regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. Where the market surveillance authorities of one Member State have sufficient reason to believe that a detergent or surfactant presents a risk to health or the environment, they shall carry out an evaluation in relation to the detergent or surfactant concerned covering all relevant requirements laid down in this Regulation. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

Proposal for a Regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. Where the market surveillance authorities of one Member State have sufficient reason to believe that a test carried out in accordance with the methods listed in Annex I or Annex II has produced false results, they shall perform controls to verify the compliance of the detergent or surfactant with this Regulation in accordance with the reference methods set out in Annexes I, II and VII. Economic operators shall not be obliged to pay for any repeat or additional test, provided that the initial test has shown compliance of detergents, or surfactants, with this Regulation.

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

Amendment

1. Where the market surveillance authorities of one Member State have sufficient reason to believe that a detergent or surfactant presents a risk to health, *safety* (IMCO) or the environment, they shall carry out an evaluation in relation to the detergent or surfactant concerned covering all relevant requirements laid down in this Regulation. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

Amendment

2. Where the market surveillance authorities of one Member State have sufficient reason to believe that a test carried out in accordance with the methods listed in Annex I or Annex II has produced false results, they shall perform controls to verify the compliance of the detergent or surfactant with this Regulation in accordance with the reference methods set out in Annexes I, II and VII. Economic operators shall not be obliged to pay for any repeat or additional test, provided that the initial test has shown compliance of detergents, or surfactants, with this Regulation.

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 commensurate with the nature of the risk referred to in paragraph 1.

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 *prescribed by the market surveillance authorities and* which is commensurate with the nature of the risk referred to in paragraph 1. *(Greens 53, S&D 318, IMCO)*

Proposal for a Regulation
Article 22 – paragraph 4

Text proposed by the Commission

4. Where the market surveillance authorities consider that non-compliance is not restricted to their national territory, they shall inform the Commission and the market surveillance authorities of other Member States of the results of the evaluation and of the actions which they have required the economic operator to take.

Proposal for a Regulation
Article 22 – paragraph 5-10

Text proposed by the Commission

COM text

Amendment

4. Where the market surveillance authorities consider that non-compliance is not restricted to their national territory, they shall inform the Commission and the market surveillance authorities of other Member States of the results of the evaluation and of the actions which they have required the economic operator to take.

Amendment

COM text

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 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.

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 ***prescribed by the market surveillance authorities and*** which is commensurate with the nature of that risk.
(Greens 54, EPP 324, S&D 325, IMCO)

Proposal for a Regulation
Article 24 – paragraphs 2-3

Text proposed by the Commission

COM text

Amendment

COM text

Proposal for a Regulation
Article 24 – paragraph 4

Text proposed by the Commission

4. The Commission shall without delay enter into consultation with the market surveillance authorities and the relevant economic operator or operators and shall evaluate the national measures taken. On the basis of the results of that evaluation, the Commission shall adopt an implementing act determining whether the national measure is justified or not and,

Amendment

4. The Commission shall without delay enter into consultation with the market surveillance authorities and the relevant economic operator or operators and shall evaluate the national measures taken. On the basis of the results of that evaluation, the Commission shall adopt an implementing act determining whether the national measure is justified or not and,

where necessary, propose appropriate measures.

The Commission shall address its decision to all Member States and shall immediately communicate it to them and the relevant economic operator or operators.

where necessary, propose appropriate measures.

The Commission shall address its decision to all Member States and shall immediately communicate it to them and the relevant economic operator or operators.

On duly justified imperative grounds of urgency relating to the protection of health or the environment, the Commission shall adopt an implementing act, in accordance with the procedure referred to in Article 28 (2a), and ensure that such implementing act is immediately applicable. (Greens 55)

Proposal for a Regulation **Article 25 – paragraph 1**

Text proposed by the Commission

1. Without prejudice to Article 22, where a market surveillance authority makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:
 - (a) ***the CE marking has been affixed in violation of Article 14 or not affixed at all;***
 - (b) the product passport has not been drawn up in accordance with Articles 18 and 19;
 - (c) the technical documentation referred to in Article 7(2) is either not available or incomplete;
 - (d) the data carrier through which the product passport

Amendment

1. Without prejudice to Article 22, where a market surveillance authority makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:
 - (a) ***deleted (EPP 326, 329 ID 327, Renew 328, IMCO)***
 - (b) the product passport has not been drawn up in accordance with Articles 18 and 19;
 - (c) the technical documentation referred to in Article 7(2) is either not available or incomplete;
 - (d) the data carrier through which the product passport and, where relevant, the digital label is accessible is

- and, where relevant, the digital label is accessible is not present on the detergent or surfactant, their packaging, the documentation accompanying them or on the refill station, as applicable;
- (e) the label has not been provided or the labelling information referred to in Articles 15 and Annex V is false or incomplete;
- not present on the detergent or surfactant, their packaging, the documentation accompanying them or on the refill station, as applicable;
- (e) the label has not been provided or the labelling information referred to in Articles 15 and Annex V is false or incomplete;
- (ea) ***any other administrative obligation provided for in the Regulation is not fulfilled. (IMCO)***

Proposal for a Regulation
Article 25 – paragraph 2

Text proposed by the Commission

Amendment

COM text

COM text

Proposal for a Regulation
Article 28

Text proposed by the Commission

Amendment

Article 28

Committee procedure

1. The Commission shall be assisted by the Committee on detergents. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 28

Committee procedure

1. The Commission shall be assisted by the Committee on detergents. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
- 2a. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. (Greens 58)***

Compromise Amendment 8 - Article 29 Penalties

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments IMCO 117, 59, 60

Proposal for a Regulation
Article 29 – paragraph 1

Text proposed by the Commission

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. Member States shall, without delay, notify the Commission of those

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 may include, where appropriate, financial penalties proportionate to the turnover of the legal person that committed the infringement,***

measures and of any subsequent amendment affecting them.

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. (Greens 59)

Proposal for a Regulation
Article 29 – paragraph 1a new

Text proposed by the Commission

Amendment

1a. 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 damage to human health or the environment caused by the infringement, insofar as it can be determined.

(d) the level of cooperation of the natural or legal person held responsible with the competent authority (Greens 60)

Compromise Amendment 9 - Renewable feedstock review

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 9, 61, 190, 335

Proposal for a Regulation
Recital 61a

Text proposed by the Commission

Amendment

(61a) In order to facilitate the transition to a fully circular economy, the Commission should assess the introduction of targets for sustainable

renewable raw materials and recycled content for detergents. (Greens 9)

**Proposal for a Regulation
Article 32a new**

Text proposed by the Commission

Amendment

Article 32a

Renewable feedstock content review

By ... [OP: please insert date – 3 years after the date of application of this Regulation], the Commission shall submit a report to the European Parliament and to the Council assessing the necessity, feasibility, technical consequences and benefits for health and the environment of the introduction of mandatory targets for renewable raw materials and recycled content in detergents and surfactants. In this report, the Commission shall specifically take into account socio-economic impacts, competitiveness of economic operators in the Union, sustainable sourcing as well as the global warming potential, the potential for using food waste in detergents and the potential land use change associated with alternative feedstock and food security in the Union. The report shall be accompanied, where appropriate, by a legislative proposal. (Greens 61, Renew 190, S&D 335)

Compromise Amendment 10 - Article 6 & Annex III Phosphorus

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 2, 11, 12, 13, 14, 65, 85, 86, 180, 181, 182,

Proposal for a Regulation
Recital 10

Text proposed by the Commission

- (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 available.**

Amendment

- (10) Phosphorus is **an** ingredient used in detergents. However, phosphorus and its compounds cause **significant** 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. **(Greens 2, Left 85, S&D 86)**

Proposal for a Regulation
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

- (2) ‘consumer laundry detergent’ means a detergent for laundry placed on the market for use by non-professionals, including in public laundrettes;

Amendment

- (2) ‘consumer laundry detergent’ means a detergent for laundry placed on the market for use by non-professionals, including in public laundrettes;

Proposal for a Regulation
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

- (3) ‘consumer automatic dishwasher detergent’ means a detergent placed on the market for use in automatic dishwashers by non-professionals;

Amendment

- (3) ‘consumer automatic dishwasher detergent’ means a detergent placed on the market for use in automatic dishwashers by non-professionals;

Proposal for a Regulation
Article 2 – paragraph 1 – point 3a new

Text proposed by the Commission

Amendment

(3a) ‘hard surface cleaning product’ means any all-purpose cleaner, kitchen cleaner, window cleaner or sanitary; (Greens 11)

Proposal for a Regulation
Article 2 – paragraph 1 – point 3b new

Text proposed by the Commission

Amendment

(3b) ‘consumer hand dishwashing detergent’ means a detergent used for the cleaning of dishes, cutlery and other kitchen utensils by hand, which is placed on the market for use by non-professionals; (Greens 12, S&D 182)

Proposal for a Regulation
Article 2 – paragraph 1 – point 3c new

Text proposed by the Commission

Amendment

(3c) ‘industrial and institutional laundry detergent’ means a detergent for laundry placed on the market for use by specialised personnel outside the domestic sphere; (Greens 13, S&D 183)

Proposal for a Regulation
Article 2 – paragraph 1 – point 3d new

Text proposed by the Commission

Amendment

(3d) ‘industrial and institutional dishwasher detergent’ means a detergent placed on the market for use by specialised personnel in automatic dishwashers outside of the domestic sphere. (Greens 14, S&D 184)

Proposal for a Regulation
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

Detergents listed in Annex III shall comply with the limitations on the content of phosphates and other phosphorus compounds laid down in that Annex.

Detergents listed in Annex III shall comply with the limitations on the content of phosphates and other phosphorus compounds laid down in that Annex.

Proposal for a Regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The first paragraph shall not apply to detergents that are industrial biocidal products in accordance with Regulation (EU) No 528/2012 or medical devices in accordance with Regulation (EU) No 2017/745. (Greens 202)

Proposal for a Regulation
Article 6 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

The unintentional presence in surfactants and detergents of phosphates and other phosphorus compounds that stems from impurities of ingredients, from the

manufacturing process or storage or from migration from packaging, should be tolerated if that presence is technically unavoidable in good manufacturing practice and, despite such presence, those surfactants and detergents are safe. (Renew 201)

**Proposal for a Regulation
Annex III**

<i>Text proposed by the Commission</i>	
Detergent	Limitations
Consumer laundry detergents	<p>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:</p> <ul style="list-style-type: none"> – for ‘normally soiled’ fabrics in the case of heavy-duty detergents, – for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics.
Consumer automatic dishwasher detergents	<p>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.</p>
<i>Amendment (Greens 65, S&D 384)</i>	
Detergent	Limitations
Consumer laundry detergents	<p>1. 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:</p> <ul style="list-style-type: none"> – for ‘normally soiled’ fabrics in the case of heavy-duty detergents, – for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics. <p>2. Shall not contain phosphate.</p>

	<p>3. Shall not be placed on the market if by [4 years after entry into force] the total content of phosphorus is equal to or greater than</p> <ul style="list-style-type: none"> - 0.1g for 'lightly soiled' fabrics in the case of light-duty detergents, - 0.25g for 'normally soiled' fabrics in the case of heavy-duty detergents, - 0.045 g for stain-removers used as in-wash, - 0.023 g for stain removers used as pre-treatment, <p>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.</p>
Consumer automatic dishwasher detergents	<p>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.</p> <p>2. Shall not contain phosphate.</p> <p>3. Shall not be placed on the market if by [4 years after entry into force] the total content of phosphorus is equal to or greater than</p> <ul style="list-style-type: none"> - 0.2 g/wash in dishwasher detergents, - 0.03g/wash in rinse aids.
<i>Consumer hand dishwashing detergents</i>	<p>Shall not contain phosphate and other phosphorus content by [4 years after entry into force].</p>
<i>Consumer hard surface cleaners</i>	<p>1. Shall not contain phosphate.</p> <p>2. All-purpose cleaners and window cleaners shall not contain phosphorus content by [4 years after entry into force].</p> <p>3. Kitchen cleaners and sanitary cleaners shall not be placed on the market if the total content of phosphorus is equal to or greater than:</p> <ul style="list-style-type: none"> a. 2 g/l of cleaning solution by [4 years after entry into force] and

	<i>b. 1 g/l of cleaning solution by [7 years after entry into force].</i>
<i>Industrial and institutional laundry detergents</i>	<i>Shall not be placed on the market if by [4 years after entry into force] the total content of phosphorus is equal to or greater than 0.5 g/kg of laundry for light soil; 1 g/kg of laundry for medium soil; 1.5 g/kg of laundry for heavy soil.</i>
<i>Industrial and institutional dishwasher detergents</i>	<i>Shall not be placed on the market if by [7 years after entry into force] the total phosphorus content is equal to or greater than - for dishwasher detergents and multi-component systems: -- 0.3 g/l of washing solution for soft water; -- 0.4g/l of washing solution for medium water; -- 0.75g/l of washing solution for hard water. - for pre-soaks 1g/l of washing solution; - for rinse aids 0,02 g/l of washing solution.</i>

Compromise Amendment 11 - Refill

Supported by EPP, S&D, RE, Greens, ID, The Left

Compromise amendment replacing Amendments 4, 15, 90, 91, 177, 178, 198

Proposal for a Regulation

Article 2 – paragraph 1 – point 33

Text proposed by the Commission

Amendment

(33) ‘refill’ means the operation by which the detergent is filled in-store from a large container in the end-users’ own *package* either

(33) ‘refill’ means the operation by which *a consumer or a professional user fills a packaging with a detergent offered by a*

manually or through automatic or semi-automatic equipment;

supplier in the course of a commercial activity, whether in return for payment or free of charge; (S&D 178)

Proposal for a Regulation

Recital 37

Text proposed by the Commission

(37) Since detergents have the same use and present the same risks irrespective of the format in which they are made available on the market, economic operators making detergents available on the market in a refill format should ensure that these comply with the same requirements as the pre-packaged ones. In addition, consumers should receive the required labelling information also when opting for refilled detergents. The refill sale of detergents should, therefore, be explicitly covered by this Regulation in order to ensure a high level of protection of health and the environment and a level playing field for economic operators.

Amendment

(37) Since detergents have the same use and present the same risks irrespective of the format in which they are made available on the market, economic operators making detergents available on the market in a refill format should ensure that these comply with the same requirements as the pre-packaged ones. In addition, consumers should receive the required labelling information also when opting for refilled detergents. The refill sale of detergents should, therefore, be explicitly covered by this Regulation in order to ensure a high level of protection of health and the environment and a level playing field for economic operators.

In order to further the Union's transition towards a circular economy, the reuse and refill of packaging should be encouraged and promoted. Manufacturers and final distributors should, where feasible, enable and further develop the sale of detergents in refill format at the point of sale and should endeavour to make detergents available to consumers in other sustainable sales forms, for example by making detergents available in recyclable packaging that allows consumers to refill the appropriate packaging at home, where possible while ensuring the

safety of consumers. (Greens 4, Renew 90, EPP 91)

Compromise Amendment 12 - Article 4 Biodegradability

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 1, 16, 17, 18, 19, 20, 84, 92, 187, 188, 189, 191, 193, 194, 330

Proposal for a Regulation Recital 9a new

Text proposed by the Commission

Amendment

(9a) There are substances used in detergents, other than surfactants, which might remain in wastewater after use and, if not removed by wastewater operators in costly processes, they persist and built up in the environment. In order to facilitate innovation and address potential risks to health and the environment, it is necessary to set a mid-term target ensuring that detergents, as a whole, are inherently biodegradable. To give manufacturers time to adapt product formulations, sufficient transition periods should be provided and relevant test criteria should be established well in advance. (Greens 1, S&D 84, Renew 92)

Proposal for a Regulation
Article 4 – title

Amendment

Text proposed by the Commission

Biodegradability

Biodegradability

Proposal for a Regulation
Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. Detergents and surfactants shall comply with the biodegradability requirements laid down in Annex I.

1. Detergents and surfactants shall comply with the biodegradability requirements laid down in Annex I.

Proposal for a Regulation
Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Paragraph 1 shall not apply to the following:

- (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*

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 when they meet any of the following conditions:*

- (a) they are included in the Union list of approved active substances as laid down in Article 9(2) of Regulation (EU) No 528/2012;
- (b) *they are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014*
- (c) *they* are constituents of biocidal products and may be made available on the market or used in accordance with Article

*programme as set out
in Commission
Delegated Regulation
(EU) No 1062/2014³;*

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

*55 of Regulation (EU) No 528/2012.
(Greens 16-19)*

Proposal for a Regulation
Article 4 – paragraph 2a new

Text proposed by the Commission

Amendment

2a By... [4 years after the entry into force of the delegated act adopted in accordance with the second subparagraph organic ingredients of detergents other than surfactants shall be inherently biodegradable.

By... [two 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 for constituents other than surfactants.

Where necessary, the Commission is empowered to adopt delegated acts in accordance with Article 27 to allow for the use of substances in detergents that do not comply with the biodegradability criteria established in accordance with Annex I

When adopting delegated acts in accordance with the second and third subparagraphs, 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 environment.

Proposal for a Regulation
Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

3a. By... [two years after the entry into force of the delegated act adopted in accordance with the second subparagraph], water-soluble film around detergents shall be degradable.

By... [18 months from the date of entry into force of this Regulation], The Commission shall adopt delegated acts in accordance with Article 27 supplementing Annex I with criteria and test methods for the degradability of water-soluble film around detergents. (Greens 20, Renew 193, S&D 194)

Compromise Amendment 13 - Article 18-20 & Annex VI Digital Product Passport

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments IMCO 17, IMCO 18, IMCO 19, IMCO 20, IMCO 31, IMCO 32, IMCO 33, IMCO 94, IMCO 95, IMCO 96, IMCO 97, IMCO 98, IMCO 99, IMCO 100, IMCO 101, IMCO 102, IMCO 103, IMCO 104, IMCO 105, IMCO 106, IMCO 107, IMCO 108, IMCO 109, IMCO 110, IMCO 111, IMCO 122, 46, 47, 48, 49, 50, 51, 52, 78, 79, 80, 125, 126, 127, 128, 129, 130, 131, 132, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 381, 382, 383

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) Manufacturers should create a product passport to provide information on the conformity of detergents and surfactants with this Regulation, as well as with any other legislation that the detergent or surfactant must comply with. In order to facilitate checks on detergents or surfactants and to allow the actors in the supply chain and end-users to access necessary information such as ingredients and use instructions, the information on the product passport should be provided digitally and in a directly accessible manner, through a data carrier affixed to the label of the detergent or surfactant, its packaging or the accompanying documentation. Market surveillance authorities, economic operators and end-users should, therefore, have immediate access to compliance or other information on the detergent or surfactant through the data carrier.

Amendment

Manufacturers should create a product passport to provide information on the conformity of detergents and surfactants with this Regulation, as well as with any other legislation that the detergent or surfactant must comply with. In order to facilitate checks on detergents or surfactants and to allow the actors in the supply chain and end-users to access necessary information such as ingredients and use instructions, the information on the product passport should be provided digitally and in a directly accessible manner, through a data carrier affixed to the label of the detergent or surfactant, its packaging or the accompanying documentation. Market surveillance authorities, economic operators and end-users should, therefore, have immediate access to compliance or other information on the detergent or surfactant through the data carrier.

Proposal for a regulation Recital 39a

Text proposed by the Commission

Amendment

(39a) ***To avoid costs to companies and to the public that are disproportionate to the wider benefits, the product passport should, by default, be specific to the model of a detergent or surfactant. When there are changes to the formula or when there are compositional differences according to the batch, the product passport should be specific to the batch. (EPP 126. IMCO)***

Proposal for a regulation Recital 43

Text proposed by the Commission

Amendment

(43) When other Union legislation applicable to detergents or surfactants requires a product passport, a single product passport should be **available** for detergents and surfactants containing the information required under this Regulation and the other Union legislation.

(43) When other Union legislation applicable to detergents or surfactants requires a product passport, a single product passport should be **required** for detergents and surfactants containing the information required under this Regulation and the other Union legislation.

Furthermore, the requirements for the technical design of the product passport for detergents and surfactants should be compatible with separate technical design criteria foreseen in other Union legislation. (IMCO)

Proposal for a regulation

Recital 44

Text proposed by the Commission

Amendment

(44) It is crucial to make clear to both manufacturers and users that by creating the product passport for detergent or surfactant ***and, where relevant, by affixing the CE marking***, the manufacturer declares that the detergent or surfactant is in conformity with all applicable requirements and that the manufacturer takes full responsibility thereof.

(44) It is crucial to make clear to both manufacturers and users that by creating the product passport for detergent or surfactant, the manufacturer declares that the detergent or surfactant is in conformity with all applicable requirements and that the manufacturer takes full responsibility thereof. ***(EPP 127, 129, ID 128, Renew 130)***

Proposal for a regulation

Recital 45

Text proposed by the Commission

Amendment

(45) Where certain information is provided ***only*** digitally, it is necessary to clarify that this information needs to be provided separately and clearly distinguished from each other but through a single data carrier. This will facilitate the work of market surveillance authorities but also provide clarity to end users regarding the different pieces of information that are available to them in a digital format.

(45) Where certain information is provided digitally, it is necessary to clarify that this information needs to be provided separately and clearly distinguished from each other but through a single data carrier. This will facilitate the work of market surveillance authorities but also provide clarity to end users regarding the different pieces of information that are available to them in a digital format. ***(ID 131, EPP 132)***

Proposal for a Regulation
Article 2 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘unique product identifier’ means a unique string of characters **that allows** the identification of a product **and** enables a web link to the product passport;

Amendment

(28) ‘unique product identifier’ means a unique string of characters **for** the identification of a product **that also** enables a web link to the product passport; **(IMCO)**

Proposal for a Regulation
Article 2 – paragraph 1 – point 29

Text proposed by the Commission

(29) ‘unique operator identifier’ means a unique string of characters for the identification of **economic operators** involved in the value chain of products;

Amendment

(29) ‘unique operator identifier’ means a unique string of characters for the identification of **actors** involved in the value chain of products; **(IMCO)**

Proposal for a Regulation
Article 2 – paragraph 1 – point 34

Text proposed by the Commission

(34) ‘batch’ means a defined quantity of finished products that meets the following conditions:

- is produced in a single manufacturing process or a series of processes during the same manufacturing cycle;
- is intended to have a uniform composition when tested in accordance with the same test methods; and
- is clearly defined by a type number, batch number or other element allowing its identification.

Amendment

(34) ‘batch’ means a defined quantity of finished products that meets the following conditions:

- is produced in a single manufacturing process or a series of processes during the same manufacturing cycle;
- is intended to have a uniform composition when tested in accordance with the same test methods; and
- is clearly defined by a type number, batch number or other element allowing its identification.

Proposal for a Regulation
Article 2 – paragraph 1 – point 34a

Text proposed by the Commission

Amendment

(34a) ‘model’ means a group of detergents or surfactants that meet the following conditions:

- ***they are under the responsibility of the same manufacturer;***
- ***they have the same content in accordance with Part A of Annex V and are manufactured using the same manufacturing processes;***
- ***they are intended to have a uniform composition when tested in accordance with the same test methods; and***
- ***they are clearly defined by a type number or other element allowing their identification;***

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

1. Before placing a detergent or surfactant on the market, manufacturers shall create a product passport for those products. The product passport shall meet the requirements laid down in this Article and Article 19.

Amendment

1. Before placing a detergent or surfactant on the market, manufacturers shall create a product passport for those products. The product passport shall meet the requirements laid down in this Article and Article 19.

This obligation shall apply eighteen months after entry into force of the implementing act adopted in accordance with paragraph 9.

Proposal for a regulation
Article 18 – paragraph 2 – point a

Text proposed by the Commission

(a) it shall correspond to a specific batch of the detergent or surfactant;

Amendment

(a) it shall correspond ***to a specific model, that shall be updated when changes are made to the list of ingredients, or where appropriate,*** to a specific batch of the detergent or surfactant; ***(EPP286, Renew 287, 288, S&D289, 290, ID291, IMCO)***

Proposal for a regulation
Article 18 – paragraph 2 – point c

Text proposed by the Commission
(c) it shall contain at least the information included in Annex VI;

Amendment
(c) it shall contain at least the information included in Annex VI;

Proposal for a regulation
Article 18 – paragraph 2 – point d

Text proposed by the Commission
(d) it shall be up-to date;

Amendment
(d) it shall be upto-date, **accurate and complete**; (S&D294, IMCO)

Proposal for a regulation
Article 18 – paragraph 2 – point e

Text proposed by the Commission
(e) it shall be available in the language or languages required by the Member State where the detergent or surfactant is placed or made available on the market;

Amendment
(e) it shall be available in the language or languages required by the Member State where the detergent or surfactant is placed or made available on the market;

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 **easily** accessible to **customers, end-users, manufacturers, importers, distributors, competent national authorities, market surveillance authorities, customs authorities, the Commission, other economic operators and other relevant stakeholders such as civil society organisations and researchers (Greens 46, S&D 295, IMCO)**

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 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;

Proposal for a regulation
Article 18 – paragraph 2 – point i

Text proposed by the Commission

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

Amendment

(i) it shall fulfil the specific and technical requirements laid down pursuant to paragraph 9. **(S&D302, IMCO)**

Proposal for a regulation
Article 18 – paragraph 3

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. **(Greens 49, S&D303, IMCO)**

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the refill station.

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the refill station.

The data carrier shall be clearly visible to the end-user before any purchase and to market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales.

The data carrier shall be clearly visible to the end-user before any purchase and to market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales **on the main page of the online product page.** (S&D304, IMCO)

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

4. Where economic operators provide a digital label, a single data carrier shall be used to access the product passport and the digital label.

Amendment

4. Where economic operators provide a digital label, a single data carrier shall be used to access the product passport and the digital label.

Proposal for a regulation
Article 18 – paragraph 5

Text proposed by the Commission

5. Where other Union legislation requires information on the detergent or surfactant to be available via a data carrier, a single data carrier shall be used to provide the information required under this Regulation and the other Union legislation.

Proposal for a regulation
Article 18 – paragraph 6

Text proposed by the Commission

6. Where other Union legislation applying to detergents and surfactants requires a product passport, a single product passport shall be created for detergents and surfactants, containing the information set out in paragraph 2 as well as any other information required for the product passport by that other Union legislation.

Proposal for a regulation
Article 18 – paragraph 7

Text proposed by the Commission

7. Economic operators may, in addition to the information referred to in paragraphs 5 and 6, make other information accessible through the data carrier referred to in paragraph 6. Where this is the case, that information shall be clearly separated from the information required under this Regulation and, where relevant, under other Union legislation.

Proposal for a regulation
Article 18 – paragraph 8

Text proposed by the Commission

8. By creating the product passport, the manufacturer shall assume the responsibility for the compliance

Amendment

5. Where other Union legislation requires information on the detergent or surfactant to be available via a data carrier, a single data carrier shall be used to provide the information required under this Regulation and the other Union legislation.

Amendment

6. Where other Union legislation applying to detergents and surfactants requires a product passport, a single product passport shall be created for detergents and surfactants, containing the information set out in paragraph 2 as well as any other information required for the product passport by that other Union legislation.

Amendment

7. Economic operators may, in addition to the information referred to in paragraphs 5 and 6, make other information accessible through the data carrier referred to in paragraph 6. Where this is the case, that information shall be clearly separated from the information required under this Regulation and, where relevant, under other Union legislation.

Amendment

8. By creating the product passport, the manufacturer shall assume the responsibility for the compliance

of the detergent or surfactant with this Regulation.

of the detergent or surfactant with this Regulation.

Proposal for a regulation
Article 18 – paragraph 9

Text proposed by the Commission

9. The Commission shall adopt an implementing act determining the specific and technical requirements related to the product passport for detergents and surfactants. Those requirements shall set out at least the following:
- (a) the types of data carrier to be used;
 - (b) the layout in which the data carrier shall be presented and its positioning;
 - (c) the technical elements of the passport for which defined European or international standards shall be used;
 - (d) the actors that may introduce or update the information in the product passport, including where needed the creation of a new product passport, including manufacturers, competent national authorities, and the Commission, or any organisation acting on their behalf, and the types of information they may introduce or update;

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).

Amendment

9. ***By 12 months after entry into force of this Regulation,*** the Commission shall adopt an implementing act determining the specific and technical requirements related to the product passport for detergents and surfactants. Those requirements shall set out at least the following:
- (a) the types of data carrier to be used;
 - (b) the layout in which the data carrier shall be presented and its positioning;
 - (c) the technical elements of the passport for which defined European or international standards shall be used;
 - (d) the actors that may introduce or update the information in the product passport, including where needed the creation of a new product passport, including manufacturers, competent national authorities, and the Commission, or any organisation acting on their behalf, and the types of information they may introduce or update;

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).

Proposal for a regulation
Article 19 – paragraph 1 – point a

Text proposed by the Commission

- (a) product passports created under this Regulation shall be fully interoperable with product passports required by other Union legislation in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer;

Amendment

- (a) product passports created under this Regulation shall be fully interoperable with product passports required by other Union legislation in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer;

Proposal for a regulation
Article 19 – paragraph 1 – point b

Text proposed by the Commission

- (b) all information included in the product passport shall be based on open standards developed with an interoperable format and shall be machine readable, structured and searchable;

Amendment

- (b) all information included in the product passport shall be based on open standards developed with an interoperable format and shall be, ***where appropriate, machine readable, structured, searchable, and transferable through an open interoperable data exchange network without vendor lock-in; (IMCO)***

Proposal for a regulation
Article 19 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

- (b a) product passports shall be designed and operated in a user-friendly way; (Greens 52, EPP312, IMCO)***

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 existing users; (Greens51, IMCO)

Proposal for a regulation

Article 19 – paragraph 1 – point d

Text proposed by the Commission

(d) the data included in the product passport shall be stored by the economic operator responsible for its creation or by operators authorised to act on their behalf;

Amendment

(d) the data included in the product passport shall be stored **and updated** by the economic operator responsible for its creation or by operators authorised to act on their behalf. (IMCO)

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. Before placing a detergent or surfactant on the market, economic operators shall upload, in the registry established under Article 12(1) of Regulation (EU) .../... on Ecodesign for Sustainable Products the unique product identifier and the unique operator identifier for the detergent or surfactant.

Amendment

1. Before placing a detergent or surfactant on the market, economic operators shall upload, in the registry established under Article 12(1) of Regulation (EU) .../... on Ecodesign for Sustainable Products the unique product identifier and the unique operator identifier for the detergent or surfactant.

Proposal for a Regulation

Article 20 – paragraph 2

Text proposed by the Commission

2. The Commission, the market surveillance authorities and the customs authorities shall have access to the registry referred to in paragraph 1 for carrying out their duties pursuant to this Regulation.

Amendment

2. The Commission, the market surveillance authorities and the customs authorities shall have access to the registry referred to in paragraph 1 for carrying out their duties pursuant to this Regulation.

Proposal for a Regulation

Article 26 – paragraph 1

Text proposed by the Commission

1. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annex VI, as regards the information to be provided in the product passport, for the purposes of adapting it to technical and scientific progress and to the level of digital readiness of market surveillance authorities and of end-users.

Amendment

1. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annex VI, as regards the information to be provided in the product passport, for the purposes of adapting it to technical and scientific progress and to the level of digital readiness of market surveillance authorities and of end-users, ***taking into account the applicable Union law on the protection of undisclosed business information and on public access to environmental information. (EPP 125, 292, 296, 310, ID 293, 297, 311)***

Proposal for a Regulation

Annex VI

Text proposed by the Commission

PRODUCT PASSPORT

The product passport shall include the following information:

- (a) the unique product identifier of the detergent or surfactant;
- (b) the name, the address of the manufacturer or the manufacturer's authorised representative as well the manufacturer's unique operator identifier;
- (c) the identification of detergent or surfactant allowing traceability, including a colour image of sufficient clarity to enable

Amendment

PRODUCT PASSPORT

The product passport shall include the following information:

- (a) the unique product identifier of the detergent or surfactant;
- (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; ***(Greens 78)***
- (c) the identification of detergent or surfactant allowing traceability, including a colour image of

- the identification of the detergent or surfactant;
- (d) the commodity code under which the detergent or surfactant is classified at the moment the product passport is created, as set out in Council Regulation (EEC) No 2658/87⁴;
 - (e) references to Union legal acts that the detergent or surfactant complies with;
 - (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.

The obligation referred to in point (f) shall not apply to professional detergents, or to surfactants for professional detergents, for which a safety data sheet referred to in Article 31 of Regulation (EC) No 1907/2006 is available.

- sufficient clarity to enable the identification of the detergent or surfactant;
- (d) the commodity code under which the detergent or surfactant is classified at the moment the product passport is created, as set out in Council Regulation (EEC) No 2658/87⁵;
 - (e) references to Union legal acts that the detergent or surfactant complies with;
 - (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 common chemical name or International Union of Pure and Applied Chemists name. **(Greens 79, S&D 383)**
 - (g) **the technical documentation and results of the conformity assessment procedure referred to in Article 7(2); (IMCO)**
 - (h) **where applicable, the results of the test carried out by the manufacturer in accordance with point 9 of Annex II and the third party verification statement of those tests.**
 - (i) **where applicable, a link to the digital label referred to in Article 16(1). (Greens 80)**

The obligation referred to in point (f) shall not apply to professional

⁴ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁵ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

detergents, or to surfactants for professional detergents, for which a safety data sheet referred to in Article 31 of Regulation (EC) No 1907/2006 is available.

The information referred to in point (g) shall only be available to market surveillance authorities of the Member States and the Commission.

Compromise Amendment 14 - Animal testing

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 5, 6, 41, 87, 88, 186, 199

Proposal for a regulation

Recital 12a new

Text proposed by the Commission

Amendment

(12a) In accordance with Directive 2010/63/EU of the European Parliament and of the Council^{1a}, it is necessary to replace, reduce or refine testing on animals, with a view to stop using animals for testing as soon as possible. Placing on the market of detergents and surfactants which have been the subject of animal testing in order to meet the requirements of this Regulation should therefore generally be prohibited while ensuring the protection of human health and allowing the use of historic data. The Commission should validate relevant alternative testing methods and derogations where appropriate and encourage the sharing of information between all relevant stakeholders to support the development of non-animal testing methods taking into account the applicable Union law on the protection of undisclosed business information and on public access to environmental information. (Greens 5, 88, Left 87)

Proposal for a regulation
Recital 12b new

Text proposed by the Commission

Amendment

(12c) The use of the claim 'animal testing free' or similar claims should only be allowed if it is ensured that during the manufacturing and conformity testing 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. (Greens 6)

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Animal testing

- 1. The safety of detergents and surfactants and conformity with this Regulation shall be established by using non-animal new approach methods validated and adopted at Union level.***
- 2. Without prejudice to the general obligations deriving from Article 1(1), 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 object of animal testing with a view 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 with a view to meet the requirements of this Regulation.***

3. Paragraphs 1 and 2 shall be applicable without prejudice to relevant Union law, and shall not prevent the use of data acquired before the date of entry into force of this Regulation.

4. In exceptional circumstances, where concerns arise as regards the safety of a detergent ingredient, the Commission may adopt a decision granting a derogation from paragraphs 1 and 2. The Commission may act on its own initiative or on the basis of a reasoned request from an economic operator or a Member State.

When the Commission acts on the basis of a reasoned request from an economic operator or a Member State, that request shall contain an evaluation of the situation and indicate the necessary measures. On this basis, the Commission may, after consulting the relevant scientific Committee, Agency or body, adopt a decision authorising the derogation.

That decision shall lay down the conditions associated with this derogation in terms of specific objectives, duration and reporting of the results.

A derogation shall be granted only where:

(a) the ingredient is widely used and cannot be replaced by another ingredient capable of performing a similar function;

(b) the human health problem is substantiated and the need to conduct animal tests is justified and is supported by a detailed research protocol proposed as the basis for the evaluation. (Greens 23, 199, Left 186)

Proposal for a Regulation
Article 15 – paragraph 5b new

Text proposed by the Commission

Amendment

5b. Without prejudice to Directive .../... [Directive on green claims], the label of detergents and surfactants may report the fact that no animal tests have been carried out only if the manufacturer and its suppliers, where this information can be identified by the manufacturer with all reasonable efforts, 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 report 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. (Greens 41)

Compromise Amendment 15 – Article 1 & Definitions

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments 10, 81, 82, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) The conditions for placing and making available on the market of detergents and surfactants for detergents have been harmonised through Regulation (EC) No 648/2004 of the European Parliament and of the Council.

(1) The conditions for placing and making available on the market of detergents and surfactants for detergents have been harmonised through Regulation (EC) No 648/2004 of the European Parliament and of the Council.

Proposal for a regulation

Article 1 - paragraph 1

Text proposed by the Commission

1. This Regulation establishes rules for the free movement of detergents and surfactants in the internal market while, at the same time, ensuring a high degree of protection of health and the environment.

Amendment

1. This Regulation establishes rules for the free movement of detergents and surfactants in the internal market while, at the same time, ensuring a high degree of protection of health and the environment.

Proposal for a regulation

Article 1 - paragraph 2

Text proposed by the Commission

2. This Regulation does not affect the application of the following legal acts:
 - (a) Regulation (EC) No 1907/2006 of the European Parliament and of the Council;
 - (b) Regulation (EC) No 1272/2008 of the European Parliament and of the Council;
 - (c) Regulation (EU) No 528/2012 of the European Parliament and of the Council.

Amendment

2. This Regulation does not affect the application of the following legal acts:
 - (a) Regulation (EC) No 1907/2006 of the European Parliament and of the Council;
 - (b) Regulation (EC) No 1272/2008 of the European Parliament and of the Council;
 - (c) Regulation (EU) No 528/2012 of the European Parliament and of the Council.

Proposal for a regulation

Article 2 - paragraph 1 - point 11

Text proposed by the Commission

- (11) ‘surfactant’ means any organic substance or mixture used in detergents, which has surface-active properties and which consists of one or more hydrophilic and one or more hydrophobic groups of such a nature and size that it is capable to perform all of the following actions:
 - to reduce the surface tension of water below 45 mN/m;

Amendment

- (11) ‘surfactant’ means any organic substance or mixture used in detergents, which has surface-active properties and which consists of one or more hydrophilic and one or more hydrophobic groups of such a nature and size that it is capable to perform all of the following actions:
 - to reduce the surface tension of water below 45 mN/m;

- to form spreading or adsorption monolayers at the water-air interface;
- to form emulsions and/or microemulsions and/or micelles;
- to adsorb at water-solid interfaces;

- to form spreading or adsorption monolayers at the water-air interface;
- to form emulsions and/or microemulsions and/or micelles;
- to adsorb at water-solid interfaces;

Proposal for a regulation

Article 2 - paragraph 1 - point 1

Text proposed by the Commission

- (1) ‘detergent’ means any of the following:
- a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces;
 - a mixture intended for soaking (pre-washing), rinsing or bleaching fabrics or dishes;
 - a mixture intended to modify the feel of fabrics in processes which are to complement the washing of fabrics;

Amendment

- ‘detergent’ means any of the following:
- a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces;
 - a mixture intended for soaking (pre-washing), rinsing or bleaching fabrics or dishes;
 - a mixture intended to modify the feel *or odour* of fabrics in processes which are to complement the washing of fabrics;

Compromise Amendment 16 – Article 31: Review

Supported by EPP, S&D, RE, Greens, The Left

Compromise amendment replacing Amendments: 192, 336, 3, 83, 89, 179, 195, 197, 203, 204, 333, 334

Proposal for a Regulation

Article 31

Text proposed by the Commission

By [OP: please insert the date = 5 years from the date of application of this Regulation], the Commission shall submit

Amendment

By [OP: please insert the date = 5 years from the date of application of this Regulation], the Commission shall submit

to the European Parliament and to the Council a report on the application of this Regulation. The report shall contain an assessment of how this Regulation is achieving its objectives, including an assessment on the impact on small and medium-sized enterprises.

to the European Parliament and to the Council a report on the application of this Regulation.

The report shall contain an assessment of:

(a) how this Regulation is achieving its objectives, including an assessment on the impact on small and medium-sized enterprises;

(b) the risk of the generation of anti-microbial resistance associated with the use of detergents or surfactants with biocidal properties; (S&D 192)

(c) the occurrence of unsubstantiated marketing claims, advertisements and packaging designs which mislead or have the potential to mislead consumers by giving the impression of healthier or environmentally friendlier detergents or surfactants; (Renew 336)

(d) physical and digital labelling requirements of detergents, taking into account the safety of end-users and the environment and the level of digital readiness among all population groups in the Union.

(e) the feasibility and environmental and socio-economic costs and benefits of a phase out of phosphorus in consumer detergents and of a reduction and where possible phase-out of phosphorus in detergents for industrial & institutional use in line with the commitments under the Baltic Sea Action Plan;

(f) the environmental, health and socio-economic costs and benefits of extending the generic approach to risk management to detergents and surfactants and of phasing out substances of concern, including those that cause cancers, gene mutations, affect the reproductive or the endocrine system, are persistent and bioaccumulative, affect the immune, neurological or respiratory systems or are toxic to a specific organ, taking into account combination effects, in order to achieve a non-toxic environment.

The report shall be accompanied, where

appropriate, by a legislative proposal.