



Council of the European Union
General Secretariat

Brussels, 17 September 2024

**Interinstitutional files:
2023/0124 (COD)**

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NOTE

From:	Presidency
To:	Working Party on Technical Harmonisation (Dangerous Substances - Chemicals)
N° Cion doc.:	ST 8904 2023 ADD 1-7
Subject:	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 - Presentation by the Presidency for the WP on 16 September 2024



DETERGENTS & SURFACTANTS

WORKING PARTY ON TECHNICAL HARMONISATION

16 SEPTEMBER 2024, THURSDAY

THE MOST IMPORTANT TOPICS IN THE LIGHT OF YOUR COMMENTS:

- I. **General provisions**
(definitions)
- II. **Product requirements (in.: biodegradability, microorganisms, phosphate & phosphorus, animal testing)**
- III. **Obligations of economic operators (in.: authorised representative)**
- IV. **(CE marking and) labelling (in.: refill format, no animal tests, physical label, needs of vulnerable groups)**
- V. **DPP**
- VI. **Market surveillance**
- VII. **Delegated powers**
- VIII. **Transitional and final provisions (in.: penalties, reviews, transitional period)**
- XI. **ANNEXes (in.: microorganisms, labelling, DPP)**

I

GENERAL PROVISIONS

Subject matter

and

Definitions of

- 'detergents'
- New classes refer to ANNEX III
- 'cleaning'
- 'market surveillance' & 'market surveillance authority'
- 'corrective measure'
- 'refill' & 'refill station'
- 'model'



(Related to:)

(II. PRODUCT REQUIREMENTS + ANNEX III
– CONTENT OF PHOSPHORUS AND PHOSPHATES)

(VI. MARKET SURVEILLANCE)

(IV. LABELLING)

(VI. DPP)

II

PRODUCT REQUIREMENTS



- **Biodegradability**
 - 'inherent biodegradability'
 - biodegradability of water-soluble film
 - biodegradability of other organic ingredients
 - exceptions from the requirements of biodegradability

- **Microorganisms** > see in **ANNEX II**

- **Phosphates and other phosphorous compounds**
 - limitations and categories in ANNEX III

- **Animal testing**
 - non-animal new approach methods

OBLIGATIONS OF ECONOMIC OPERATORS 1/2

- **Manufacturers**

- keeping the technical documentation and DPP
- ingredients data sheet
- sharing relevant information on any conformity issue or risk
- timeframe and format of sharing information
- publicity of communication channels

- **Authorised representatives**

- appointing authorised representative
- postal and e-mail addresses
- demonstrate the conformity of the detergent or surfactant
- terminating the mandate if the manufacturer does not comply with its obligations
- terminating the mandate if the product presents a risk
- tasks when authorised representative changed

OBLIGATIONS OF ECONOMIC OPERATORS 2/2

- **Importers**

- indicating the contact details (,telephone number')
- tasks of importers in case of suspected non-conformity
- sharing relevant information on any conformity issue or risk
- demonstrate the conformity of the detergent or surfactant
- verifying the publicity of the communication channels

- **Distributors and packaging and repackaging by importers and distributors**

- tasks of distributors in case of suspected non-conformity
- demonstrate the conformity of the detergent or surfactant
- obligation to ensure the package bears the requested information

(CE-MARKING AND) LABELLING



- physical label (referred to refill format directly to end-users)
 - information on the label (referred to refill format directly to end-users)
 - language of the information
 - the label's report on non-animal tests
 - displaying labelling elements (referred to refill format directly to end-users)
 - the needs of vulnerable groups
 - presentation of data carrier
 - statement for scanning
 - providing information present in the digital label by other means
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- Distance sales (by Council)
 - Supply in refill format (by Council)

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DPP

- the time period when obligation shall apply
- 'model'
- requirements of the DPP accessibility
- the specific requirements of the DPP determined by implementing act
- user friendly way to design and operate DPP
- free of charge and easy access to DPP



MARKET SURVEILLANCE

- determining of the time for corrective measure
- formal non-compliance

DELEGATED POWERS

- delegated acts to amend ANNEX VI (DPP)
- non-animal approaches for testing the respiratory sensitisation of microorganisms
- delegated acts to update the standards applicable for the enumeration of microorganisms

FINAL PROVISIONS

- penalties
- detailed and classified reports
- review the list of pathogenic microorganisms
- renewable feedstock content review
- transitional period

PUBLIC

ANNEXES

- **Microorganisms (ANNEX II)**

- conditions for intentionally added microorganisms
- pathogenic microorganisms
- placing on the market of detergents containing microorganisms in a spray format
- risk assessment
- independent third party verification

- **Labelling (ANNEX V)**

- quantities and / or dosage instructions
- capacity of any measuring cup
- dosage level marking for soft and medium water hardness
- indication the standard dosage
- independent third party verification

- **DPP (ANNEX VI)**

- result of the tests
- link to digital label
- availability of the full list of microorganisms

