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NOTE

From: To:	AT, BG, CZ, DK, ES, FI, FR, HU, IE, LT, LV, PL, RO, SI, SE delegation Working Party on Technical Harmonisation (Dangerous Substances - Chemicals)
N° prev. doc.: N° Cion doc.:	ST 8717/24 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 - Comments by AT, BG, CZ, DK, ES, FI, FR, HU, IE, LT, LV, PL, RO, SI, SE

Comments on Detergents Regulation ST 8717 2024

From: AT, BG, CZ, DK, ES, FI, FR, HU, IE, LT, LV, PL, RO, SI, SE **Updated: 13/05/2024 14:33**

Presidency compromise ST 8717 2024	Drafting Suggestions and Comments
General comments	HU (Comments): Overall, HU supports the Presidency's compromise proposal on detergents and surfactants, on the amendment of the draft Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1020 and repealing Regulation 648/2004/EK, given that the compromise proposal simplifies the rules on detergents and reduces the regulatory burden for detergent manufacturers. In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). However, the compromised text gives in some cases more responsibility for the authorised representatives than manufacturers or importers. Therefore, HU doesn't support current state of the authorised representative because they shouldn't get more responsibility. HU requests the deletion of the CE marking requirement from the

	proposal. CE marking can be easily subject to counterfeiting and CE marking will not be a reliable indicator of a detergent product's conformity with the Detergents Regulation. The self-declaration leads to additional administrative burden for the sector, in particular SMEs, without any added value. Actual compliance can only be verified through enforcement against the requirements of the regulation. Regarding the digital product passport (DPP), HU believes that this should be introduced at the model level and not at the batch level. Using batch level would require tens of thousands of DPPs for the same product, with no added benefit for the consumer but an administrative burden. The model level, by contrast, would require changing the DPP only when the ingredients change, while avoiding unreasonable burden. Regarding Article 11 and Article 12, we would like to request clarification on to the role of refill operator in its activities, especially if the refill product is placed on the market under the original trade name.We would like to make sure that the definition and role align with CLP Regulation. Furthermore, we have some questions regarding Annex II. point 7.: Q1: Is it generally true that detergents and surfactants marketed in spray form and containing microorganisms can cause respiratory sensitisation?

	Or does this represent a precautionary approach where, if the risk assessment proves that the product in question has no such property, this warning can be omitted from the label? Q2: Is "The product may cause respiratory sensitisation." the exact wording of this warning sentence or can a text with a similar content be displayed, which also properly draws the user's attention to the risk? Q3: How exactly should this warning be displayed on the label if the detergent is classified for respiratory sensitisation according to the CLP Regulation and therefore the label must in any case include the hazard statement H334 "May cause allergy or asthma symptoms or breathing difficulties if inhaled"? May the warning be omitted in such cases?
2023/0124 (COD)	
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	
(Text with EEA relevance)	
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	
Having regard to the proposal from the European Commission,	

After transmission of the draft legislative act to the national parliaments,	
Having regard to the opinion of the European Economic and Social Committee[1],	
Acting in accordance with the ordinary legislative procedure,	
Whereas:	
(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[2]. **The harmonised requirements of this regulation were related to the particular conditions of use and the disposal of**	

[1] OJ C , , p. .

[2] Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (OJ L 104, 8.4.2004, p. 1).

detergent with wastewater.	
(2) The Commission evaluation of Regulation (EC) No 648/2004[1] concluded that overall that Regulation has achieved its objectives to a large extent. However, the evaluation also identified a number of weaknesses and areas for further improvement. In recent years, the regulatory framework for chemicals has changed radically creating a lack of coherence and duplications in the rules applicable to detergents and notably their information requirements. There is therefore a need to ensure consistency and to eliminate the duplicated information requirements.	
(3) New market developments, in particular the development of detergents containing micro-organisms and the refill sale of detergents have emerged that are either completely or partially not covered by Regulation (EC) No 648/2004. On the other hand, digitalisation offers opportunities for simplification, burden reduction and increased ease of	DK (Drafting Suggestions): (3) New market developments, in particular the development of detergents containing micro-organisms and the refill sale of detergents have emerged that are either completely or partially not covered by

[1] Evaluation of Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (SWD(2019)298).

use and understandability of safety and use information that are currently missed. It is therefore necessary to take account of the newly emerged products and practices and step up the digitalisation efforts in line with the overarching objectives of the Union especially in terms of sustainability, green and digital transition.	Regulation (EC) No 648/2004**, nor does it take into account that detergents from third countries may be sold directly to EU consumers through online sales.** On the other hand, digitalisation offers opportunities for simplification, burden reduction and increased ease of use and understandability of safety and use information that are currently missed. It is therefore necessary to take account of the newly emerged products and practices and step up the digitalisation efforts in line with the overarching objectives of the Union especially in terms of sustainability, green and digital transition. DK (Comments): Regulation (EC) No 648/2004 does not take into account that detergents from third countries may be sold directly to EU consumers through online sales without an economic operator established within the EU who is responsible for the compliance of the detergent. Therefore, any non-compliance cannot be enforced by the market surveillance authorities. This massive legal loophole distorts the fair competition for all EU based companies and entails risks for health and the environment in the EU. The revision of the Detergents Regulation should aim at solving this issue.

(4) The Fitness Check of the most relevant chemicals legislation[1] (excluding Regulation (EC) No 1907/2006 of the European Parliament and of the Council[2]) highlighted the complexity of the Union regulatory framework for chemicals and attributed it to the large number of product and sector specific pieces of legislation with embedded links with each other. It also pointed out that there is room for simplification in the communication of information of overcrowded labels to product users, and found that the use of innovative tools for communicating product information is currently not being taken advantage of. It is, therefore, necessary that the current rules are simplified to reduce burden for economic operators, improve consumer understanding and facilitate market surveillance. Regulation (EC) No 648/2004 should therefore be replaced.	DK (Drafting Suggestions): (4) The Fitness Check of the most relevant chemicals legislation[3] (excluding Regulation (EC) No 1907/2006 of the European Parliament and of the Council[4]) highlighted the complexity of the Union regulatory framework for chemicals and attributed it to the large number of product and sector specific pieces of legislation with embedded links with each other. **It pointed out that enforcement issues are reported by market surveillance authorities concerning products coming to the EU from third countries through online sales.** It also pointed out that there is room for simplification in the communication of information of overcrowded labels to product users, and found that the use of innovative tools for communicating product information is currently not being taken

1 Fitness Check of the most relevant chemicals legislation (excluding REACH), SWD(2019)199

2 Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

3 Fitness Check of the most relevant chemicals legislation (excluding REACH), SWD(2019)199

4 Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

	advantage of. It is, therefore, necessary that the current rules are simplified to reduce burden for economic operators, improve consumer understanding and facilitate market surveillance. Regulation (EC) No 648/2004 should therefore be replaced. DK (Comments): We suggest to add that the Fitness Check also mentioned issues related to online sales of products from third countries.
(5) Decision No 768/2008/EC of the European Parliament and of the Council**1** lays down common principles and reference provisions intended to apply across sectoral legislation in order to provide a coherent basis for a revision of that legislation. The new legal framework for detergents and surfactants should be aligned to the extent possible to those common principles and reference provisions.	

[1] Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (OJ L 218, 13.8.2008, p. 82).

(6) In order to ensure legal certainty and a level playing field for economic operators, the definition of detergent should cover all products falling in the scope of harmonisation, including the newly developed detergents containing intentionally added micro-organisms. The definition should also cover products for cleaning the surface of fruits and vegetables.	
(7) Since surfactants are primarily sold in business-to-business transactions in order to be used in the manufacturing of detergents, they do not need to be subject to the same requirements as detergents. Therefore, minimum rules for surfactants should be laid down, namely rules on ultimate biodegradability, a minimum set of labelling information and the obligation of economic operators to draw up a technical documentation and to create a product passport.	
(8) **Since the European Green Deal has set a goal to protect better human health and the environment as part of an ambitious approach to tackle pollution from all sources and move towards a toxic-free environment.** This Regulation should complement existing rules set out in other legislative instruments.	

(8b) The EU already has one of the most comprehensive and protective regulatory frameworks for chemicals, supported by the most advanced knowledge base globally. Therefore this regulation ~~**and**~~ should not affect the application of existing Union legislation relating to aspects of protection of health, of safety and of the environment not covered by this Regulation. This Regulation should, in particular, apply without prejudice to Regulation (EC) No 1907/2006, Regulation (EU) No 528/2012 of the European Parliament and of the Council[1] and to Regulation (EC) No 1272/2008 of the European Parliament and of the Council[2].	
	FR (Drafting Suggestions): **(8c) Certain substances used in detergents have both cleaning and biocidal properties. Detergents containing such substances should fall**

1 Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

2 Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

	under the scope of the Biocidal Products Regulation (BPR) (EU) 528/2012, if they meet the definition of a biocidal product as defined in Article 3 of the BPR, requiring the "intention" to have an effect on a harmful organism. Despite the distinction provided in Annex V of the BPR between detergents and (biocidal) disinfectants, a further distinction may need to be drawn to avoid borderline cases. The forthcoming revision of the BPR provides such an opportunity to do so. FR (Comments): France recognises that substances are used in both disinfectants (biocides) and detergents, such as ethanol which is used as both a biocidal active substance in hand sanitisers, and in detergents as a solvent. These non-biocidal uses are subject to REACH requirements (including chemical safety assessment for consumers, workers and/or the environment as applicable) whilst the biocidal uses are assessed under the Biocidal Products Regulation (BPR), Regulation (EU) 528/2012. This ensures

	that the substances are assessed thoroughly and appropriately for their intended use(s). However, if further implementation is needed to cover borderline cases, any potential implementation, issues should be tackled in the context of the upcoming review of the BPR, and not via the Detergents Regulation: Currently, the BPR defines a biocide based on its intention: “intention of destroying, deterring, rendering harmless, preventing the action of, or otherwise exerting a controlling effect on, any harmful organism by any means other than mere physical or mechanical action”. The BPR also makes a distinction between cleaning products i.e., detergents and disinfectants: BPR Annex V Biocidal product-types and their descriptions, “Main Group 1: Disinfectants - These product-types exclude cleaning products that are not intended to have a biocidal effect, including washing liquids, powders and similar products”). The forthcoming BPR revision offers an opportunity to amend this definition to provide further distinction between cleaning products i.e., detergents and

	disinfectants, and develop related guidance to help clarify potential borderline cases
(9) Surfactants are surface-active agents that help break down the interface between water and oils or dirt. They are one of the main ingredients used in detergents. Surfactants could, however, pose a risk to the environment as they are discharged into sewage systems or directly into surface waters. To prevent any adverse effects that surfactants could have on the environment, it is necessary to set requirements ensuring that surfactants**, and some** others **substances including polymers,** are completely **and readily**-biodegradable either when placed on the market on their own and intended for use in detergents or when contained in detergents.	FR (Drafting Suggestions): (9) Surfactants are surface-active agents that help break down the interface between water and oils or dirt. They are one of the main ingredients used in detergents. Surfactants could, however, pose a risk to the environment as they are discharged into sewage systems or directly into surface waters. To prevent any adverse effects that surfactants could have on the environment, it is necessary to set requirements ensuring that surfactants**, and some** others **substances including polymers,** are ~~completely~~ **~~and readily~~** biodegradable either when placed on the market on their own and intended for use in detergents or when contained in detergents. FR (Comments): French authorities recommend removing the adjective “readily” from the text to avoid any ambiguity. There will be a need to develop new criteria and test methods to cover the newly considered ingredients that will have to fulfil biodegradability requirements.

	Based on each of these ingredients, specific requirements will have to be developed and the requirements might differ for each of those ingredients HU (Drafting Suggestions): (9) Surfactants are surface-active agents that help break down the interface between water and oils or dirt. They are one of the main ingredients used in detergents. Surfactants could, however, pose a risk to the environment as they are discharged into sewage systems or directly into surface waters. To prevent any adverse effects that surfactants could have on the environment, it is necessary to set requirements ensuring that surfactants**, and some** others **substances including polymers,** are completely ~~and readily~~ biodegradable either when placed on the market on their own and intended for use in detergents or when contained in detergents. HU (Comments): New criteria and test methods will need to be developed to cover the newly considered ingredients that will have to fulfil biodegradability requirements. Based on each of these ingredients, specific requirements will have to be developed. It might not be possible to use adjectives (such

	as ultimate or readily) to describe common requirement applicable to all these ingredients, as the requirements might differ for each of them. It is useful to avoid exaggerated adjectives such as 'readily' and ' ultimate'. LT (Comments): The Detergents Regulation should apply the EU Ecolabel approach, which allows the use of a certain proportion of non-degradable organic ingredients. The established eco-label criteria need to be reviewed before new biodegradability requirements are introduced in the Detergents Regulation.
(10) Phosphorus is a**n other** 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	DK (Drafting Suggestions): Phosphorus is a**n other** key ingredient used in detergents. However, phosphorus and its compounds could cause damage to ecosystems and aquatic environments as they contribute to eutrophication **in particular if the residues are disposed of directly in the environment without prior wastewater treatment**. 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

not significant or because suitable alternatives are currently not available.	of phosphates and phosphorus compounds in consumer laundry, ~~and~~ consumer automatic dishwasher detergents **and in detergents for outdoor cleaning**. 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. DK (Comments): Cf poposed extension of annex III by limits for phosphorous content in outdoor cleaning detergents LT (Drafting Suggestions): (10) Phosphorus is a**n other** 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 **without compromising product performance**. 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. LT (Comments): We need to ensure that phosphorus limits do not compromise the effectiveness of detergents. Reducing phosphorus may reduce the sustainability of the products, as the compounds would need to be replaced by other chemicals.
(11) In recent years, novel cleaning products have been developed that contain living micro-organisms as active ingredients. Micro-organisms have their own biology and response to the environment. Due to their ability to proliferate, there is a clear difference between conventional and microbial detergents. Therefore, the inherent hazards and arising risks are not necessarily of the same nature as those presented by chemicals, especially in relation to the capacity of micro-organisms to persist and multiply in different environments and to produce a range of different metabolites and toxins of potential toxicological significance.	
(12) Since micro-organisms are not subject to registration under Regulation (EC) No 1907/2006 or any other Union legislation requiring	FR (Comments):

manufacturers to demonstrate that the intended use is safe, they should be eligible for use in detergents only to the extent that they have been clearly identified and supported by data demonstrating that their use is safe, and subject to specific requirements governing their safety. Harmonised rules governing the safety of micro-organisms in detergents as well as relevant test methods for economic operators to demonstrate compliance with those rules should, therefore, be established. Restrictions are required on the format in which detergents containing micro-organisms are placed on the market ~~when sensitising ingredients are included in their composition. T~~**t**o ensure a high level of protection of human health**.** ~~even for sensitised persons, d~~**D**etergents containing micro-organisms and which are placed on the market in a spray format should, therefore, be **subject to specific provisions** ~~**restricted to industrial and institutional detergents, under conditions** **ensuring their safe use** found safe for use in this format~~.	French authorities agree with the rewording. A risk-based approach should be followed to prevent any risks for consumer, and, when necessary, specific labelling provisions are also to be considered. HU (Comments): HU supports the deletion of 'restricted to industrial and institutional detergents, under conditions' and supports the addition of 'subject to specific provisions ensuring their safe use'. LT (Comments): A ban on the use of spray cleaners containing micro-organisms for consumer use would be disproportionately restrictive given that: a. the Commission's approach already requires detergents to be free of pathogenic micro-organisms and micro-organisms with antibiotic resistance; b. The safety of such products can be ensured by a combination of product design and a rigorous risk assessment approach, considering the effects and risks posed by micro-organisms.
	DK (Drafting Suggestions):

	(12a) A detergent may in some cases, in addition to the requirements in this Regulation, be subject to the approval requirements for biocidal products as laid down in Regulation (EU) No 528/2012. However, under the current legislation these requirements are to a large extent dependent on subjective criteria as to how claims on the detergent is perceived. Market surveillance activities have shown that the legal ambiguities in Regulation (EC) No 648/2004 and Regulation (EU) No 528/2012 are being exploited by economic operators that add active substances to a product in concentrations that from other products are known to be added in order to achieve a biocidal effect, but without following the procedure for approval of a biocidal product as laid down in Regulation (EU) No 528/2012, and without having to apply certain risk-mitigation measures as may be the case for similar products when following the requirements under that regulation. This is a serious issue since biocidal products can pose risks to humans, animals and the environment due to their intrinsic properties and associated use patterns. Furthermore, the situation significantly distorts the fair competition for those economic operators doing their best to comply with EU legislation. Therefore, a ban on substances in detergents considered active substances under Regulation (EU) No 528/2012 is introduced. However, exceptions and

	derogations are needed to allow for the use of active substances in detergents when this is justified. **(12b) In line with the ambition set out in the Council conclusions[1] that endorse the Commissions Chemical Strategy for Sustainability for achieving a toxic free environment and ensure a high level of protection of human health and supports the generic approach to risk management for the most harmful substances, the most harmful substances in consumer detergents should be covered by a generic ban.** **Most consumer detergents are emitted through the waste water and it is therefore important that a generic ban of substances and mixtures that are hazardous for the environment is introduced. Furthermore, consumers are exposed via the skin, directly in the case of surface cleaning products, or indirectly via residues in clothes after laundry, thus, a ban of the most harmful substances for humans should be introduced as well.** DK (Comments):

[1] Council conclusions 6941/21, March 15th 2021 on Sustainable Chemicals Strategy of the Union: Time to Deliver

	We refer to the Danish non paper as presented at the council working goup meeting April 29th.
(13) To ensure a high level of protection of the aspects of public interest, and to guarantee fair competition on the internal market, economic operators should be responsible for the compliance of detergents or surfactants with this Regulation, in relation to their respective roles in the supply chain. Whenever appropriate, manufacturers and importers should carry out sample testing of the detergents and surfactants that they have made available on the market, in order to protect the health and safety of consumers and the environment.	
(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.	
(15) In order to enable economic operators to demonstrate and the competent authorities to verify that detergents and surfactants made	

available on the market comply with the requirements of this Regulation, it is necessary to provide for a conformity assessment procedure. Decision No 768/2008/EC establishes modules for conformity assessment procedures, from the least stringent to the most stringent, in proportion to the level of risk involved and the level of safety required. In order to ensure inter-sectoral coherence and to avoid ad-hoc variants, Decision No 768/2008/EC specifies that conformity assessment procedures should be chosen from among those modules.	
(16) The manufacturer, having detailed knowledge of the design and production process, is best placed to ensure compliance of the detergent or surfactant with the requirements of this Regulation. Manufacturers**, or their authorised representatives where applicable,** should therefore be ~~solely~~ responsible for **the** carrying out **of** the conformity assessment procedure for detergents and surfactants. Module A should be applicable for the conformity assessment of detergents and surfactants. Manufacturers**, or their authorised representatives where applicable,** should also put together a technical dossier demonstrating compliance of the detergent or surfactant with the relevant rules and test methods.	FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative

	should be encouraged is when no other operator is established in the EU HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). However, the compromised text gives in some cases more responsibility for the authorised representatives than manufacturers or importers. Therefore, HU doesn't support current state of the authorised representative because they shouldn't get more responsibility. LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).

(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 **established in the European Union and liable for product compliance.** ~~to carry out specific tasks on their behalf. 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, t~~ **T**o 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.	DK (Drafting Suggestions): (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 established in the European Union ~~and liable for product compliance~~. ~~to carry out specific tasks on their behalf. 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, t~~ To ensure the enforceability and effectiveness of the market surveillance requirements and that only compliant detergents and surfactants are placed on the Union market, **including in cases of sale from third countries directly to EU consumers through online interfaces**, the appointment of an authorised representative should be mandatory when the manufacturer is established outside of the Union**, and where there is no importer, the authorised representative should be liable for product compliance**. DK (Comments):

	We support the introduction of an authorised representative. However, we believe that the authorised representative should only be responsible for the compliance of the product, when the manufacturer is established outside the EU and there is no importer established within the EU who is responsible for the compliance of the product. We also refer to our written proposal to article 8. FR (Drafting Suggestions): To facilitate compliance of the manufacturers with their obligations under this Regulation, **in case no importer or distributor is established in the European Union**, manufacturers **established outside the Union**-should ~~be allowed to~~ appoint an authorised representative **established in the European Union and liable for product compliance.** ~~to carry out specific tasks on their behalf. 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, t~~ **t**o 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~~ FR (Comments): The only case where the designation of an authorised representative should be encouraged is when no other operator is established in the EU LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).
(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.	LV (Comments): And keep it up to date. There is no use of website address if it does not exist anymore.

(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.	DK (Drafting Suggestions): (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**, including via online sales,** 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. FR (Drafting Suggestions): (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. FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual benefit. HU (Drafting Suggestions): (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~~ **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. HU (Comments): The requirement for CE marking on Detergents and Cleaning Products was not considered as part of the Commission's Impact Assessment, and the impact was never assessed in terms of the additional administrative burden and costs versus the actual benefit. CE marking can be easily subject to counterfeiting and CE marking will not be a reliable indicator of a detergent product's conformity with the Detergents Regulation, as it depends on a selfdeclaration, which can easily be falsified. The self-declaration leads to additional administrative burden for the sector, in

	particular SMEs, without any added value. Actual compliance can only be verified through enforcement against the requirements of the regulation. Bearing all the above points in mind, we propose to delete this requirement from the proposed Regulation, in line with the view of the Parliament, as this marking will not bring any added value to the safety and compliance of the detergent product.
(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.	
(21) As the distributor makes a detergent or surfactant available on the market after it has been placed there by the manufacturer or importer, the distributor should act with due care in relation to the applicable requirements. The distributor should also ensure that its handling of the detergent or surfactant does not adversely affect its compliance with the requirements of this Regulation.	

(22) Since **authorised representatives,** distributors and importers are close to the marketplace and have an important role in ensuring product compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the detergent or surfactant concerned.	FR (Drafting Suggestions): Since ~~**authorised representatives,**~~ distributors and importers and **where applicable authorised representatives** are close to the marketplace and have an important role in ensuring product compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the detergent or surfactant concerned. FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative

	should be encouraged is when no other operator is established in the EU HU (Drafting Suggestions): HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). However, the compromised text gives in some cases more or equal responsibility for the authorised representatives than manufacturers or importers. Therefore, HU doesn't support current state of the authorised representative because they shouldn't get more responsibility. LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper

	responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).
(23) Economic operators that either place a detergent or surfactant on the market under their own name or trade mark or modify a detergent or surfactant in such a way that compliance with this Regulation could be affected should be considered to be manufacturers and should assume the obligations of manufacturers. In other cases, economic operators that only package or repackage a detergent or surfactant already placed on the market by other economic operators should be able to prove that compliance with the requirements of this Regulation has not been affected, by indicating their identity on the package and by keeping a copy of the original labelling information.	
	DK (Drafting Suggestions): **(23a) Since industrial and institutional detergents are to be used by specialised personnel outside the domestic sphere, these detergents**

	are to some extent subject to other requirements than consumer detergents. In order to avoid risks for the health of consumers or the environment, economic operators should ensure that industrial and institutional detergents are not sold to consumers. DK (Comments): We support the introduction of a definition for industrial and institutional detergents as a concept for detergents to be used by professionals. We also find it crucial that economic operators ensure that such detergents are not sold to consumers, since the very justification for this definition is otherwise nullified. We therefore propose a new article 13a that impose an obligation on economic operators to ensure that industrial and institutional detergents are not sold to consumers.
(24) The CE marking, indicating the 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 Council[1] lays down the general	FR (Drafting Suggestions): ~~The CE marking, indicating the conformity of a detergent with this Regulation, is the visible consequence of a whole process comprising~~

[1] Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

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.	~~conformity assessment in a broad sense. Regulation (EC) No 765/2008 of the European Parliament and of the Council[1] 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.~~ FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual benefit. CE marking can be easily subject to counterfeiting and CE marking will not be a reliable indicator of a detergent product's conformity with the Detergents Regulation. The self-declaration leads to additional administrative burden for the sector, in particular SMEs, without any added value. Actual compliance can only be verified through enforcement

[1] Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

	against the requirements of the regulation. Bearing all the above points in mind, French authorities suggest to delete this requirement from the proposed Regulation, in line with the view of the Parliament, as this marking will not bring any added value to the safety and compliance of the detergent product. HU (Drafting Suggestions): ~~(24) The CE marking, indicating the 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 Council2 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.~~ HU (Comments): The requirement for CE marking on Detergents and Cleaning Products was not considered as part of the Commission's Impact Assessment. CE marking can be easily subject to counterfeiting and CE marking will not

	be a reliable indicator of a detergent product's conformity with the Detergents Regulation. The self-declaration leads to additional administrative burden for the sector, in particular SMEs, without any added value. Actual compliance can only be verified through enforcement against the requirements of the regulation. HU proposes to delete this requirement.
(25) To ensure a high level of protection of human health, manufacturers**, or their authorised representative where applicable,** 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**, or their authorised representatives where applicable,** should **provide**~~hold~~ this information **to**~~at the disposal of~~ poison centres **before placing the detergent on the market**~~, upon request~~.	FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative should be encouraged is when no other operator is established in the EU. HU

	(Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). However, the compromised text gives more or in some cases equal responsibility for the authorised representatives than manufacturers or importers. Therefore, HU doesn't support current state of the authorised representative because they shouldn't get more responsibility. IE (Comments): IE prefers the phrase "detergents that are not classified as hazardous" instead of "non-hazardous detergents". A substance may not be classified as acutely toxic because of a lack of data, but this doesn't necessarily mean that it's non-hazardous. IE welcomes the proposal to provide an ingredient data sheet for non-classified detergents to poison centres before placing the detergent on the market.

	LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).
(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.	

(27) Since the labelling of detergents and surfactants may fall under multiple pieces of Union legislation, the information on detergents' and surfactants' labels needs to be streamlined so that when similar information stemming from different pieces of Union legislation is required on detergents' and surfactants' labels, this information is provided only once in accordance with the stricter rules. This will, on one hand, improve the readability and understandability of detergents' and surfactants' labels by end users and, on the other, reduce regulatory burden for detergents' and surfactants' manufacturers.	
(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.	
(29) Additional labelling requirements are needed for certain substances such as preservatives in order to ensure a high level of health protection. The labelling requirements for preservatives should, therefore, cover not only those preservatives intentionally added by the manufacturer in the detergent but also those that ensue from its constituent mixtures and which are often referred to as 'carry-over preservatives'.	
(30) Information on the correct amount of detergent that consumers need to use when undertaking cleaning activities, *namely,* dosage information, should be included on the label of consumer laundry and	

consumer automatic dishwasher detergents in order to prevent the potential over-use of detergents thus reducing the total amount of detergent and surfactant entering the environment.	
(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.	
(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 on a	IE (Comments): The choice to provide a digital label should not rest with the manufacturers and importers. Digital labels are an important tool for

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.	consumers who have a visual impairment or poor literacy, as it allows them to benefit from options such as increased font size and text to speech technology. To facilitate the safe use of detergents and to avoid discrimination against such consumers, certain information should be provided on a digital label as well as on the physical label. This should include the labelling information concerning the protection of health and the environment, as well as minimum use instructions of detergents.
(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.	
~~(34) An exception should,~~ nevertheless~~, be made for detergents sold to~~	FR

~~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.~~	(Comments): French authorities agree with the deletion
(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.	
(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~~	FR (Comments): French authorities agree with the deletion

~~a digital label~~.	
(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.	
	DK (Drafting Suggestions): (37a) DK (Comments): It seems that a recital for the article 17a proposed by the presidency concerning distance sales is missing. Since we believe that it is crucial to solve the issue with non-compliant detergents sold from third countries through online sales directly to EU consumers, it is important that the

	reasoning for this article is stated in the recitals. FR (Drafting Suggestions): 37a) Since reuse and refill targets for packaging are set at European level, encouraging distributors to allocate a part of their retail space to refill options, whereas the revision of Regulation (EC) No 1272/2008 (Article 35.2. regarding conditions set out in Annex II sections 3.4. iva) and va)) results in the prohibition of sales through refill stations it should be necessary to postpone the application of these provisions to the detergent sector until an impact assessment is undertaken by the Commission FR (Comments): French authorities insist on the need to study the specific impact for the detergent sector, both economic and environmental, of these new CLP measures, to the extent that these bans could contradict the European provisions within the framework of PPWR which set ambitious objectives for sales in refill (in particular art 25 PPWR). The French suggest to postpone the application to the detergent sector of the new bans introduced by CLP revision until this impact assessment is carried out.
(38) Ensuring traceability of a detergent or surfactant throughout the	

whole supply chain helps to make market surveillance simpler and more efficient. An efficient traceability system facilitates market surveillance authorities' task of tracing economic operators who made non-compliant detergents or surfactants available on the market.	
(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.	DK (Drafting Suggestions): 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. **The data carrier should be clearly visible to the end-user before any purchase, including when the detergent or surfactant is made available through an online advertisement.** Market surveillance authorities, **customs authorities**, economic operators and consumers **or**

	other end-users should~~, therefore~~, have immediate access to ~~compliance or other~~ **the** information **relevant to them and based on their respective access rights** on the detergent or surfactant through the data carrier. DK (Comments): Detergents are not just made available directly at websites, but sometimes also as advertisements (such as Google advertisements) linking to the website of the economic operator or online marketplace. We therefore propose introducing requirements for online advertisements for a detergent that uses an URL link to another website, where the consumer can buy the detergent cf. our proposal under article 18(3). More specifically we propose that the online advertisement shall only be legal, if it links to a website where the data carrier is clearly visible. This would limit unfair competition especially from economic operators outside the EU, trying to market their products directly to EU consumers through e.g. Google. We suggest that it is also mentioned in the recitals. Furthermore, DK suggests an amendment to make clear that the intention is not to give access to all information in the digital product passports, but rather to ensure access to relevant information.

	HU (Drafting Suggestions): **(39a) To provide certainty for economic operators, the transition period for the implementation of the Digital Product Passport (DPP) should** **commence once the Commission's implementing acts under the Detergents Regulation and the Regulation (EU) …/… on Ecodesign for Sustainable Products determining the related and necessary technical requirements have been adopted. These include the type of data carrier to be used, its lay-out and positioning on the artwork.** HU (Comments): We see the need for a transition period between the application of secondary legislation on DPP and the application of the requirements of ESPR.
	FR (Drafting Suggestions): (39a) To provide certainty for economic operators, the transition period for the

	implementation of the Digital Product Passport (DPP) should commence once the Commission's implementing acts under the Detergents Regulation and the Regulation (EU) …/… on Ecodesign for Sustainable Products determining the related and necessary technical requirements have been adopted. These include the type of data carrier to be used, its lay-out and positioning on the artwork. FR (Comments): As mentioned by the Commission itself during the last GHT, the transition period should begin only when all technical provision are decided through an implementating act. Indeed parallel discussions taking place under the Ecodesign for Sustainable Products Regulation and the Detergents Regulation raise significant concerns because of business uncertainty, potential inconsistencies, non-harmonised and non-interoperable requirements.
(40) To avoid duplication of investment into digitalisation by all actors involved, including manufacturers, market surveillance authorities and customs authorities, the product passport established under this Regulation should be fully interoperable with the product passport required under other Union legislation.	

(41) In particular, Regulation (EU) …/… [of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC] also lays down requirements and technical specifications for a digital product passport, the establishment of a Commission central registry where passport information is stored and the interconnection of that registry with the customs IT systems. That Regulation could include detergents or surfactants within its scope in the medium term, thus requiring that a digital product passport is available for them.	HU (Comments): Regarding the digital product passport (DPP), HU believes that this should be introduced at the model level and not at the batch level. As successive batches for detergents contain identical formulations, using batch level would require tens of thousands of DPPs for the same product, with no added benefit for the consumer but a massive administrative burden. The model level, by contrast, would require changing the DPP only when the ingredients change, bringing new information to the consumer when necessary, while avoiding unreasonable burden.
(42) The product passport for detergents and surfactants created under this Regulation should therefore comply with the same requirements and technical elements as those set out in Regulation (EU) …/… on ecodesign requirements for sustainable products, including its technical, semantic and organisational aspects of end-to-end communication and data transfer.	

(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.	
(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.	FR (Drafting Suggestions): (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. HU (Drafting Suggestions): (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.

	LV (Comments): What is ment by "where relevant"? From regulation, it is understandable that all detergents must have CE marking if they are intended to be placed on EU market. In our opinion, there is no need for a CE mark on the label, as it only indicates self-declared conformity and not a third-party conformity check. For control, it is completely sufficient to have a product passport, a data carrier and an identifier, after which check the notification in the register. SE (Comments): According to the proposed recital 44, the manufacturer, by affixing the CE marking, declares that the detergent or surfactant is in conformity *with all applicable requirements* and that the manufacturer takes full responsibility thereof. Sweden does not agree with the conclusion that this includes the CLP-regulation, since the CLP-regulation contains no provisions on CE-marking.
(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.	
(46) Chapter VII of Regulation (EU) 2019/1020 of the European Parliament and the Council[1], setting up the rules of controls on products entering the Union market, applies to detergents and surfactants. The authorities in charge of those controls, which in almost all Member States are the customs authorities, are to perform them on the basis of risk analysis as referred to in Articles 46 and 47 of Regulation (EU) No 952/2013 of the European Parliament and of the Council[2], its implementing legislation and the corresponding guidance. This Regulation should therefore not modify in any way Chapter VII of Regulation (EU) 2019/1020 and the way the authorities in charge of controls on products entering the Union market organise themselves and perform their activities.	

[1] Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

[2] Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

(47) In addition to the framework of controls established by Chapter VII of Regulation (EU) 2019/1020, customs authorities should be able to automatically verify that a product passport exists for imported detergents and surfactants subject to this Regulation in order to strengthen the controls at the Union's external borders and prevent non-compliant detergents and surfactants from entering the Union market.	
(48) When detergents and surfactants coming from third countries are presented for release for free circulation, customs should ensure that the reference of a product passport is made available to customs authorities by the economic operator and that this reference corresponds to a unique product identifier that is stored in the product passport registry established by the Commission under [Article 12 of Regulation (EU) …/… on Ecodesign for Sustainable Products]. The interconnection between this registry and the customs IT system as provided for in [Article 13 of Regulation (EU) …/… on ecodesign requirements for sustainable products] should allow for automatic verification of the product passport presented to customs for that detergent or surfactant, so as to ensure that only detergents and surfactants with a valid reference to	LV (Drafting Suggestions): (48) When detergents and surfactants coming from third countries are presented for release for free circulation, customs should ensure that the ~~reference of a~~ product passport is made available to customs authorities by the economic operator and that this ~~reference~~ product passport corresponds to a unique product identifier that is stored in the product passport registry established by the Commission. LV (Comments): It is not clear what is meant by reference, if the regulation states that product passport, unique identifier and data carrier are required, then

a unique product identifier as included in the registry are released for free circulation.	these must be mentioned. If the data carrier or unique identifier is meant by this reference, then it should be named here. Product passport should be made available by an economic operator that imports a product into the EU, as if there is no product passport, product that is manufactured outside EU can not be placed in EU market.
(49) Where other information in addition to the unique product identifier and the unique operator identifier is stored in the product passport registry established under [Article 12 of Regulation (EU) …/… on Ecodesign for Sustainable Products], the Commission should be able to provide in a delegated act, that customs authorities are allowed to verify the consistency between this additional information and the information made available by the economic operator to customs, in order to improve the compliance of detergents and surfactants placed under the customs procedure of release for free circulation with this Regulation.	
(50) The information included in the product passport may allow customs authorities to enrich and facilitate risk management and enable the better targeting of controls at the Union's external borders. Therefore,	

customs authorities should be able to retrieve and use the information included in the product passport and the related registry for carrying out their tasks in accordance with Union legislation including for risk management in accordance with Regulation (EU) No 952/2013.	
(51) It is appropriate to provide for the publication of a notice in the *Official Journal of the European Union* indicating the date when the interconnection between the registry and the EU Customs Single Window Certificates Exchange System referred to in [Article 13 of Regulation (EU) …/… on Ecodesign for Sustainable Products] becomes operational in order to facilitate public access to that information.	
(52) The automatic verification by customs of the product passport reference for detergents and surfactants entering the Union market should not replace or modify the responsibilities of the market surveillance authorities but only complement the overall framework for controls on products entering the Union market. The market surveillance authorities should, in line with Regulation (EU) 2019/1020, carry out checks of the information contained in products passports, checks on products within the market and, in case of suspension of release for free circulation by the	

authorities designated for controls at Union's external borders, determine the compliance and serious risks of products pursuant to Chapter VII of Regulation (EU) 2019/1020.	
(53) Market surveillance is an essential instrument inasmuch as it ensures the proper and uniform application of Union legislation. Regulation (EU) 2019/1020 sets out the framework for market surveillance of products subject to Union harmonisation legislation. Member States should therefore organise and carry out market surveillance of detergents and surfactants in accordance with that Regulation.	
(54) Regulation (EU) 2019/1020 already applies to detergents and surfactants, since Regulation (EC) No 648/2004 is listed in its Annex I. However, in order to ensure legal certainty, it is necessary to clarify that rules on internal market surveillance and control of products entering the internal market provided for in Regulation (EU) 2019/1020 also apply to detergents and surfactants covered by this Regulation. This Regulation should not prevent Member States from choosing the competent authorities to carry out those tasks. Regulation (EU) 2019/1020 should	

therefore be amended to include a reference to this Regulation.	
(55) Regulation (EC) No 648/2004 provided for a safeguard procedure allowing the Commission to examine the justification for a measure taken by a Member State against detergents and surfactants considered to constitute a risk. In order to increase transparency and to reduce processing time, it is necessary to improve the previous safeguard procedure, with the view to making it more efficient and drawing on the expertise available in Member States. The previous system should be replaced by a procedure under which interested parties are informed of measures intended to be taken with regard to detergents and surfactants presenting a risk to health or the environment. Market surveillance authorities should be allowed, in cooperation with the relevant economic operators, to act at an early stage in respect of such detergents and surfactants. The Commission should, by means of implementing acts and, given their special and technical nature, acting without the application of Regulation (EU) No 182/2011, determine whether a national measure in respect of a detergent or surfactant presenting a risk is justified.	
(56) Experience with Regulation (EC) No 648/2004 has shown that	DK

detergents and surfactants which were compliant with the applicable requirements have in specific cases posed a risk to health or the environment. Provisions should be made to ensure that market surveillance authorities take action against any detergent or surfactant presenting a risk to health or the environment, even when compliant with the legal requirements. The Commission should, by means of implementing acts and, given their special and technical nature, acting without the application of Regulation (EU) No 182/2011, determine whether a national measure in respect of compliant detergents or surfactants which a Member State finds to pose a risk to health and safety of persons or the environment is justified.	(Drafting Suggestions): (56) Experience with Regulation (EC) No 648/2004 has shown that detergents and surfactants which were compliant with the applicable requirements have in specific cases posed a risk to health or the environment. Provisions should be made to ensure that market surveillance authorities take action against any **type of** detergent or surfactant presenting a risk to health or the environment**, including when this is due to its content of specific substances**, even when compliant with the legal requirements. The Commission should, by means of implementing acts and, given their special and technical nature, acting without the application of Regulation (EU) No 182/2011, determine whether a national measure in respect of compliant detergents or surfactants which a Member State finds to pose a risk to health and safety of persons or the environment is justified. DK (Comments): The safeguard clause under the current regulation (Article 15 in Regulation (EC) No 648/2004) has shown to be an ineffective means to manage risks from detergents and surfactants, since it only allows for measures towards a specific detergent. This means that economic operators may continue to relaunch the same product with a new name or

	layout everytime the market surveillance authorities try to ban the specific detergent by using the safeguard clause. Article 24 proposed by the Commission continues in this regard the scope of the former safeguard clause, which means that the enforcement issue is also carried on. Therefore, we propose that Member States, when justified, are allowed to introduce temporary restrictions for the presence of a specific substance in a group of detergents or surfactants in a concentration posing a risk in order to enable market surveillance authorities to stop the sale of all detergents or surfactants that present a risk to health or the environment due to the presence of that substance. We refer to our proposal in article 24(6).
(57) In order to take into account technical and scientific progress or new scientific evidence, and the level of digital readiness, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of further supplementing the general requirements	DK (Drafting Suggestions): (57) In order to take into account technical and scientific progress or new scientific evidence, and the level of digital readiness, the power to adopt acts in accordance with Article 290 of the Treaty on the

on digital labelling; amending the labelling information that may be provided in digital format only; amending the limit of the allergenic fragrances when individual risk-based concentration limits for fragrance allergens are established under Regulation (EC) No 1223/2009; amending the existing biodegradability requirements to introduce biodegradability requirements for substances and mixtures other than surfactants in detergents (including detergent capsules) when new scientific evidence so requires; and amending Annexes I to VII. The Commission should also be empowered to amend the specific information that should be included in the product passport, as well as the information to be included in the Commission registry. Moreover, the Commission should be empowered to supplement this Regulation by determining the additional information stored in the registry to be controlled by customs authorities. In addition, in order to facilitate the work of customs authorities in relation to detergents and surfactants and the requirements set out in this Regulation, the Commission should be empowered to adopt delegated acts amending this Regulation by providing an Annex containing a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, and product descriptions of detergents and surfactants and by updating such Annex.	Functioning of the European Union should be delegated to the Commission in respect of further supplementing the general requirements on digital labelling; amending the labelling information that may be provided in digital format only; amending the limit of the allergenic fragrances when individual risk-based concentration limits for fragrance allergens are established under Regulation (EC) No 1223/2009; amending the existing biodegradability requirements to introduce biodegradability requirements for substances and mixtures other than surfactants in detergents (including detergent capsules) when new scientific evidence so requires; and amending Annexes I to VII. **The Commission should also be empowered to adopt implementing acts to amend Annex IIIa in order to permit a certain use that is prohibited under point 1 or 2 of that annex, or to limit a certain use that has been permitted, in detergents or surfactants.** The Commission should also be empowered to amend the specific information that should be included in the product passport, as well as the information to be included in the Commission registry. Moreover, the Commission should be empowered to supplement this Regulation by determining the additional information stored in the registry to be controlled by customs authorities. In addition, in order to facilitate the work of customs authorities in relation to detergents and surfactants and the requirements set out in this Regulation, the

	Commission should be empowered to adopt delegated acts amending this Regulation by providing an Annex containing a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, and product descriptions of detergents and surfactants and by updating such Annex. DK (Comments): In relation to our non paper as presented at the council working goup meeting April 29th, we propose that the Commission is being empowered to update the proposed Annex IIIa on Substances and mixtures prohibited in detergents and surfactants, cf. the proposed annex further below.
(58) When adopting delegated acts under this Regulation, it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the	

[1] OJ L 123, 12.5.2016, p. 1.

preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to establish the detailed technical requirements for the product passport for detergents and surfactants. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1].	
(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 a report on the application of this Regulation. The Commission should in its report assess *inter alia* if	

[1] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)

this Regulation is achieving its objectives, taking into account the impacts on small and medium-sized enterprises.	
(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 **or ban** the use of new micro-organisms or strains of micro-organisms in detergents.	
(62) This Regulation introduces the possibility of providing all or part of the mandatory labelling requirements only in digital labels in certain situations and requires the creation of a digital product passport for detergents and surfactants. It is, therefore, necessary to provide for sufficient time for economic operators to comply with their obligations under this Regulation, for Member States to set up the administrative infrastructure necessary for its application and for the Commission to prepare the implementation of the product passport's technical requirements. Consequently, the application of this Regulation should be deferred to a date where those preparations can reasonably be finalised.	HU (Comments): HU reminds again (see also (41) that regarding the digital product passport (DPP), HU believes that this should be introduced at the model level and not at the batch level.
	DK

	(Drafting Suggestions): **(62a) A detergent may in some cases, in addition to the requirements in this Regulation, be subject to the approval requirements for biocidal products as laid down in Regulation (EU) No 528/2012. However, under the current legislation these requirements are to a large extent dependent on subjective criteria as to how claims on the detergent is perceived. Market surveillance activities have shown that the legal ambiguities in Regulation (EC) No 648/2004 and Regulation (EU) No 528/2012 are being exploited by economic operators that add active substances to a product in concentrations that from other products are known to be added in order to achieve a biocidal effect, but without following the procedure for approval of a biocidal product as laid down in Regulation (EU) No 528/2012, and without having to apply certain risk-mitigation measures. This is a serious issue since biocidal products can pose risks to humans, animals and the environment due to their intrinsic properties and associated use patterns. Furthermore, the situation significantly distorts the fair competition for those economic operators doing their best to comply with EU legislation. Therefore, the Commission should be obligated to solve this issue within a certain deadline.**

	(62a) The ambitions set out in the Council conclusions endorsing the Commissions Chemical Strategy for Sustainability calls for a generic approach to risk management for the most harmful substances in consumer products, including consumer detergents. If these ambitions are not materialised in horizontal chemicals legislation within a certain deadline, the Commission should be obligated to introduce such generic approach for detergents in this Regulation. DK (Comments): In case the Danish proposal of a new article 6a can not gain support, a review clause is proposed instead cf. our proposal below to article 32(2) and 32(3).
(63) In order to ensure legal certainty and to prevent waste, economic operators need to be able to sell stock that is either in the distribution chain or in storage at the date of application of this Regulation. It is, therefore, necessary to provide for transitional arrangements that allow the making available on the market of detergents and surfactants that have been placed on the market in accordance with Regulation (EC) No 648/2004 before the date of application of this Regulation without those	

products having to comply with product requirements laid down by this Regulation. Distributors should therefore be able to supply detergents and surfactants that have been placed on the market, namely stock that is already in the distribution chain, before the date of application of this Regulation.	
(64) Transitional arrangements should also be made that allow the placing on the market of detergents and surfactants that at the date of application of this Regulation are not yet in the distribution chain without those products having to comply with the requirements laid down by this Regulation, provided that at the time of their placing on the market they are still compliant with Regulation (EC) No 648/2004. Manufacturers and importers should therefore be able to place on the market detergents and surfactants, namely stock that is not yet in the distribution chain, after the date of application of this Regulation.	
(65) Since the objective of this Regulation, namely to guarantee the functioning of the internal market while ensuring that detergents and surfactants on the market fulfil the requirements providing for a high level of protection of health and the environment, cannot be sufficiently	

achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	
HAVE ADOPTED THIS REGULATION:	
CHAPTER I	
GENERAL PROVISIONS	
Article 1	

Subject matter	
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.	LV (Drafting Suggestions): This Regulation establishes rules for the free movement of detergents and surfactants in the internal market **and for their release for free circulation**, while, at the same time, ensuring a high degree of protection of health and the environment. LV (Comments): Given that the draft Regulation also lays down conditions for the import of goods into the European Union, we ask that the description of the subject matter of the Regulation be clarified accordingly.

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[1];	
(b) Regulation (EC) No 1272/2008 of the European Parliament and of the Council[2];	

[1] Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

[2] Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

(c) Regulation (EU) No 528/2012 of the European Parliament and of the Council[1].	
(d) Regulation (EC) No 1223/2009 of the European Parliament and of the Council[2]	
Article 2	LV (Drafting Suggestions): Reference to Regulation (EU) 2019/1020 is necessary in Article 2(13), (14), (15), (16), (17), (18), (19) and (20) LV (Comments): Article 2 contains definitions of terms used in the draft Regulation - several terms are defined in Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and

[1] Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products OJ L 167, 27.6.2012, p. 1).

[2] **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. 59–209).**

	Regulations (EC) No 765/2008 and (EU) No 305/2011, and only some of the terms in the draft Regulation contain a reference to Regulation (EU) 2019/1020. Consequently, we recommend applying the same practice for the definitions of terms, i.e., for all terms whose definitions are included in Regulation (EU) 2019/1020, to include a reference to the relevant paragraph of Article 3 of that Regulation (by analogy with the reference in Article 2(22), (23) and (25) of the draft Regulation)).
Definitions	
For the purpose of this Regulation, the following definitions apply:	
(1) ‘detergent’ means any of the following:	BG (Comments): We are not in favour of the expansion of the scope of the definition
– a substance, mixture or micro-organism, or two or more such	CZ

materials in combination, which is intended for cleaning of fabrics, dishes or surfaces **or added to support cleaning processes**;	(Comments): CZ: Adding this text can be rather confusing. Cleaning processes can vary and go far beyond what this regulation covers. We consider the existing definition to be sufficient and it does not require any further specification DK (Drafting Suggestions): a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces, **including the unblocking of drains or pipes,** or added to support cleaning processes; DK (Comments): With the definition in the Commission proposal it is not entirely clear what falls under the term "surfaces" and whether the surfaces of e.g. drains and pipes are included or not. It would limit the scope of the regulation significantly, if it no longer includes e.g. drain rinse falls. To our understanding, such a narrowing of the scope is not intended. We therefore propose adding the "unblocking of drains or pipes" as an example of a type of surface in order to specify the scope of the term. However, we can also support the Presidency's proposal.

	IE (Drafting Suggestions): IE: we propose to retain the definition for detergent as originally proposed, i.e. "*a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces"* and to delete "*or added to support cleaning processes*" IE (Comments): IE: The definition for "detergent" has been amended to include "*or added to support cleaning processes*". IE does not agree with this addition as it allows for any additional products added to aid cleaning to fall under the definition of "detergent", e.g. baking powder, and it broadens the definition too much. We propose to keep the definition as "*a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces".* RO (Drafting Suggestions): a substance, mixture or micro-organism, or two or more such materials in combination, which is intended for cleaning of fabrics, dishes or surfaces

	~~or added to support cleaning processes~~; RO (Comments): The wording "or added to support cleaning processes" might potentially allow for an extension of the scope of detergents. We believe that the definition of detergents should be maintained as currently proposed and not to extend it further in order to consider other products such as fragrances, water softeners, etc. Products with a function other than those listed should not be included in the definition.
– a **substance or** mixture intended for soaking (pre-washing), rinsing or bleaching fabrics**,** ~~or~~ dishes **or surfaces**;	CZ (Comments): CZ can support. IE (Comments): IE: We agree with the addition of the term "substance"
– a **substance or** mixture intended to modify the feel of fabrics in processes which are to complement the washing of fabrics;	IE (Comments):

	IE: We agree with the addition of the term "substance"
(2) 'consumer laundry detergent' means a detergent for laundry placed on the market for use by non-professionals, including in public laundrettes;	
(3) 'consumer automatic dishwasher detergent' means a detergent placed on the market for use in automatic dishwashers by non-professionals;	
(4) 'detergent containing micro-organisms' means a detergent in which one or more micro-organisms has been intentionally added, either on its own or via one of the components of the detergent;	
(5) '**industrial and institutional** ~~professional~~ detergent' means a detergent for cleaning outside the domestic sphere, carried out by specialised personnel using specific products;	DK (Drafting Suggestions): (5) 'industrial and institutional ~~professional~~ detergent' means a detergent ~~for cleaning outside the domestic sphere, carried out~~ **placed on**

	the market for use by specialised personnel **for cleaning outside the domestic sphere** ~~using specific products~~; DK (Comments): In our reading, the definition proposed by the Commission relies on how the product is used **after** it is placed on the market. We believe that this will cause interpretation and enforcement issues for market surveillance authorities, since their activities are usually focused towards the sales link and the purpose of the detergent **when** placed on the market, not its actual use afterwards. Furthermore, it seems lopsided, when the definitions of the consumer detergents are in fact defined by the intended use of the detergents when placed on the market, but not for industrial and institutional detergents. If the definition is kept, we would like a thorough explanation for the proposed wording and how market surveillance authorities are meant to perform their market surveillance activities of these detergents. HU (Drafting Suggestions): '**industrial and institutional** ~~professional~~ detergent' means a detergent **intended** for cleaning outside the domestic sphere, carried out by

	specialised personnel using specific products; HU (Comments): The definition of industrial and institutional detergent is not completely clear. Therefore we suggest a different approach. LT (Drafting Suggestions): 5) '**industrial and ~~institutional~~** ~~professional~~ **professional** detergent' means a detergent for cleaning outside the domestic sphere, carried out by specialised personnel using specific products; LT (Comments): According to the given definition, the product cannot be used in the household and can only be used in a professional manner. SI (Drafting Suggestions): (5) '**industrial and institutional** detergent' means a detergent specifically formulated for cleaning outside the domestic sphere, intended to be made available to and used by specialised personnel in the industrial or professional activities only;

	SI (Comments): We suugest defining the I&I detergents by the nature of the users, and limited availability, rather than back-reference them to the same "specific" product itself.
(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;	
(7) 'substance' means a substance as defined in Article 3, point (1), of Regulation (EC) No 1907/2006;	
(8) 'mixture' means a mixture as defined in Article 3, point (2), of Regulation (EC) No 1907/2006;	
(9) 'micro-organism' means a micro-organism as defined in Article 3(1), point (b), of Regulation (EU) No 528/2012;	

(10) 'genetically modified micro-organisms~~s~~' means **a genetically modified** micro-organisms~~s~~ **as defined in Article 2, point (b), of Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms.**~~in which the genetic material has been altered using gene or cell technology or in any other way that does not occur naturally by mating or natural recombination~~.	
(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 adsorpt at water-solid interfaces;	
(12) ‘ultimate aerobic biodegradation’ means the level of biodegradation achieved when the substance or mixture is totally used by micro-organisms in the presence of oxygen resulting in its breakdown to carbon dioxide, water and mineral salts of any other elements present, as measured by test methods listed in Annex I, and new microbial cellular constituents;	
(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;	
(14) ‘placing on the market’ means the first making available on the	DK

Union market;	(Drafting Suggestions): 'placing on the market' means the first making available on the Union market. **Import into the Union customs territory shall be deemed to be placing on the market.**; DK (Comments): We believe that this clarification from the current Regulation serves an important purpose, and that a deletion of this sentence results in a lowering in the level of protection for EU consumers. Therefore, we believe that it should be reinserted. This would also be more in line with the definitions in CLP.
(15) 'manufacturer' means any natural or legal persons that manufacture or have a detergent or a surfactant designed or manufactured, and place that detergent or surfactant on the market under their name or trademark;	
(16) 'authorised representative' means any natural or legal persons established within the Union that have received **and accepted** a written mandate from a manufacturer to act on their behalf ~~in relation to specified~~	BG (Comments): The addition of "and accepted" is redundant. See our comments on art.

~~tasks~~;	8(1). FR (Drafting Suggestions): 'authorised representative' means any natural or legal persons established within the Union that have received **and accepted** a written mandate from a manufacturer **established outside the Union** to act on their behalf FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative should be encouraged is when no other operator is established in the EU. HU (Comments): In our opinion, the introduction of the concept of an authorised

	representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). We see the need for a different definition of the authorised representative that cleary states it's role. LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). SE (Drafting Suggestions): (16) 'authorised representative' means any natural or legal persons established within the Union that have received **and accepted** a written mandate from a manufacturer **established outside the Union** to act on their behalf **in relation to specified tasks or when products are sold direct to end-users through distance sales**;

	SE (Comments): The relationship between the 'authorised representatives' and 'importers' under the proposal needs to be clarified. Sweden is of the opinion that in general the importer should be responsible for compliance when detergents are imported from third countries, in accordance with the NLF. However, there are also instances where there is not any involvement of an importer, for example when consumers import products via distance sales from economic operators established outside the EU. Thus, one aim to introduce an authorised representative should be to manage compliance issues for import via e-commerce when the manufacturer is established outside the EU.
(17) 'importer' means any natural or legal persons established within the Union that place a detergent or surfactant from a third country on the Union market;	
(18) 'distributor' means any natural or legal persons in the supply chain, other than the manufacturer or the importer, that make a detergent or surfactant available on the market;	

(19) ‘economic operator’ means the manufacturer, the authorised representative, the importer or the distributor;	FR (Drafting Suggestions): ‘economic operator’ means the manufacturer, the authorised representative **(where applicable)**, the importer or the distributor; FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative should be encouraged is when no other operator is established in the EU HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not

	established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).
(20) ‘market surveillance’ means the activities carried out and measures taken by market surveillance authorities to ensure that products comply with the requirements set out in this Regulation;	
(21) ‘market surveillance authority’ means a market surveillance authority as defined in Article 3, point 4, of Regulation (EU) 2019/1020;	

(22) ‘recall’ means a recall as defined Article 3, point 22, of Regulation (EU) 2019/1020;	
(23) ‘withdrawal’ means a withdrawal as defined in Article 3, point 23, of Regulation (EU) 2019/1020;	SE (Drafting Suggestions): ~~(23) ‘withdrawal’ means a withdrawal as defined in Article 3, point 23, of Regulation (EU) 2019/1020;~~ SE (Comments): ”withdrawal” is only used in article 22, which we consider is superfluous. It is sufficient with the provisions for market surveillance in Regulation (EU) 2019/1020.
(24) ‘CE marking’ means a marking by which the manufacturer indicates that the detergent is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its **use** ~~affixing~~;	BG (Comments): No support. See our comments on art. 7(2c). ES (Drafting Suggestions):

	Delete CE marking definition ES (Comments): We consider **CE marking** would not constitute a reliable indicator of the detergents and surfactants regulation conformity. We believe that the already existing conformity assessment procedure, asmentioned in article 7.2, and the compliance with the security requirements included in REACH are sufficient to address consumer's security. In addition, including CE marking on detergents and cleaning products will introduce a new (and, innecesary, in our view) administrative burden for the sector, in particular for small and medium enterprises, which constitute the larger part of the sector. We also believe that fraudulent use of the CE marking is nevertheless feasible and therefore could lead to counterfeit detergent products on the market. FR (Drafting Suggestions): ~~(24) 'CE marking' means a marking by which the manufacturer indicates that the detergent is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its~~

	use ~~affixing~~; FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual benefit. CE marking can be easily subject to counterfeiting and CE marking will not be a reliable indicator of a detergent product's conformity with the Detergents Regulation. The self-declaration leads to additional administrative burden for the sector, in particular SMEs, without any added value. Actual compliance can only be verified through enforcement against the requirements of the regulation. Bearing all the above points in mind, French authorities suggest to delete this requirement from the proposed Regulation, in line with the view of the Parliament, as this marking will not bring any added value to the safety and compliance of the detergent product. HU (Drafting Suggestions): ~~'CE marking' means a marking by which the manufacturer indicates that the detergent is in conformity with the applicable requirements set out in~~

	~~Union harmonisation legislation providing for its **use** affixing;~~ HU (Comments): The requirement for CE marking on Detergents and Cleaning Products was not considered as part of the Commission's Impact Assessment, and the impact was never assessed in terms of the additional administrative burden and costs versus the actual benefit. CE marking can be easily subject to counterfeiting and CE marking will not be a reliable indicator of a detergent product's conformity with the Detergents Regulation, as it depends on a selfdeclaration, which can easily be falsified. The self-declaration leads to additional administrative burden for the sector, in particular SMEs, without any added value. Actual compliance can only be verified through enforcement against the requirements of the regulation. Bearing all the above points in mind, we propose to delete this requirement from the proposed Regulation, in line with the view of the Parliament, as this marking will not bring any added value to the safety and compliance of the detergent product. SE (Drafting Suggestions): ~~(24) 'CE marking' means a marking by which the manufacturer indicates that the detergent is in conformity with the applicable~~

	~~requirements set out in Union harmonisation legislation providing for its use affixing;~~ SE (Comments): Our preferred option is to delete all requirements for CE marking. The introduction of a product passport results in limited importance of the CE marking and leads to difficulties for the actors in the distribution chain to fulfil their rescpectively respnsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it would not function effectively in combination with CLP for imported products of this category.
(25) ‘corrective measure’ means a measure as defined in Article 3, point 16, of Regulation (EU) 2019/1020;	
(26) ‘release for free circulation’ means the procedure laid down in Article 201 of Regulation (EU) No 952/2013;	

(27) 'data carrier' means a linear bar code symbol, a two-dimensional symbol or other automatic identification data capture medium that can be read by a device;	
(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;	
(29) 'unique operator identifier' means a unique string of characters for the identification of economic operators involved in the value chain of products;	
	SE (Drafting Suggestions): (29a) **'unique registration identifier' means [***insert an explanation of this identifier***] associated to the identifiers uploaded in the registry for a specific detergent or surfactant;** SE (Comments): In article 20(1a) a "**unique registration identifier"** is introduced. We find it appropriate to add a definition of this identifier, or to add a

	reference to the ESPR when published if such definition is available in that regulation.
(30) 'customs authorities' means customs authorities as defined in Article 5, point 1, of Regulation (EU) No 952/2013;	
(31) 'EU Customs Single Window Certificates Exchange System' means the system referred to in Article 4 of the Regulation (EU) 2022/2399 of the European Parliament and of the Council[1];	
(32) 'individual packaging' means packaging in which the detergent or surfactant is made available on the market and which is intended to accompany the content to the place of use;	DK (Comments): The concept "individual packaging" is only used once throughout the entire proposal; whereas "packaging" is mentioned seven times. We believe that it should be considered whether "individual" is needed in the definition and if so, that it is specified how "individual packaging" differs from "packaging".
	SE

[1] Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1).

	(Drafting Suggestions): **(32a) 'physical label' means a label that is affixed to the packaging in which the detergent or surfactant is made available on the market;** SE (Comments): To avoid misunderstandings, it could be appropriate to add a definition of a physical label.
(33) 'refill' means the operation by which **an end-user fills a packaging with a detergent or surfactant offered by an economic operator in the course of a commercial activity, whether in return for payment or free of charge** ~~the detergent is filled in-store from a large container in the end-users' own package either manually or through automatic or semi-automatic equipment;~~	DK (Comments): We support the inclusion of surfactants in the definition HU (Drafting Suggestions): (33) 'refill' means the operation by which **an end-user or an economic operator fills a packaging with a detergent or surfactant offered by an economic operator in the course of a commercial activity, whether in return for payment or free of charge** ~~the detergent is filled in-store from a large container in the end-users' own package either manually or through automatic or semi-automatic equipment;~~ HU (Comments): There are several refill stations where the economic operator (seller, shop

	assistant etc) does the refill instead of the customer. IE (Comments): IE: We agree with the amendment to the definition for "refill" PL (Comments): We propose that the definition of refill should include refilling at the point of sale. SI (Drafting Suggestions): Refill format' means the operation by which **an end-user fills a packaging with a detergent or surfactant offered by an economic operator in the course of a commercial activity, whether in return for payment or free of charge** SI (Comments): Adjustment with the rest of the text where "refil format" is mostly used
(33a) 'refill station' means a place where an economic operator offers to end-users a detergent or surfactant that can be acquired through refill, either manually or through automatic or semi-	IE (Comments): IE: We agree with the amendment to the definition for "refill station"

automatic equipment;	PL (Comments): We are of the opinion that the definition of refill station should specify that refilling take place at the point of sale SI (Drafting Suggestions): **(33a) 'refill station' means a place where end-user fills a packaging with a detergent or surfactant, either manually or through automatic or semi-automatic equipment;** SI (Comments): Alternatively, SI suggest simplified and clearer definition by joining paras 33 and 33a.
(34) 'batch' means a defined quantity of finished products that meets the following conditions:	FR (Comments): Applying the DPP for detergents at batch level is not possible for industry since it would require tens of thousands of DPPs for the same product. The model level is more workable. Introducing Product Passport on the Model level, where Model is a combination of Product name + formula,

	would facilitate DPP adoption for the industry without compromising the purpose of the DPP and the work of market surveillance authorities. HU (Drafting Suggestions): ~~'batch' means a defined quantity of finished products that meets the following conditions:~~ HU (Comments): Might need to be considered to be deleted if we change to model level requirement.
	HU (Drafting Suggestions): **(34a) model' means a group of detergents or surfactants that meet the following conditions: They are clearly defined by the same product name ; - They are under the responsibility of the same manufacturer ; - They contain the same ingredients, in accordance with Annex VI – point f, and are manufactured using the same manufacturing processes.**
– 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	SI (Drafting Suggestions): - has a uniform composition when tested in accordance with the same test methods; and SI (Comments): Intention by itself can not be enough to define a batch, uniform composition is a requrement
– is clearly defined by a type number, batch number or other element allowing its identification.	FI (Drafting Suggestions): is clearly defined by a batch number. FI (Comments): While a batch is defined in the regulation, it would be beneficial to set only one reference for the number indicating a single batch. SI (Drafting Suggestions): Every batch must be clearly defined by a type number, batch number or other element allowing its identification. SI

	(Comments): A batch identification number in our view is not inherently a definition of a batch. It can only be a requirement, specified later in the text for operational or implementation purposes.
	FR (Drafting Suggestions): (34.a) 'Model' means a group of detergents or surfactants that meet the following conditions: - they are clearly defined by the same product name; - they are under the responsibility of the same manufacturer; - they contain the same ingredients, in accordance with Part A of Annex V point f, and are manufactured using the same manufacturing processes. FR (Comments): Model is a combination of Product name + formula, would facilitate DPP adoption for the industry without compromising the purpose of the DPP

	and the work of market surveillance authorities.
(35) 'end-user' means any natural or legal person residing or established in the Union, to whom a detergent or surfactant has been made available either as a consumer outside of any trade, business, craft or profession or as a professional end-user in the course of its industrial or professional activities.	SI (Drafting Suggestions): (35) 'end-user' means any natural or legal person residing or established in the Union, to whom a detergent or surfactant has been made available either as a general consumer or as a professional end-user.
CHAPTER II	
PRODUCT REQUIREMENTS	
Article 3	
Making available on the market and f~~F~~ree movement	DK (Comments): We support the new heading

	IE (Comments): IE: We agree with the change throughout Art. 3 in relation to "making available on the market" SE (Drafting Suggestions): ~~**Making available on the market and f**~~**Free movement** SE (Comments): Sweden does not support this amendment. The wording in this new proposal is not in line with the usual standard wording.
1. Detergents and surfactants may only be **made available**~~placed~~ on the market if they comply with this Regulation.	DK (Comments): We support the added text SI (Comments): We question the use of the word "surfactants here. Surfactants are typically ingredients within detergents and are not usually sold separately to consumers. Even if they were sold separately, they would then be classified as "detergents" and would need to meet the regulations applicable to detergents.

	SE (Drafting Suggestions): 1. Detergents and surfactants may only be ~~**made available**~~placed ~~**placed**~~ on the market if they comply with this Regulation. SE (Comments): Sweden does not support this amendment. The wording in the new proposal is not in line with the usual standard wording. The consequenses of this change is unclear, e.g because it would widen the responsibilities for all actors in the supply chain.
2. Member States shall not prohibit, restrict or impede the **making available**~~placing~~ on the market of detergents or surfactants which comply with this Regulation.	DK (Comments): We support the added text SE (Comments): In this paragraph we find it appropriate to change the wordning to making available on the market.

Article 4	
Biodegradability	
1. ~~Detergents , and~~ **S**surfactants ~~**and water soluble films used in detergent capsules**~~ shall comply with the biodegradability requirements laid down in Annex I**(A)**.	BG (Comments): We support the deletion. DK (Drafting Suggestions): 1. ~~Detergents , and~~ **S**surfactants ~~**and water soluble films used in detergent capsules**~~ shall comply with the biodegradability requirements laid down in Annex I**(A) and organic non-surfactants shall comply with the biodegradability requirements as laid down in Annex I (B)**. DK (Comments): A Suitable transition period for manufacturers' compliance with new biodegradability requiremenrs in annex 1 should be provided in article 35

	in order to take into account the current lack of appropriate methods for testing more complex organic ingredients SE (Comments): We support the ambition to have biodegradability requirements for water soluble films to avoid the spread of microplastics in the environment. Our previous proposal for article 4(1) is now moved to article 4(3).
2. Paragraph 1 shall not apply to ~~the following:~~**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:**	DK (Drafting Suggestions): Para 2 should be DELETED DK (Comments): Active substances approved under the BPR are not by default biodegradable and do not by default comply with the biodegradability requirements under the Detergents Regulation. Thus, the scientific as well as the legal reason for their exemption from the requirement in paragraph 1 is lacking. We therefore believe that this paragraph is contrary to the very purpose of this Regulation, and that it creates a significant, unjustified legal gap. SI

	(Drafting Suggestions): Paragraph 1 shall not apply to ~~the following:~~**surfactants when they are used as active substances in biocidal products within the meaning of Article 3(1), point (c), of Regulation (EU) No 528/2012 where they meet any of the following conditions:** SE (Comments): We can support the proposed amendment, as this is in line with the wording in the current Detergents Regulation.
~~(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:~~	
(**aa**~~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;	

(**ab**~~ii~~) the surfactants are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014[1];	DK (Drafting Suggestions): 'the surfactants are included in the review programme as set out in the Biocidal products regulation **currently in force.** DK (Comments): If the paragraph is kept (cf. our suggestion above) , the reference should be made to the version of the review programme in force at any given time.
~~(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	

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

~~89(2)~~**55** of Regulation (EU) No 528/2012.	
3. By ... [2 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add organic polymers biodegradability requirements and appropriate standard assays in Annex I(B).	AT (Comments): AT supports the two-step approach to strengthen biodegradability requirements. BG (Comments): No support. We are skeptical that at this stage we should include requirements to regulate the biodegradability of organic polymers after 2 years and of all organic ingredients of detergents that are not surfactants after 5 years, unless it is clear whether suitable test methods exist and can be developed. It is not appropriate introdusing such a regulation for a future period. FI (Comments): FI can support this change, if it can be ensured that suitable test methods exist. The microplastics restriction of the REACH regulation will already ban the addition of non-biodegradable synthetic polymer microparticles to detergents. FR

	(Drafting Suggestions): **By ... [2 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add ~~organic polymers~~ films used for soluble packaging biodegradability requirements and appropriate standard assays in Annex I(B). A minimum transition period of [30 months] after the adoption of this delegated act should be foreseen.** FR (Comments): -"organic polymers" should be replaced by "films used for soluble packaging", to better reflect the intent of the provision. -French authorities support the Presidency's orientations but stress that while specific timings are indicated for the adoption of the delegated acts, additional provisions should be foreseen to cover the duration of the transition periods for the industry to respect these new provisions. The transitions periods should allow the industry to retest its products and reformulate them, should they not pass the newly defined requirements.

	So a transition period after the adoption of each of delegated acts should be needed HU (Drafting Suggestions): **3. By ... [~~2 years~~ 60 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add films used for soluble packaging ~~organic polymers~~ biodegradability requirements and appropriate standard assays in Annex I(B).** **The application of such provisions should be applicable 36 months after the adoption of the delegated act.** HU (Comments): Clarification on the type of polymers that would be covered by this first delegated act, but sufficient time is needed for the Commission to work on them - Additional provisions should be foreseen to cover the duration of the transition periods for the industry to respect these new provisions. The transitions periods should allow time to retest products and reformulate them, should they not pass the newly defined requirements. A minimum period of 30 months after the adoption of this delegated act

	should be foreseen to allow for the industry to comply with these new provisions PL (Drafting Suggestions): By ... [2 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add ~~organic polymers~~ **films used for soluble packaging** biodegradability requirements and appropriate standard assays in Annex I(B). PL (Comments): Poland welcomes the introduction of deadlines for the adoption of delegated acts with research criteria. However, we believe that the deadline introduced in the legal text should be more realistic for the European Commission to meet. We propose replacing the phrase “organic polymers” with the phare “films used for soluble packaging” in order to better reflect the intentions of this provision SE (Drafting Suggestions): 3. ~~**By ... [2 years from the date of entry into force of this**~~

	~~**Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add organic**~~ **Organic polymers used in detergent capsules shall comply with the** biodegradability requirements **biodegradability requirements** ~~**and appropriate standard assays**~~ **laid down in Annex I(B).** SE (Comments): We support the ambition to have biodegradability requirements for water soluble films to avoid the spread of microplastics in the environment. We would prefer to add this requirement to the regulation, see our drafting proposal. However, as a compromise we can support the PCY proposal to add these requirements in a delegated act 2 years after entry into force of the regulation. Our previous proposal for article 4(1) is moved to article 4(3).
4. By… [5 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add biodegradability requirements to any relevant	BG (Comments): No support. See comments above.

organic detergent compound and appropriate standard assays in Annex I(B).	DK (Drafting Suggestions): **4. By… [5 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add biodegradability requirements to any ~~relevant~~ organic detergent compound and appropriate standard assays in Annex I(B)**. DK (Comments): By which criteria shall the COM decide which compunds are relevant? FI (Comments): FI can support this change, if it can be ensured that suitable test methods exist. However, it is not clear what is meant by "relevant organic detergent compound" and should be defined. FR (Drafting Suggestions): **By… [5 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add biodegradability requirements to ~~any relevant organic detergent compound~~ any relevant organic detergent ingredient and**

	any other relevant organic polymer and appropriate standard assays in Annex I(B). A minimum transition period of [30 months] after the adoption of this delegated act should be foreseen. FR (Comments): -"any relevant organic detergent compound" should be replaced by "any relevant organic detergent ingredient and any other relevant organic polymer." Polymers included in the product formulation would then be clearly covered by this paragraph, if assessed as relevant. -Relevance of the newly considered ingredients/polymers should be based on a preliminary cost/benefit analysis of these substances but also on scientific evidence substantiating a risk to the environment. -While specific timings are indicated for the adoption of the delegated acts, additional provisions should be foreseen to cover the duration of the transition periods for the industry to respect these new provisions. The transitions periods should allow the industry to retest its products and reformulate them, should they not pass the newly defined

	requirements. So a transition period after the adoption of each of delegated acts should be needed HU (Drafting Suggestions): **By… [96 months** from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add biodegradability requirements **and appropriate standard assays in Annex I(B) to any relevant organic detergent ingredient and any other relevant organic polymer.** **Relevance of the newly considered ingredients or polymers should be based on a preliminary cost-benefit analysis of these substances but also on scientific evidence substantiating a risk to the environment.** **The application of such provisions should be applicable 36 months after the adoption of the delegated act.** HU (Comments): Sufficient time is needed for the Commission to adopt the delegated acts. Additional provisions should be foreseen to cover the duration of the transition periods for the industry to respect these new provisions.

	Relevance of the newly considered ingredients/polymers should be based on a preliminary cost/benefit analysis of these substances but also on scientific evidence substantiating a risk to the environment. A minimum period of 30 months after the adoption of this delegated act should be foreseen to allow for the industry to comply with these new provisions. PL (Drafting Suggestions): By… [5 years from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to add biodegradability requirements to ~~any relevant organic detergent compound~~ **any relevant organic detergent ingredient and any other relevant organic polymer** and appropriate standard assays in Annex I(B). PL (Comments): We propose to replace the phrase “any relevant organic detergent compound” with phrase “any relevant organic detergent ingredient and any other relevant organic polymer.” The polymers contained in the composition of the product would then be clearly covered by this provision.

	In our opinion, the need to add requirements for new ingredients/polymers should be based on scientific evidence of environmental risk and on a cost-benefit analysis of these ingredients. SI (Comments): What does “any relevant” refer to? This instructin is too open and therefore not clear and legally certain. SE (Comments): We support the review clause in article 4(4).
5. Where necessary, the Commission is empowered to adopt delegated acts in accordance with Article 27 to allow for the specific use of a limited quantity of a substance in detergents that do not comply with the biodegradability criteria established in accordance with Annex I(B).	BG (Comments): No support. See comments above. SI (Drafting Suggestions): **DELETE** SI (Comments): Repeated in Article 26 SE

	(Drafting Suggestions): ~~**5. Where necessary, the Commission is empowered to adopt delegated acts in accordance with Article 27 to allow for the specific use of a limited quantity of a substance in detergents that do not comply with the biodegradability criteria established in accordance with Annex I(B).**~~ SE (Comments): We do not support the proposed possibility for derogations in article 4(5). We do not see a need for a requirement to allow for the specific use of limited quantities of substances that do not comply with the biodegradability criteria. If such substances exist, they would rather not be be listed in Annex I(B) according to articles 4(3) or 4(4). This requirements should be read together with the proposal for article 26.6a?
Article 5 **Detergents containing micro-organisms**	AT (Comments): AT supports the proposed changes in Art. 5 SE (Comments):

	Our comments on micro-organism requirements are made to the text in Annex II.
1. Detergents containing micro-organisms shall comply with the requirements laid down in Annex II.	
2. By ... [2 years from the date of entry into force of this Regulation], the Commission shall adopt a delegated act in accordance with Article 27 to complement Annex II with the appropriate methodology to assess and manage the risks posed by detergents containing micro-organisms, particularly when they are in spray format or destined to be used on food or surfaces in contact with food. When adopting this delegated act, the Commission shall take into account scientific evidence and technical progress and the need to ensure a high level of protection of human health and the environment during the whole lifecycle of the product.	BG (Comments): Bulgaria holds a positive scrutiny reservation on the approach regarding detergents containing micro-organisms in a spray form. In any case, we support the removal of the ban on their use in this form. SE (Comments): We are in general in favour of the proposal for COM to supplement Annex II with regards to risk assessment and risk management for products containing micro-organism. However, as we consider that products containing micro-organisms should not be allowed in spray format to consumers, the focus for such products should be on other users.

Article 6	
Limitations on the content of phosphates and other phosphorus compounds	AT (Comments): AT can accept the Presidency´s proposal.
Detergents listed in Annex III shall comply with the limitations on the content of phosphates and other phosphorus compounds laid down in that Annex.	LT (Drafting Suggestions): Detergents listed in Annex III shall comply with the limitations on the content of phosphates and other phosphorus compounds laid down in that Annex. **The first paragraph shall not apply to detergents that are biocidal products in accordance with Regulation (EU) No 528/2012 or medical devices in accordance with Regulation (EU) No 2017/745.**
	DK (Drafting Suggestions):

	Article 6a **Substances and mixtures prohibited in detergents and surfactants** Detergents and surfactants shall comply with the requirements laid down in Annex IIIa. DK (Comments): In the Chemicals Strategy for Sustainability, detergents are mentioned as a consumer product group where an automatic ban of the most harmful substances should be introduced. Likewise, in the strategy, detergents for consumers are mentioned as a product group, where combination effects of substances should be taken into account. We were therefore surprised to see that these ambitions have not been introduced in the Detergent's Regulation. As such, we propose the introduction of a general prohibition of the presence of the most harmful substances and mixtures as classified under CLP in detergents and surfactants placed on the market for use by non-professionals. These specific requirements are laid down in our proposal for a new Annex IIIa. Besides a general prohibition upon the use of the most harmful substances in consumer detergents, this annex should also contain exemptions to the general prohibition. The new annex should

	therefore specify the conditions under which exemptions will apply. Exemptions must also take into account both exposure to the substance from other sources as well as exposure to other substances having the same mode of action. Specifically, we believe it is important that exemptions should apply for enzymes for which safe use can be demonstrated, that can play an important role in reducing the climate impact of detergents as the use of enzymes will lower the temperature and increase the efficiency of the washing process
CHAPTER III	
OBLIGATIONS OF ECONOMIC OPERATORS	
Article 7 **Obligations of manufacturers**	
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.	

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.	SE (Drafting Suggestions): 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~~. SE (Comments): Our preferred option is to delete all requirements for CE marking. Thus the reference to technical documentation is changed to refer to only documentation to avoid confusion. According to the proposed recital 44, the manufacturer, by affixing the CE marking, declares that the detergent or surfactant is in conformity *with all applicable requirements* and that the manufacturer takes full responsibility thereof. If this requirement is kept, this duty can only cover technical documentation for the CE marking of products related to provisions in this regulation and not for provisions in e.g. the REACH and CLP regulations where there are responsibilities laid on economic operators at later stages of the supply chain e.g. for classification of imported products where an importer is the responsible actor.

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:	SE (Drafting Suggestions): ~~Where compliance of a detergent or surfactant with the applicable requirements has been demonstrated by the procedure referred to in the first subparagraph, manufacturers~~ **Manufacturers** shall: SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
(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),	SE (Drafting Suggestions): (b) ensure that ~~the~~ **a** 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), SE

	(Comments): Editorial comment: Except for the definition in article 2, the data carrier is introduced for the first time here.
(c) where relevant, **include in the product passport** ~~affix~~ the CE marking in accordance with Article 14,	BG (Drafting Suggestions): affix the CE marking in accordance with Article 14 BG (Comments): There is no added value for the CE marking appearing only in the product passport, as it is the main sign that indicates the compliance of the product. We insist that it should continue to be placed on the product label, because it does not make sense to include it only in the product passport. DK (Drafting Suggestions): where relevant, **include in the product passport and affix** the CE marking in accordance with Article 14 DK (Comments): This change is only relevant if article 14 is changed as proposed by the

	PRES. Dk does not support this change ES (Drafting Suggestions): Delete letter (c) ES (Comments): Read comments already made to art. 2.24, this proposal is relevant for consistency reasons. FR (Drafting Suggestions): ~~where relevant,~~ **~~include in the product passport~~** ~~affix the CE marking in accordance with Article 14,~~ FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual benefit. HU (Drafting Suggestions):

	~~(c) where relevant,~~ **~~include in the product passport~~** ~~affix the CE marking in accordance with Article 14,~~ LV (Comments): Not clear what is meant by “where relevant”, as the CE marking must be present for all detergents ans surfactants placed on EU market. SI (Drafting Suggestions): (c) ~~where relevant~~, affix the CE marking in accordance with Article 14, SI (Comments): We recommend either providing a clear and explicit definition of "relevant" or removing it altogether. Additionally, if the CE marking is retained in the proposal, we suggest it should be affixed to the container as a visible indication of compliance. SE (Drafting Suggestions): ~~(c) where relevant,~~ **~~include in the product passport~~** ~~affix the CE~~

	~~marking in accordance with Article 14,~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
(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).	
3. Manufacturers shall keep the technical documentation and the product passport **at the disposal of national market surveillance authorities** for 10 years after the detergent or the surfactant ~~covered by that documentation or product passport~~ has been placed on the market.	DK (Drafting Suggestions): Manufacturers shall keep the technical documentation and the product passport **at the disposal of national market surveillance authorities** for ~~10 years after the detergent or the surfactant covered by that documentation or product passport has been placed on the market~~**, and 5 years after it has last been made available on the market**. DK (Comments):

	Article 8 (product passport) paragraph 2, point (h), of the ESPR states: (h) the period ***during*** which the product passport ***is to*** remain available***, which shall correspond to at least the expected lifetime of a specific product*** We agree with several Member States that the lifetime of a detergent may be closer to 5 years than 10 years, and that, in the view of Article 8(2) of the ESPR, it is reasonable to adapt the timeline for keeping technical documentation for detergents to this expected lifetime. However, the expected lifetime should be calculated from the last time the detergent is made available on the market, since otherwise you may risk that end-users do not have acces to the required information before the end of life of the detergent. ES (Drafting Suggestions): 3. Manufacturers shall keep the technical documentation and the product passport **at the disposal of national market surveillance authorities** for ~~10~~ **5** years after the detergent or the surfactant ~~covered by that documentation or product passport~~ has been placed on the market. ES (Comments): We consider that this obligation should be proportional to the product

	lifespan and avoid unnecessary burden for economic operators. FR (Drafting Suggestions): Manufacturers shall keep the technical documentation and the product passport at the disposal of national market surveillance authorities ~~for 10~~ **up to a period of 5** years after the detergent or the surfactant covered by that documentation or product passport has been placed on the market. FR (Comments): Obligations for economic operators to retain information should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. LT (Drafting Suggestions): Manufacturers shall keep the technical documentation and the product passport **at the disposal of national market surveillance authorities** ~~for 10~~ **up to a period of 5** years after the detergent or the surfactant covered by that documentation or product passport has been placed on the market. LT (Comments):

	Obligations for economic operators to retain information (e.g. technical documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. RO (Drafting Suggestions): Manufacturers shall keep the technical documentation and the product passport **at the disposal of national market surveillance authorities** for ~~10~~ **5** years after the detergent or the surfactant ~~covered by that documentation or product passport~~ has been placed on the market RO (Comments): As detergents in practice fall into the fast moving consumer goods category, we propose that the 10-year period be reduced to 5 years. This would reduce costs and administrative burdens for the industry. SE (Drafting Suggestions): 3. Manufacturers shall keep the ~~**technical**~~ documentation **referred to in article 7(2)** and the product passport at the disposal of national market surveillance authorities for 10 years after the detergent or the surfactant ~~covered by that documentation or product passport~~ has been placed on the

	market. SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
4. Manufacturers shall ensure that procedures are in place for series production to remain in conformity. Changes in product design or characteristics and changes in the test methods by reference to which conformity of a product is declared shall be adequately taken into account.	
When deemed appropriate with regard to the performance of, or the risks presented by, a detergent or surfactant, manufacturers shall carry out sample testing of such detergents or surfactants, investigate, and, if necessary, keep a register of complaints, of non-conforming detergents or surfactants and recalls of such detergent or surfactants, and shall keep distributors informed of any such monitoring.	BG (Comments): The text is borrowed from the Fertilizers Regulation, where it makes sense to talk about product performance due to the regulation of products that can have different actions, while here we consider it not relevant to refer to performance. Detergents have only one action, so the text in this sentence should be limited to the risk only. FI

	(Comments): It seems unclear what is meant by "performance".
5. Manufacturers placing on the market detergents or surfactants shall ensure that they comply with the labelling requirements laid down in Articles 15, 16 and 17.	SI (Drafting Suggestions): 5. Manufacturers shall ensure that they comply with the labelling requirements laid down in Articles 15, 16 and 17.
6. **Before placing on the market detergents or surfactants for which there is no obligation to provide information according to Article 45 of Regulation (EC) No 1272/2008, m**~~M~~anufacturers**, or authorized representatives where applicable,** ~~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.	BG (Comments): We do not support the change and want to keep the original text of the Commission on this para. The proposal broadens the scope - ingredients information have to be reported to the Member state' designated authority in any case, instead of only when requested by the authority as laid down in letter a). In our opinion, this expansion does not make sense, given that we are talking about non-dangerous substances. Moreover, an unnecessary burden is created for the economic operator to check whether the notifications have been made. In addition, if the text remains as it is, we consider it unnecessary to add

	the figure of the authorized representative, since this obligation should be part of the mandate of the manufacturer to the authorized representative. FI (Comments): FI supports continuing current practise. HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). IE (Drafting Suggestions): IE: As this provision relates to duties of manufacturers only and not to the duties of authorised representatives, we propose that the text is amended to delete reference to the authorised representatives as follows: "Before placing on the market detergents or surfactants for which there is no obligation to provide information according to Article 45 of Regulation (EC) No 1272/2008, manufacturers, ~~or authorized representatives where applicable,~~ shall…"

	IE (Comments): IE: Art. 7 refers to duties of manufacturers **only** to provide information to MS appointed bodies, therefore we do not agree with the inclusion of "*or authorized representatives where applicable*". The obligation of the authorised rep. is covered under Art. 8 (3)(a). PL (Comments): Poland prefers the Commission's original provision in this respect. SI (Drafting Suggestions): **For detergents or surfactants for which there is no obligation to provide information according to Article 45 of Regulation (EC) No 1272/2008, m**anufacturers**, or authorized representatives where applicable,** ~~-~~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 on request. SI (Comments): The provision expands article 45 of the CLP and goes beyond what was

	deemed necessary for the poison control centers. Furhermore, we do not believe that providing the ingredients data sheet for every such detergent in every appointed body in all the MSs is necessary and produces an excessive administrative burden, both for the industry and the appointed bodies. We take note of varying arrangements regarding PCNP notifications in MSs, where some receive the PCNP notifications through ECHA. This can lead to ambiguities if such an obligation is maintained for non-PCNP notifiable detergents SE (Drafting Suggestions): ~~6.~~ **~~Before placing on the market detergents or surfactants for which there is no obligation to provide information according to Article 45 of Regulation (EC) No 1272/2008, m~~**~~Manufacturers~~**~~, or authorized representatives where applicable,~~** ~~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.~~ SE

	(Comments): Sweden suggests that this requirement is removed. It can not be ensured that all manufacturers outside the Union will be able to comply with this requirement, as the importer is the actor responsible for classification of the product according to CLP, and thus the manufacturer might not have all the necessary information to do this reporting before the product is supplied to an importer. Neither is it clear that an authorised representative would have the necessary information to do this reporting before the product is placed on the market by an actor that is an importer according to CLP. If the requirement is kept, the responsibility needs to be moved to an actor that is responsible for classification and labelling under CLP, e.g. an importer. This may lead to a case where it is not possible to include the ingredient data sheet in a product passport.
~~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.~~	
When the detergent or surfactant for which a data sheet has already been provided no longer corresponds to the information included in that datasheet, the manufacturer, or the authorized representative where applicable, shall provide an updated data sheet to the Member states' appointed body before placing the detergent or surfactant, as changed, on the market.	HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). SI (Drafting Suggestions): Delete SI (Comments): In accordance with our previous comment. If the datasheet is provided on demand, it will always be the updated version, and no unnecessary

	distribution is needed SE (Drafting Suggestions): ~~**When the detergent or surfactant for which a data sheet has already been provided no longer corresponds to the information included in that datasheet, the manufacturer, or the authorized representative where applicable, shall provide an updated data sheet to the Member states' appointed body before placing the detergent or surfactant, as changed, on the market.**~~ SE (Comments): Sweden suggests that this requirement is removed for the same reason as explained in article 7(6) above.
~~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.~~	
The information included in that data sheet shall be kept confidential and may only be used:	SE (Drafting Suggestions):

	~~**The information included in that data sheet shall be kept confidential and may only be used:**~~ SE (Comments): Sweden suggests that this requirement is removed for the same reason as explained in article 7(6) above.
(a) to meet medical demand by formulating preventative and curative measures, in particular in the event of an emergency;	SE (Drafting Suggestions): ~~**(a) to meet medical demand by formulating preventative and curative measures, in particular in the event of an emergency;**~~ SE (Comments): Sweden suggests that this requirement is removed for the same reason as explained in article 7(6) above.
and	SE (Drafting Suggestions): ~~**and**~~ SE

	(Comments): Editorial
(b) where requested by the Member State, the Commission or the Agency established by Regulation (EC) No 1907/2006, to undertake a statistical analysis to identify where improved risk management measures may be needed.	DK (Drafting Suggestions): **(b)** where requested by the Member State, the Commission or the Agency established by Regulation (EC) No 1907/2006, to undertake a ~~statistical~~ analysis to identify where improved risk management measures may be needed. DK (Comments): We suggest to remove "Statistical" as this will limit the possible use of the data available e.g. for tonnage and emission estimations in a restriction proposal . Furthermore, ECHA should be mentioned in the financial fiche of the proposal if the agency is to carry out tasks under this regulation as it will otherwise lack funding for that. SI (Drafting Suggestions): delete SI

	(Comments): In accordance with our previous comments. SE (Drafting Suggestions): ~~**(b) where requested by the Member State, the Commission or the Agency established by Regulation (EC) No 1907/2006, to undertake a statistical analysis to identify where improved risk management measures may be needed.**~~ SE (Comments): Sweden suggests that this requirement is removed for the same reason as explained in article 7(6) above.
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	FI (Comments): Why is it not the market surveillance authority (which is defined in Article 2) who would receive this information? See general comment on Article 8(1).

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.	
8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in paper or electronic form, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation, in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.	
Article 8	
Authorised representative	AT (Comments): The current organisation of economic operators is sufficient to ensure that

	proper responsibilities are allocated throughout the supply chain. We question the added value of a new economic operator, especially as there is no equivalent in the CLP Regulation. ES (Drafting Suggestions): Delete this operator except for those cases where there is not an importer as for example, in direct online sales to final users ES (Comments): The addition of a new economic operator may decrease efficiency in the communications throughtout the supply chain. We propose to delete this operator except for those cases where there is not an importer as for example, in direct online sales to final users. In any case, the inclusion of this new operator should entail the same responsibilities in Article 8.3 (b) that those included in Article 9.2, regarding to importers. HU (Comments): In our opinion, the introduction of the concept of an authorised representative is only acceptable in the case where the manufacturer is not

	established in the European Union, and no importer is operating in the EU who is responsible for the import (for example, because the sale takes place online). However, the compromised text gives in some cases more responsibility for the authorised representatives than manufacturers or importers. Therefore, HU doesn't support current state of the authorised representative because they shouldn't get more responsibility. LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). PL (Comments): The current organisation of economic operators (manufacturer, distributor and importer) seems to be sufficient to ensure a proper allocation of responsibilities in the supply chain. The addition of a new economic

	operator – an authorised representative – will not bring any new added value to the current system and may actually reduce the efficiency of supply chain communications in certain specific situations. Therefore, we propose to leave an authorised representative for direct imports of detergents from outside the EU.
	IE (Comments): IE: According to Art. 8(2), a detergent or surfactant may not be placed on the market unless the non-EU manufacturer designates an authorised representative. The authorised representative is then responsible for ensuring full compliance of the detergent/surfactant which would make the role of the importer redundant. While IE welcomes the amendments to Art. 8 setting out clear duties for the authorised representative in relation to ensuring compliance for detergents and surfactants placed on the market, we question the dual roles for importers and authorised representatives in ensuring that the product fulfils all requirements of the Regulation. IE proposes that the role of the authorised representative is reconsidered. We support the comments of the DK colleagues during the WP meeting on 29 April 2024, whereby the authorised representative should have the

	role of ensuring compliance where there is no importer, i.e. for online sales.
1. Manufacturers may, by a written mandate, appoint an authorised representative **who shall accept in writing**. **The authorised representative shall provide a copy of the mandate to the competent authority, upon request.**	BG (Comments): The addition of "who shall accept in writing" is redundant. Our interpretation is that by receiving the written mandate, the authorized representative agrees to act on behalf of the manufacturer and to perform the tasks specified therein. This has so far operated seamlessly across the NLF legislation. DK (Drafting Suggestions): 1. Manufacturers may, by a written mandate, appoint an authorised representative who shall accept in writing. The authorised representative shall provide a copy of the mandate to the competent authority, upon request. **Manufacturers shall provide their authorised representative with necessary powers and sufficient resources to guarantee that they can attend to the tasks laid down in paragraph 3.** DK (Comments): We suggest this addition, inspired from article 11(2) of the Digital Services Act (Regulation (EU) 2022/2065). This will provide better

	assurance as to ensuring that the authorised representative in fact has the ressources to live up to his/hers responsibilities. FI (Comments): In general, regarding the reference to the competent authority (also in other parts of the proposed legal text), would it be more consistent instead of "competent authority", to refer to the market surveillance authorities, since they are the relevant bodies when it comes to supervision of compliance with this provision? FR (Drafting Suggestions): **In case no manufacturer, nor importer, nor distributor is established in the European Union**, manufacturers **established outside the Union** ~~may~~ **shall**, by a written mandate, appoint an authorised representative who shall accept in wrting. The authorised representative shall provide a copy of the mandate to the competent authorit, upon request. FR (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a

	new economic operator – the authorized representative – will not bring any new added value to the current system and might actually lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). The only case where the designation of an authorised representative should be encouraged is when no other operator is established in the EU LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). SI (Drafting Suggestions): Manufacturers may, by a written mandate, appoint an authorised representative. **The authorised representative shall provide a copy of the mandate to the competent authority, upon request.** SI

	(Comments): While SI has Reservation about the AR concept overall, we are open to the idea of limiting it to the third-country manufacturers. SE (Drafting Suggestions): **A manufacturer** ~~Manufacturers~~ **that is not established in the Union,** may, by a written mandate, appoint an authorised representative **who shall accept in writing**. **The authorised representative shall provide a copy of the mandate to the competent authority, upon request.** SE (Comments): Definitions, roles, obligations and responsibilities should where possible be adapted to the CLP regulation to make the legal framework coherent and avoid that the responsibility for similar requirements on the products is shared between several economic actors. The relationship between the 'authorised representatives' and 'importers' under the proposal needs to be clarified. Sweden is of the opinion that in general the importer should be responsible for compliance when detergents are imported from third countries, in accordance with the NLF. However, there are instances where there is not any involvement of an importer, for example when customers import products via distance

	sales from economic operators established outside the EU. Thus, the main aim to introduce an authorised representative should be to manage compliance issues for import via e-commerce when the manufacturer is established outside the EU. We do not see a need for manufacturers established in the Union to appoint an authorised representative. In response to the comment from the Presidency, that a responsible operator established in the EU is foreseen in other European legislations, such as the Cosmetics Regulation or the newly agreed CLP proposal: we consider that the the solution with an authorised representative is not in line with the solution agreed for in CLP.
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.	BG (Drafting Suggestions): Where **there is no an importer and 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. BG (Comments):

	In principle, we do not think that when the manufacturer is not established in the Union, he must necessarily appoint an authorized representative (AR), for the following reasons: 1. According to the Market Surveillance Regulation, when the manufacturer is not established in the Union, responsibility for the product can be borne by the importer or the authorized representative, that is, it does not necessarily have to be an AU; 2. Indeed, under the CLP Regulation in this case the supplier is responsible, but this Regulation follows the principles of the New Approach and the role of the economic operators should be established in accordance with NLF principles. 3. This is different treatment of producers inside and outside the Union, and the question arises whether it is compatible with WTO principles DK (Drafting Suggestions): 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, **unless the detergent or surfactant is placed on the market by an importer acting in the course of commercial activity**. DK

	(Comments): It is important, that there is always an economic operator within the Union, who can be held responsible in the event that a detergent fails to live up to the requirements set out in the Regulation. This is especially important in relation to detergents from third countries sold directly to EU consumers through online marketplaces which is a business model which the New Legislative Framework does not take into account. We support the Presidency's proposal to impose the obligation on the authorised representative to ensure the compliance of the detergent as it will significantly improve market surveillance powers and thereby the safety for health and the environment, especially when combined with a requirement to display the contact information of the authorised representative when selling a detergent directly to EU consumers (i.e. without an importer) as proposed with article 17a together with article 15(3). The authorised representative is not needed in cases where an importer has placed the detergent on the Union market in the course of commercial activity. We therefore propose that it is specified, that the obligation of the authorised representative to ensure the compliance of the detergent or surfactant, only applies when there is not an importer responsible for the

	detergent or surfactant. LT (Comments): Sutinkame, kad šiuo atveju authorised representative yra reikalinga ir naudinga institucija, tačiau kitais atvejais manytume, kad tai sukelia didesnę administracinę naštą. SE (Drafting Suggestions): 2. Where the manufacturer is not established in the Union**, and places detergents or surfactants on the Union market through distance sales,** the detergent or surfactant may only be placed on the Union market if the manufacturer designates, by a written mandate, an authorised representative. SE (Comments): There are instances where there is not any involvement of an importer, for example when consumers import products via distance sales from economic operators established outside the EU. Thus the main aim to introduce an authorised representative should be to manage compliance issues for import via e-commerce when the manufacturer is established outside the EU.

3. **The**~~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.~~	SI (Drafting Suggestions): **The** 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. SI (Comments): SI believes that the extent of the mandate should be left to the manufacturer and the AR, and not detailed here.
~~The mandate shall allow the authorised representative to do at least the following:~~	HU (Drafting Suggestions): ÷
(aa) **ensure that the detergent or the surfactant he is appointed for fulfils the requirements set out in this Regulation;**	BG (Comments): We are strongly against the addition of this text, as the authorized

	representative has no way to ensure the compliance of the product with the requirements of the Regulation. He does not have the ability and competence to perform these functions. The authorized representative cannot perform the functions of the manufacturer, as he has no relation to the production process and can only perform administrative functions. This is explicitly stated in deleted par. 4. Furthermore, we cannot assign functions to the authorized representative that even the importer does not have. We insist that the text of the Commission is returned, including paragraph 4. DK (Drafting Suggestions): (aa) **If mandated according to paragraph 2,** ensure that the detergent or the surfactant **the authorised representative** is appointed for fulfils the requirements set out in this Regulation; DK (Comments): We support the introduction of an authorised representative. However, we believe that the authorised representative should only be responsible for the compliance of the product, when then manufacturer is established outside the EU and there is no importer established within the EU who is responsible for the compliance of the product. Furthermore, it is changed

	in order to make gender neutral HU (Drafting Suggestions): ~~aa) ensure that the detergent or the surfactant he is appointed for fulfils the requirements set out in this Regulation;~~ HU (Comments): This should not be a responsibility of the authorised representative. SI (Drafting Suggestions): DELETE SI (Comments): To enhance clear and efficient enforcement, we propose that the responsibility for this requirement should primarily lie with the (EU) manufacturer and/or importer, to the greatest extent possible, rather than distributing it among multiple entities.
(a) verify that the product passport has been created in accordance with Article 7(2), point (a), that the technical documentation has been	BG (Comments):

drawn up and the conformity assessment procedure has been carried out by the manufacturer in accordance with Article 7(2) **and that the ingredient data sheet has been provided to Member States' appointed bodies in accordance with Article 7(6)**;	It should be noted that letter (aa) and (a) contradict each other. If AR ensure compliance there is no need to verify anything. FI (Drafting Suggestions): delete "and that the ingredient data sheet…" FI (Comments): See FI comment on 7(6). HU (Comments): HU would like to request a differnet drafting for these reqiuirements. Authorised representative should not 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 been carried out by the manufacturer in accordance with Article 7(2) and that the ingredient data sheet has been provided to Member States' appointed bodies in accordance with Article 7(6). However, the authorised representative can send the the ingredient data sheet or the technical documentation for the Member States' appointed bodies. SI

	(Drafting Suggestions): (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 been carried out by the manufacturer in accordance with Article 7(2) SE (Drafting Suggestions): (a**'**) verify that the product passport has been created in accordance with Article 7(2), point (a), that the ~~technical~~ documentation **referred to in article 7(2)** has been drawn up ~~and the conformity assessment procedure has been carried out by the manufacturer~~ in accordance with Article 7(2) ~~**and that the ingredient data sheet has been provided to Member States' appointed bodies in accordance with Article 7(6)**~~; SE (Comments): For the reasons described above, our preferred opion is to delete provisions related to CE markning, and it might be necessary to remove the requirement to provide an ingredient data sheet.
(b) keep the product passport and technical documentation at the disposal of national market surveillance authorities for 10 years after the	DK (Drafting Suggestions):

detergent or surfactant covered by those documents has been placed on the market;	(b) keep the product passport and technical documentation at the disposal of national market surveillance authorities for ~~10~~ **5** years after the detergent or surfactant covered by those documents has been ~~placed on the market~~ **made available on the market for the last time**; DK (Comments): See comment under article 7(3). LT (Drafting Suggestions): keep the product passport and technical documentation at the disposal of national market surveillance authorities ~~for 10~~ **up to a period of 5** years after the detergent or surfactant covered by those documents has been placed on the market; LT (Comments): Obligations for economic operators to retain information (e.g. technical documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. RO (Drafting Suggestions): keep the product passport and technical documentation at the disposal of

	national market surveillance authorities for ~~10~~ **5** years after the detergent or surfactant covered by those documents has been placed on the market; RO (Comments): As detergents in practice fall into the fast moving consumer goods category, we propose that the 10-year period be reduced to 5 years. This would reduce costs and administrative burdens for the industry. SE (Drafting Suggestions): (b) keep the product passport and ~~technical~~ documentation **referred to in article 7(2)** 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; SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
(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	LV (Drafting Suggestions): (c) upon the request from a competent national authority, provide that

with the requirements laid down in this Regulation;	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; LV (Comments): The authority has the right to check and no specific justification is required if there is a delegation. Otherwise, planned checks will not be possible, they will only be possible after a request, if the request would be considered as justification
(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.	LV (Comments): What happens after the termination of the mandate? Is the authorised representative no longer responsible for keeping product passport starting from the moment of the termination of the 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.~~	BG (Comments): We insist that the text of the Commission is returned. RO (Comments): We consider that the text should not be deleted given that Decision No 786/2008 on a common framework for the marketing of products provides, in Article R 3 of Annex I, that the drawing up of technical documentation is not part of the authorised representative's mandate.
Article 9	
Obligations of importers	
1. Importers shall place only compliant detergents or surfactants on the market.	

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);	SE (Drafting Suggestions): (a) the manufacturer has ~~carried out the conformity assessment procedure and~~ drawn up the ~~technical~~ documentation referred to in Article 7(2); SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
(b) ~~the detergent bears the CE marking referred to in Article 14;~~ **the ingredient data sheet has been provided to Member States' appointed bodies referred to in Article 7(6);**	BG (Comments): See our comment on art. 7(2c). FI (Drafting Suggestions):

	delete FI (Comments): See FI comment on Art 7(6). SI (Drafting Suggestions): Delete SE (Drafting Suggestions): ~~b) the detergent bears the CE marking referred to in Article 14;~~ **~~the ingredient data sheet has been provided to Member States' appointed bodies referred to in Article 7(6);~~** SE (Comments): For the reasons described above, our preferred opion is to delete provisions related to CE markning, and it might be necessary to remove the requirement to provide an ingredient data sheet.
(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);	
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.	
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.	DK (Comments): Please align with latest amendments of language requirements FI (Comments): For clarity, it would be beneficial to set all labelling requirements under Article 15.

5. Importers shall ensure that detergents and surfactants that they place on the market comply with the labelling requirements laid down in Articles 15, 16 and 17.	
6. Importers 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.	
7. When deemed appropriate with regard to the performance of a detergent or surfactant or the risks presented by them, importers shall carry out sample testing of such detergents and surfactants, investigate, and, if necessary, keep a register of complaints, of non-conforming detergents and surfactants and recalls of such detergents and surfactants, and shall keep distributors informed of any such monitoring.	DK (Comments): Are the market surveillance authorities expected to carry out control regarding this requirement?
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.	
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.	DK (Drafting Suggestions): Importers shall keep the reference to the unique product identifier at the disposal of the market surveillance authorities for a period of ~~10~~ **5** years after the detergent or surfactant has **last** been ~~placed~~ **made available** on the market and shall ensure that the technical documentation can be made available to those authorities, upon request. DK (Comments): See comment under art. 7(3). ES

	(Drafting Suggestions): 9. Importers shall keep the reference to the unique product identifier at the disposal of the market surveillance authorities for a period of ~~10~~ **5** 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. ES (Comments): As mentioned before in art. 7.3, this obligation should be proportional to the product lifespan and avoid any unnecessary burden for economic operators. LT (Drafting Suggestions): 9. Importers shall keep the reference to the unique product identifier at the disposal of the market surveillance authorities for a period of ~~10~~ **5** 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. LT (Comments): Obligations for economic operators to retain information (e.g. technical

	documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. LV (Drafting Suggestions): Importers shall keep the reference to the unique product identifier and product passport 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. SE (Drafting Suggestions): 9. Importers shall keep ~~the reference to the unique product identifier~~ **the documentation referred to in article 7(2)** at the disposal of the market surveillance authorities for a period of 10 years after the detergent or surfactant has been ~~placed~~ **made available** on the market and shall ensure that the ~~technical~~ documentation can be made available to those authorities, upon request. SE (Comments): We believe that the documentation shall be available and not only the

	reference to the documentation. The text is adjusted to the wordning in article 7(3).
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.	LV (Drafting Suggestions): Importers shall, upon the 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.
Article 10	
Obligations of distributors	

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.	
2. Before making a detergent or surfactant available on the market distributors shall verify that the following conditions have been met:	ES (Drafting Suggestions): Delete Article 10.2 ES (Comments): See our comments to art. 2.24. This deleation is for consistency purposes as well.
(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 **product passport**~~detergent~~ bears the CE marking referred to in Article 14;	BG (Comments): See our comment on art. 7(2c).

	FI (Drafting Suggestions): (b) the detergent bears the CE marking referred to in Article 14; FI (Comments): We do not support the proposed changes to Article 14 rendering the CE marking to be only mentioned on the product passport, and consider that it should be included in both the packaging and DPP. FR (Drafting Suggestions): ~~the **product passport**detergent bears the CE marking referred to in Article 14;~~ FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual benefit. HU (Drafting Suggestions): ~~the **product passport**detergent bears the CE marking referred to in Article 14;~~

	SI (Drafting Suggestions): the detergent bears the CE marking referred to in Article 14; SI (Comments): Bearing in mind the role of CE marking- i. e. clear demonstration of product compliance, the CE should be displayed on the product itself, and not in the PP only. SE (Drafting Suggestions): ~~(b) the~~ **~~product passport~~**~~detergent bears the CE marking referred to in Article 14;~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning. The introduction of a product passport results in limited importance of the CE marking and leads to difficulties for the actors in the distribution chain to fulfil their rescpectively responsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it

	would not function effectively in combination with CLP for imported products of this category
(c) the manufacturer has complied with the requirements set out in Article 7(2)**,** ~~and~~ (3) **and (6)** or, as applicable, the importer has complied with the requirements set out in Article 9(2).	IE (Comments): IE: Regarding obligations proposed for distributors under Art. 10(2)(c), IE is of the opinion that these duties are onerous, in that, as the text is written, distributors must ensure that the manufacturer or importer have complied with the duties set out in Art. 7(2) and 7(3) or 9(2). While we agree that distributors have a responsibility to check product compliance, the main responsibilities should be at the top of the chain, i.e. with the manufacturers/authorised representatives and/or importers. Therefore, IE proposes that provisions are set out under Art. 7 and Art. 9 requiring the manufacturer and importer to provide the relevant information/proof of compliance to the distributor for proportionality. SI (Drafting Suggestions): 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). SE

	(Drafting Suggestions): ~~(c) the manufacturer has complied with the requirements set out in Article 7(2)~~**~~, and~~** ~~(3) and (6) or, as applicable, the importer has complied with the requirements set out in Article 9(2).~~ SE (Comments): Sweden has explained for article 7(6) why it might be necessary to remove the requirement to provide an ingredient data sheet. E.g., it can not be ensured that all manufacturers outside the Union will be able to comply with this requirement, as the importer is the actor responsible for classification of the product according to CLP.
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	ES (Comments): As pointed out before, We propose to delete this operator except for those cases where there is not an importer as for example, in direct online sales to final users. LT (Comments): The current organization of the economic operators (manufacturer,

market surveillance authorities.	distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative).
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.	
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.	
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.	
Article 11	
Cases in which obligations of manufacturers apply to importers and distributors	
An importer or distributor shall be considered a manufacturer for the	SI

purposes of this Regulation and shall be subject to the obligations of the manufacturer under Article 7 where that importer or distributor places a detergent or surfactant on the market under his or her name or trademark or modifies a detergent or surfactant already placed on the market in such a way that compliance with this Regulation may be affected.	(Drafting Suggestions): An importer or distributor shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer under Article 7 where that importer or distributor places a detergent or surfactant on the market under his or her name or trademark or modifies a detergent or surfactant already placed on the market. SI (Comments): To prevent ambiguities and varying interpretations regarding what "may affect the compliance with this Regulation" we suggest adopting a broader approach where any modification to a detergent is categorized as "manufacturing."
Article 12	
Packaging and repackaging by importers and distributors	
	SI (Drafting Suggestions): Making available of detergents at the refill stations are not considered

	packaging and repackaging for the purpose of this article. SI (Comments): Since the operations, performed at the refill stations can, technically, be characterised as (re)packaging, refill sale should be exempted from the obligations of articles 11 and 12.
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 **in addition to his obligations under article 9 or 10** 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;	SE (Drafting Suggestions): (b) to ensure compliance with Articles ~~14~~ **15** to 17; SE

	(Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above. Thus, we suggest to delete the reference to article 14 that contains requirements for CE-marking.
(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.	ES (Drafting Suggestions): (c) to keep the reference to the unique product identifier at the disposal of the market surveillance authorities for ~~10~~ **5** years after having made the detergent or surfactant available on the market. ES (Comments): As mentioned before, this obligation should be proportional to the product lifespan and avoid unnecessary burden for economic operators. LT (Drafting Suggestions): (c) to keep the reference to the unique product identifier at the disposal of the market surveillance authorities ~~for 10~~ **up to a period of 5** years after having made the detergent or surfactant available on the

	market. LT (Comments): Obligations for economic operators to retain information (e.g. technical documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. LV (Drafting Suggestions): c) to keep the reference to the unique product identifier and product passport at the disposal of the market surveillance authorities for 10 years after having made the detergent or surfactant available on the market.
Article 13	
Identification of economic operators	

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.	
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.	ES (Drafting Suggestions): 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~~ **5** years after they have supplied the detergent or surfactant. ES (Comments): Same idea as in par. C) of art. 12.

	FR (Drafting Suggestions): Economic operators shall be able to provide the information referred to in paragraph 1 for ~~10~~ 5 years after they have been supplied with the detergent or surfactant and for ~~10~~ **5** years after they have supplied the detergent or surfactant FR (Comments): Obligations for economic operators to retain information should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. LT (Drafting Suggestions): 2. Economic operators shall be able to provide the information referred to in paragraph 1 ~~for 10~~ **up to a period of 5** years after they have been supplied with the detergent or surfactant and ~~for 10~~ **up to a period of 5** years after they have supplied the detergent or surfactant. LT (Comments): Obligations for economic operators to retain information (e.g. technical

	documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market.
	DK (Drafting Suggestions): **Article 13a** **Obligations for economic operators making an industrial or institutional detergent available on the market** Economic operators making an industrial or institutional detergent available on the market shall ensure that it is not sold to consumers. DK (Comments): We support the introduction of a definition for industrial and institutional detergents as a concept for detergents to be used by professionals. Therefore, we also find that it is evident that economic operators ensure that such detergents are not sold to consumers, since the very justification for this definition is otherwise nullified. We therefore propose a new article 13a that impose an obligation on economic operators to ensure that industrial and institutional detergents are not sold to consumers.

CHAPTER IV	
CE MARKING AND LABELLING	FR (Drafting Suggestions): ~~CE MARKING AND~~ LABELLING HU (Drafting Suggestions): ~~CE MARKING AND LABELLING~~ HU (Comments): The requirement for CE marking on Detergents and Cleaning Products was **not considered** as part of **the Commission's Impact Assessment**, and the impact was never assessed in terms of the additional administrative burden and costs versus the actual benefit. CE marking can be easily subject to counterfeiting and CE marking will **not be a reliable indicator of a detergent product's conformity with** the Detergents Regulation, as it depends on a selfdeclaration, which can easily be falsified. The self-declaration leads to additional **administrative burden for the sector, in particular SMEs**, without any added value. Actual

	compliance can only be verified through enforcement against the requirements of the regulation. Bearing all the above points in mind, we propose to **delete this requirement** from the proposed Regulation, in line with the view of the Parliament, as this marking will not bring any added value to the safety and compliance of the detergent product. SE (Drafting Suggestions): ~~CE MARKING AND~~ **LABELLING** SE (Comments): Our preferred opion is to delete provisions related to CE markning. The introduction of a product passport results in limited importance of the CE marking and overlaps (see e.g. article 18(8)b for product passports). Some of the proposed responsibilities in the requirements for CE-marking and technical documentation seem to lead to difficulties for the actors in the distribution chain to fulfil their respectively responsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it would not function effectively in combination with CLP for imported products of this category.

Article 14	FR (Drafting Suggestions): ~~Article 14~~ HU (Drafting Suggestions): ~~*Article 14.*~~ SE (Drafting Suggestions): ~~Article 14~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
Rules and conditions for <u>using</u> ~~affixing~~ the CE marking	AT (Comments): AT considers that CE marking should not apply to detergents as it does not serve as an indicator of conformity with the obligations in the regulation in general.

	BG (Drafting Suggestions): Rules and conditions for affixing the CE marking BG (Comments): See our comment on art. 7(2c). ES (Drafting Suggestions): Delete Article 14 ES (Comments): For consistency reasons with what was explained before with more detail. FR (Drafting Suggestions): ~~**Rules and conditions for using affixing the CE marking**~~ HU (Drafting Suggestions): ~~Rules and conditions for using affixing the CE marking~~ SE

	(Drafting Suggestions): ~~**Rules and conditions for using affixing the CE marking**~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
1. The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.	FR (Drafting Suggestions): ~~The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.~~ HU (Drafting Suggestions): ~~The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.~~ SE (Drafting Suggestions): ~~1. The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.~~ SE (Comments):

	Our preferred opion is to delete provisions related to CE markning for the reasons described above.
2. The CE marking shall be **<u>included in the product passport</u>** ~~affixed visibly, legibly and indelibly before a detergent is placed on the market..~~	BG (Comments): See our comment on art. 7(2c). DK (Comments): DK does not support the changes regarding the solely digital prescence of the CE marking. We support the original wording. FI (Drafting Suggestions): The CE marking shall be **<u>affixed visibly, legibly and indelibly before a detergent is placed on the market..</u>** FI (Comments): We do not support the proposed changes to Article 14 rendering the CE marking to be only mentioned on the product passport, and consider that it should be included in both the packaging and DPP. **As a solution we propose that Article 14 would be left as unchanged, whereas Article 18 would readily require the CE marking to be displayed in the DPP**

	(as the CE-marking is included in the requirements for the content of the product passport set out in Annex VI). It is clear that accordance with the general provisions in Article 30 of Regulation (EC) No 765/2008, the CE marking is always affixed to the product. There is no justification for why the principles in detergents regulation should differ from the hamonised provisions for the CE-marking. Considering most common detergent packagings the CE-marking fits on the label. Swift identification of the conformity directly from the physical product/label facilitates practical enforcement activities by the MS authorities and also by customs. FR (Drafting Suggestions): . ~~The CE marking shall be~~ **~~included in the product passport~~** ~~affixed visibly, legibly and indelibly before a detergent is placed on the market..~~ FR (Comments): The inclusion of the requirement for CE marking on Detergents and Cleaning Products was not considered as part of the policy options addressed in the Impact Assessment undertaken by the Commission, and hence the impact was never assessed in terms of costs versus the actual

	benefit. However, if CE marking should apply, it would be more appropriate to mention it in the product passport only and not on the label HU (Drafting Suggestions): ~~The CE marking shall be **included in the product passport** affixed visibly, legibly and indelibly before a detergent is placed on the market..~~ PL (Comments): Poland belives We believe that the CE marking will not bring more added value to the safety and conformity of the detergent, however we can accept to affixed it on digital label only. RO (Comments): Even though the requirement to affix the CE marking on the label/transport document has been removed, we still do not see the added value and benefit for including the CE marking in the product passport, neither from an industry nor from an authority point of view. In addition, given the different degree of digitisation between Member States, the inclusion of the CE marking in the product passport would not

	be relevant for users (especially individuals) who do not have the necessary skills/tools to access the product passport. At the same time, we reiterate that it is difficult to understand how the CE marking can certify compliance with CLP /REACH requirements. Therefore we do not agree with the CE marking provisions. SI (Drafting Suggestions): The CE marking shall be affixed visibly, legibly and indelibly before a detergent is placed on the market.. SI (Comments): Support the original text. SI could accept abandoning the CE labelling SE (Drafting Suggestions): ~~2. The CE marking shall be **included in the product passport** affixed visibly, legibly and indelibly before a detergent is placed on the market..~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning for the

	reasons described above.
~~The CE marking shall be affixed either to the label or the packaging of a detergent or, where the detergent is supplied in bulk, to a document accompanying the detergent.~~	DK (Drafting Suggestions): **The CE marking shall be affixed either to the label or the packaging of a detergent or, where the detergent is supplied in bulk, to a document accompanying the detergent.** DK (Comments): The CE marking is a general quality assurance marking, indicating that the manufacture have made sure that the product meets EU requirements. This marking can be an assurance to consumers that the products they buy follow EU requirements. To ensure that all consumers, of all age groups, have such information available, the physically affixed marking is helpful and should not be limited to the product passport. HU (Drafting Suggestions): ~~The CE marking shall be affixed either to the label or the packaging of a detergent or, where the detergent is supplied in bulk, to a document~~

	~~accompanying the detergent.~~ SI (Drafting Suggestions): The CE marking shall be affixed either to the label or the packaging of a detergent or, where the detergent is supplied in bulk, to a document accompanying the detergent.
~~Where, in accordance with Article 16(2), economic operators may provide a digital label only, the CE marking shall be provided on the digital label.~~	HU (Drafting Suggestions): ~~Where, in accordance with Article 16(2), economic operators may provide a digital label only, the CE marking shall be provided on the digital label.~~ SI (Drafting Suggestions): Where, in accordance with Article 16(2), economic operators may provide a digital label only, the CE marking shall be provided on the digital label.
3. Member States shall build upon existing mechanisms to ensure	FR

correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.	(Drafting Suggestions): ~~Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.~~ HU (Drafting Suggestions): ~~Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.~~ SE (Drafting Suggestions): ~~3. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.~~ SE (Comments): Our preferred opion is to delete provisions related to CE markning for the reasons described above.
Article 15	

General labelling requirements	
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.	
2. An economic operator making a detergent **or surfactant** 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.	IE (Drafting Suggestions): IE: In practice surfactants on their own are not expected to be for sale at a refill station for an end user as they are an ingredient(s) for use in a detergent product, therefore, we propose deletion of surfactant from the text of Art. 15(2): "An economic operator making a detergent ~~**or surfactant**~~ available on the market directly to an end-user in a refill format shall provide the physical …." IE (Comments):

	IE: proposes deletion of surfactant from the text of Art. 15(2). In practice surfactants on their own are not expected to be for sale at a refill station for an end user as they are an ingredient(s) for use in a detergent product. Removal of "surfactant" also aligns the text with the definitions in Art. 2(33) and (33a). SE (Drafting Suggestions): 2. An economic operator making a detergent ~~or sufactant~~ available on the market directly to an end-user in a refill format shall provide the physical label to the end-user. SE (Comments): Surfactants are not included in the definitions of refill and refill station in articles 2(33) and 2(33a). Furthermore, we do not find it relevant with surfactants sold from refill stations. It is unlikely to sell surfactants directly to an end user, and even more unlikely to do it in refill format.
3. The label of detergents and surfactants shall contain the following information:	

(a) a type number, batch number or other element allowing their identification;	FI (Drafting Suggestions): (a) a batch number FI (Comments): It would be beneficial to make batch number obligatory in the label, to enable accurate traceability (similarly as in the Cosmetics Regulation).
(b) the manufacturer's **and, where applicable, the authorized representative's or the importer's** name, registered trade name or registered trade mark and the postal and email address at which they **both** can be contacted. The postal address shall indicate a single point at which the**y** ~~manufacturer~~ **both** can be contacted;	FI (Drafting Suggestions): b) the manufacturer's and, where applicable, the authorized representative's **and, where necessary,** the importer'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**y** can be contacted; FI (Comments): Article 4 (b) paragraph 11 of the proposal for the revised CLP Regulation states that "A substance or a mixture **shall not be placed on the market unless a supplier, established in the Union, who shall be identified on the label**, in the course of an industrial or professional activity fulfils the

	requirements set out in this Regulation with regard to the substances and mixtures in question'**". From the standpoint of view of the MSAs, it would be beneficial to set it more clearly as mandatory in the legal text to indicate the authorised representative in the label (in case there is one), to facilitate swift contacting the responsible economic operator. The current wording could give an impression that the company in the label could be, if relevant, either the authorised representative, or alternatively the importer (it should also be noted that there can be multiple importers for one product), which could result in that the authorised representative would not be indicated in the label.** LV (Drafting Suggestions): (b) the manufacturer's **and, where applicable, the authorized representative's or the importer's** name, registered trade name or registered trade mark and the postal and email address at which they ~~**both**~~ can be contacted. The postal address shall indicate a single point at which the**y** ~~manufacturer~~ **both** can be contacted; LV (Comments): Please remove "both" because if there is no authorised representative,

	there will be contacts for the manufacturer or importer. SE (Drafting Suggestions): (b) the manufacturer's **and, where applicable, the authorized representative's or the importer's** name, registered trade name or registered trade mark and the postal and email address at which they ~~**both**~~ can be contacted. The postal address shall indicate a single point at which the**y** ~~manufacturer~~ ~~**both**~~ can be contacted; SE (Comments): Editorial
(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.	DK (Drafting Suggestions): (e) instructions for use and special precautions, where necessary and relevant. **Industrial and institutional detergents shall be labelled 'For professional use only – not to be sold to consumers'.** DK (Comments): The market surveillance authorities are unable to determine whether a detergent marketed for consumers is compliant if there is no clear indication on the product
For detergents and surfactants transported in bulk, t~~T~~he information referred to in points (a), (b) and (c) of the first subparagraph shall appear on all documents accompanying **them**~~detergents and surfactants transported in bulk~~.	LV (Drafting Suggestions): **For detergents and surfactants transported in bulk, t**~~T~~he information referred to in points (a), (b) and (c) of the first subparagraph shall appear **on transportation containers** as well on accompanying documents.
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	DK (Drafting Suggestions): 4. In addition to the information referred to in paragraph 3, the label

Annex V.	of consumer ~~laundry~~ detergents ~~and consumer automatic dishwasher detergents~~ shall contain dosage information in accordance with part B of Annex V. DK (Comments): Dosage information to consumers is relevant for all detergents in order to ensure safe use for health and the environment, and not only for laundry and dishwater detergents. In addition, information on the relationship between dosage and use area (m2) should be available on the label (see proposal for amendment of text in AnnexV) FR (Drafting Suggestions): 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. FR (Comments): For consistency with the proposals in Annex V
5. The information referred to in paragraphs 3 and 4 shall be **written**	IE

in **the official**~~a~~ language**(s) of** ~~which can be easily understood by end users, as determined by~~ the Member State**(s) where the detergent or surfactant is made available on the market, unless the Member State(s) concerned provide(s) otherwise**~~concerned~~, and shall be **legible,** clear, understandable and intelligible. The label shall be accessible for inspection purposes where the detergent or surfactant is made available on the market.	(Drafting Suggestions): IE: proposes an amendment to the text to ensure the label is in **an** official language of their member state: "The information referred to in paragraphs 3 and 4 shall be written in ~~the~~ **an** official~~a~~ language(s) of……" IE (Comments): IE: proposes an amendment to the text to ensure the label is in **an** official language of their member state. The use of *the official language(s)* has implications for IE and would require implementing national provisions to exclude the use of Irish only. An amendment of the text to '**an** official language' allows for the use of EN or GA.
Article 16	
Forms of labelling	

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;	
or	
(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.	

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.~~ **All the labelling elements corresponding to the detergent or surfactant supplied at a refill station shall be visibly~~clearly~~ and legibly displayed ~~mentioned~~ on the refill station.**	DK (Drafting Suggestions): All label elements corresponding to the detergent or surfactant supplied at a refilling station shall be clearly and legibly displayed on the refill station **and on a physical label ready to be affixed to the packaging of the detergent or surfactant**. DK (Comments): Detergents and surfactants sold as refill should be labelled physically with the same information on the packaging as pre-packeged products in order to ensure that the consumer has the relevant information at hand (eg dosage information and information in case of unintended use/emergency) when the detergents are used at home. SE (Drafting Suggestions): **2.** **a. 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 the name of the**

	product and the 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. **b.** All the labelling elements corresponding to the detergent or surfactant supplied at a refill station shall be clearly and legibly mentioned on the refill station. SE (Comments): We do not find that it is sufficient to have the dosage information only at the refill station and in a digital label. The name of the product and the dosage information should also be available on the physical label handed over to the consumer.
Article 17	
Requirements for digital labelling	

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 **together** 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;	
	SI (Drafting Suggestions): (ca) the digital label shall be persistent
(d) the digital label shall be accessible free of charge, without the need **to register** ~~for prior registration~~, download or instal~~lation of~~ applications, or to provide a password;	

(e) the information on the digital label shall be presented in a way that **also** 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;	
(g) **the digital label shall be available in the language or languages of the country where the product is made available on the market~~of purchase;~~** when the **information on the** digital label is **accessible**~~available~~ in more than one language, the choice of language shall not be conditioned **by**~~on~~ the geographical location **when accessed**~~of the end-user~~;	IE (Drafting Suggestions): IE proposes the addition of **an official** language in this text to align with Art. 15(5): "the digital label shall be available in ~~the~~ **an official** language or languages of the country where…." IE (Comments): IE: proposes an amendment to the text to ensure the label is in **an** official language of their member state. The use of *the official language(s)* has

	implications for IE and would require implementing national provisions to exclude the use of Irish only. An amendment of the text to '**an** official language' allows for the use of EN or GA. SE (Drafting Suggestions): **(g)** the digital label shall be available in the language or languages of the country where the product is made available on the market~~of purchase~~; when the information on the digital label is accessible ~~available~~ in more than one language, the choice of language shall not be conditioned by~~on~~ the geographical location **from where it is** ~~when~~ accessed **by the end-user** ~~of the end-user~~**;** SE (Comments): Editorial, to clarify the provision.
(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	DK (Drafting Suggestions): (h) the digital label shall remain available for a period of ~~10~~ **5** years from the moment the detergent or surfactant ~~is placed~~ **has been made available** on the market **for the last time**, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic

contains;	operator that created it, or for a longer period as required under other Union legislation covering the information that it contains; DK (Comments): See comment to article 7(3). FR (Drafting Suggestions): ~~10~~ 5 years FR (Comments): Obligations for the economic operators to keep information available (eg. Technical documentation) should be proportionate to the product lifespan. In case of detergents, this retention period should not be longer than 5 years after the product has been placed on market. LT (Drafting Suggestions): (h) the digital label shall remain available for a period of ~~10~~ **5** 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;

	LT (Comments): Obligations for economic operators to retain information (e.g. technical documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market. SI (Drafting Suggestions): the digital label shall remain available for a period of 3 years after a detergent or surfactant is discontuinued or withdrawn from 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; SI (Comments): Given the short lifespan of detergents in general, a 10-year duration for maintaining the digital label appears excessively lengthy. Also, we believe, that it is more appropriate to link the 3-year period to the time when the detergent is discontinued.

(i) the information on the digital label shall be accessible via the data carrier.	
2. The data carrier shall be physically present on the **physical label or packaging of** detergent**s and** ~~or~~ surfactant**s and, when they are transported in bulk**, ~~their packaging or~~**on** the documentation accompanying them	LV (Drafting Suggestions): The data carrier shall be physically present on the **physical label or packaging of** detergent**s and**-surfactant**s and, when they are transported in bulk**, **on** transportation container and the documentation accompanying them SE (Drafting Suggestions): 2. The data carrier shall be physically present on the physical label ~~or~~ **on the** packaging of detergents and ~~or~~ surfactants and, when they are transported in bulk, ~~their packaging or~~**on** the documentation accompanying them SE (Comments): From our understanding the physical label and the packaging have the same meaning for prepacked products, but it may be necessary to mention

	the physical label to cover products sold in refill format, and for which additional provisions are given in the next paragraph.
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 **and on the physical label**.	SE (Drafting Suggestions): 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 **and on the physical label affixed to the container at the latest at the time of purchase.**. SE (Comments): To further clarify.
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~~.	
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.	
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.	SI (Drafting Suggestions): Economic operators providing a digital label shall not track, analyse or use any usage information for purposes other than what is necessary for providing the information on the digital label online. In particular, it shall not be used for targeted advertising, shared with third parties or collected and stored as personal data.
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:	
(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**,** **without delay** and free of charge.	
Article 17a	AT (Comments): AT supports the proposed amendment. DK (Drafting Suggestions): **Article 17a**
Distance sales	DK (Drafting Suggestions):

	Distance sales
When detergents or surfactants are made available on the market through distance sales, the offer shall clearly and visibly indicate the label elements referred to in Article 15.	DK (Drafting Suggestions): When detergents or surfactants are made available on the market through distance sales, the offer shall clearly and visibly indicate the label elements referred to in Article 15, **the CE marking referred to in Article 14(2) and where applicable, the authorised representative's or the importer's name, registered trade name or registered trade mark and the postal and email address.** DK (Comments): If the reference to the name etc. of the authorised representative and the importer is deleted from article 15(3), it should instead be inserted here to improve transparency as to whether a product sold online is compliant or not. Furthermore we suggest, that the CE marking is to be displayed as well, as an indication to consumers that consumer products bought online complies with EU legislation. FR (Comments): French authorities support the addition of this article

	FR (Drafting Suggestions): Article 17b Article 35 of the Regulation (EC) No 1272/2008 regarding the conditions laid down in sections 3.4. iva) and va) of ANNEX II do not apply to detergents and surfactants. The Commission should review to what extent detergents and surfactants not meeting the conditions set out in ANNEX II 3.4. iva) and va) of the Regulation (EC) No 1272/2008 should not be sold in refill stations, within five years from the entry into force of this Regulation and submit, if appropriate, a legislative proposal.
CHAPTER V	
PRODUCT PASSPORT	BG (Drafting Suggestions): **DIGITAL PRODUCT PASSPORT** IE (Comments): Further to our previous comments we would like to point out that automated Import controls are fine once the compliance rate is high,

	however where there is a significant level of non-compliance such as incorrect data, failure to include the DPP on the customs declaration, or other minor errors, there will be implications for the clearance of goods and it will likely result in an additional administrative burden for customs as well as delays at import for economic operators .
Article 18	
Product passport	BG (Drafting Suggestions): **Digital Product passport** BG (Comments): "Digital" should be added to "product passport" in the whole text to align with the Ecodesign Regulation.
1. Before placing a detergent or surfactant on the market, manufacturers shall create a product passport for those products. The	LT (Comments):

product passport shall meet the requirements laid down in this Article and Article 19.	In industry, applying a digital product passport (DPP) for detergents at batch level is a complex and administratively burdensome process. A DPP for detergents at batch level would require the use of many the same DPP. The introduction of a DPP at the model level, where the model is a combination of the product name and a unique formula, would facilitate the industry's adoption of a DPP without compromising the purpose of the DPP and the work of market regulators. The model level would require changing the DPP only when the formula changes, bringing new information to the consumer when necessary, while avoiding unreasonable burden.
2. The product passport shall meet the following requirements:	
(a) it shall correspond to a specific batch of the detergent or surfactant;	BG (Comments): We believe that a product passport should be issued not at batch level, but at model level, as issuing at batch level would lead to a large number of product passports for identical products, which is of no clear benefit, but will create an additional administrative burden for the industry.

	ES (Comments): We consider that creating a product passport for every **batch** would essentialy mean incorporating a huge administrative burden for the companies, specifically for small and medium enterprises. The product passport must be linked therefore to the formula of the final product. FI (Drafting Suggestions): (a) it shall **correspond to a specific model of the detergent or surfactant,** that should be updated when changes are made to it's composition. FI (Comments): FI does not support the requirement of a product passport corresponding to a specific batch. From the aspects of consistent implementation and swift enforcement of the detergents regulation it would be inappropriate to set product passport to correspond to a specific batch. Generating batch-specific product passports, unique product identifiers and data carriers would not only be nearly impossible for the industry but it would also burden enforcement and assumably the integrity of the product passport database. As aligned with the principles of decision No

	768/2008/EC it would be beneficial to include a definition for a 'model' in the detergents regulation to cover a single product type with a defined uniform composition, whereas setting the batch number obligatory in the label (with reference to our drafting suggestion for Article 15(3) (a)) would enable traceability which again would facilitate both enforcement and also self monitoring and quality management by the industry. The product passport should be updated when changes are made to its **composition** rather than "list of ingredients" (previously under discussion), since composition refers to not only the list of ingredients but also their concentration. It would also be beneficial to align the criteria for a 'model' with the criteria for a product specific PCN notification and UFI code under Article 45 of the CLP Regulation. FR (Drafting Suggestions): it shall correspond to a specific ~~batch~~ **model** of the detergent or surfactant FR (Comments): Applying the DPP for detergents at batch level is not possible for industry since it would require tens of thousands of DPPs for the same product. The model level is more workable. Introducing Product Passport on the Model level, where Model is a combination of Product name + unique formula, would facilitate DPP adoption for the industry without compromising the purpose of the DPP and the work of market

	surveillance authorities. HU (Drafting Suggestions): (a) it shall correspond to a ~~specific batch of the~~ detergent or surfactant **at a model level**; HU (Comments): The DPP should operate at the model level, at which level it is able to cover the essential details for detergent products related to compliance, sustainability & circularity aspects. Applying the DPP at a (lower) batch level as proposed by the European Commission would result in unnecessary implementation and administration cost, as leading to tremendous amounts of DPPs for the same product. For example, in case a company is manufacturing one product (with same name and ingredients list) on 250 days during a year, this would lead to 250 batches; for each of those batches a DPP would be required, leading to 250 DPPs. Whereas normally only 1 DPP would be needed at model level. PL (Comments): Poland would like to propose to link the DPP with the “model level”. The

	definition of the model be based on a combination of the name of the product and the list of ingredients and should introduced to de dictionary. SI (Drafting Suggestions): it shall correspond to a specific model of the detergent or surfactant; SI (Comments): SI is not in favour of DPP at the batch level; we would support it at the level of a model SE (Drafting Suggestions): (a) it shall **allow the identification of the detergent product or surfactant, and for a detergent** correspond to a specific ~~batch~~ **formulation** ~~of the detergent or surfactant~~ **and at least when there are changes in the chemical composition or the CLP classification of the product;** SE (Comments): Sweden considers that the requirement for a product passport per batch of a product is inefficient and too strict. We suggest that a new product passport is required when significant changes in the formulation is

	introduced, e.g. so that the information on the label or other documentation also needs to be updated.
(b) it shall state that compliance of the detergent or surfactant with the requirements set out in this Regulation has been demonstrated, and, where relevant, indicate the test methods used;	SE (Comments): If the requirements for CE-marking and technical documentation are kept in this regulation, this requirement would lead to a duplication of compliance control.
(c) it shall contain at least the information included in Annex VI;	
(d) it shall be **complete, acurate and** up-to date;	SE (Comments): Editorial: Accurate is misspelled.
(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;	

(f) it shall be accessible to end-users, market surveillance authorities, customs authorities, the Commission and other economic operators;	
(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;	DK (Drafting Suggestions): (g) it shall be available for a period of ~~10~~ **5** years after the detergent or surfactant ~~is placed~~ **has last been made available** on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport; DK (Comments): See comment to article 7(3). ES (Drafting Suggestions): (g) it shall be available for a period of ~~10~~ **5** 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; ES

	(Comments): As already mentioned, this obligation should be proportional to the product lifespan and avoid unnecessary burden for economic operators. FR (Drafting Suggestions): it shall be available for a period of ~~10~~ **5** 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 FR (Comments): Obligations for the economic operators to keep information available should be proportionate to the product lifespan. In case of detergents, this retention period should not be longer than 5 years after the product has been placed on market. LT (Drafting Suggestions): (g) it shall be available for a period of ~~10~~ **5** 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;

	LT (Comments): Obligations for economic operators to retain information (e.g. technical documentation) should be proportionate to the lifespan of the product. In the case of detergents, this retention period should not be more than 5 years after the product was placed on the market.
(h) it shall be accessible through a data carrier **to a persistent unique product identifier;**	FR (Comments): References made to the unique product identifier (UPI) and unique operator identifier (UOI) in the text of the Detergents Regulation should refer to the same ones indicated in the Ecodesign for Sustainable Products Regulation (ESPR). LT (Drafting Suggestions): (h) it shall be accessible through a data carrier **to ~~a persistent~~ unique product identifier;** LT (Comments): The reference to a persistent unique product identifier is unclear and it seems that there will be an obligation to keep the product identifier

	unchanged, which may complicate implementation in the industry. SE (Drafting Suggestions): (h) it shall be accessible through a data carrier **to a ~~persistent~~ unique product identifier;** SE (Comments): It is not clear what a persistent unique product identifier means. In what way does it have to be persistent?
(i) it shall fulfil the specific and technical requirements laid down pursuant to paragraph ~~8~~**9**.	
3. 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**~~8~~.	LV (Drafting Suggestions): The data carrier shall be physically present on the detergent or surfactant, their packaging ~~**or**~~**and in** the documentation accompanying them, in accordance with the implementing act referred to in paragraph **9**~~8~~. LV (Comments):

	Delete supporting documentation. The data carrier must be on the packaging, or on the packaging **and** in the documentation. SE (Drafting Suggestions): 3. The data carrier shall be physically present on the ~~detergent or surfactant, their~~ packaging or the documentation accompanying ~~them~~**the product**, in accordance with the implementing act referred to in paragraph **9**~~8~~. SE (Comments): Editorial: A data carrier has to be attached on a packaging or a document, but not on the product itself.
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	DK (Drafting Suggestions): The data carrier shall be clearly visible to the end-user before any

through distance sales.	purchase and to market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales. **Any online advertisement for a detergent or surfactant that uses a URL link to direct a consumer to an online interface where the detergent or surfactant is made available on the market shall only link to an online interface where the data carrier is clearly visible to the end-user before any purchase and to market surveillance authorities.** DK (Comments): Detergents are not just made available directly at websites, but sometimes also as advertisements (such as Google advertisements) linking to the website of the economic operator or online marketplace. We propose introducing requirements for online advertisements for a detergent that uses an URL link to another website, where the consumer can buy the detergent. More specifically we propose that the online advertisement shall only be legal, if it links to a website where the data carrier is clearly visible. This would limit unfair competition especially from economic operators outside the EU, trying to market their products directly to EU consumers through e.g. Google.

4. Where economic operators provide a digital label, a single data carrier shall be used to access the product passport and the digital label.	
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.	
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.	HU (Drafting Suggestions): ~~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.~~ HU (Comments):

	The level at which the DPP should be created should only be set once. Any change afterwards will lead to intensive resource investments, e.g. to set up the right IT architecture.
By way of derogation from paragraph 2, point (a), where that legislation requires that the product passport corresponds to a model or an item level, the product passport for the purposes of this Regulation can be issued to that level.	AT (Comments): AT supports the proposed changes. BG (Comments): We do not consider this proposal relevant because it is not logical to move lower (batch) to upper (model) level. DK (Drafting Suggestions): By way of derogation from paragraph 2, point (a), where that legislation requires that the product passport corresponds to a model or an item level, the product passport for the purposes of this Regulation can be issued to that level. **By way of derogation from paragraph 2, point (g), where that legislation requires that the product passport must be available for a period longer than 10 years after the detergent is placed on the market, the product passport for the purpose of this Regulation must follow that legislation.**

	DK (Comments): DK suggests to allow for another derogation in case requirements for product passports for detergents from the ESPR requires the availability of product passports for a longer period than 10 years. Article 8 (product passport) paragraph 2, point (h), of the ESPR states: (h) the period ***during*** which the product passport ***is to*** remain available***, which shall correspond to at least the expected lifetime of a specific product***. FR (Drafting Suggestions): ~~**By way of derogation from paragraph 2, point (a), where that legislation requires that the product passport corresponds to a model or an item level, the product passport for the purposes of this Regulation can be issued to that level.**~~ FR (Comments): Applying the DPP for detergents at batch level is not possible for industry since it would require tens of thousands of DPPs for the same product.

	The model level is more workable and should be decided in the detergent regulation, not by way of derogation through ESPR delegated act. LV (Comments): At the moment, it is difficult to understand what the cases mentioned here might be, if the criteria are not named. We believe that the cost of a digital passport should be proportionate to the wider benefits to the public and to the supervisory authorities, so to avoid disproportionate costs to business and the public we agree that a product passport should be specific to a product model, there is no need for a separate passport for each batch if information about the production batches of the product is recorded and traceable in the passport for that model. Then there would be no need for derogations. SE (Drafting Suggestions): ~~**By way of derogation from paragraph 2, point (a), where that legislation requires that the product passport corresponds to a model or an item level, the product passport for the purposes of this Regulation can be issued to that level.**~~ SE (Comments):

	We have suggested an alternative amendment in article 18(2)a thas makes this paragraph superfluous.
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.	
8. By creating the product passport, the manufacturer shall assume the responsibility for the compliance of the detergent or surfactant with this Regulation.	BG (Comments): In principle we oppose to the EC declaration being replaced by a product passport. SE (Drafting Suggestions): ~~8. By creating the product passport, the manufacturer shall assume the responsibility for the compliance of the detergent or surfactant with this Regulation.~~ SE (Comments):

	This is a statement and not a requirement. We do not find any added value to keep it.
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:	FR (Comments): To provide certainty for economic operators, the transition period for the implementation of the Digital Product Passport (DPP) should only begin once the Commission's implementing acts under the Detergents Regulation and the ESPR determining the related and necessary technical requirements have been adopted. These include the type of data carrier to be used, its lay-out and positioning on the artwork HU (Drafting Suggestions): **By ... [12 months from the 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: HU

	(Comments): To provide certainty for economic operators, the transition period for the implementation of the Digital Product Passport (DPP) should only commence once the Commission's implementing acts under the Detergents Regulation and the ESPR determining the related and necessary technical requirements have been adopted. These include the type of data carrier to be used, its lay-out and positioning on the artwork. SE (Drafting Suggestions): The Commission shall adopt an implementing act determining the specific and technical requirements related to the product passport for detergents and surfactants **to be added to Annex VI**. Those requirements shall set out at least the following: SE (Comments): The implementing act should rather require that the new requirements are added to annex VI or another appropriate annex.
(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;~~ **the actors that may~~are to~~ have access to information in the product passport and to what information they are to have access, such as consumers and other end-users, manufacturers, importers and distributors, notified bodies, competent national authorities, civil society organisations, researchers, trade unions, and the Commission, or any organisation acting on their behalf;**	DK (Comments): A reference to the specific access rights should be based on the 'need to know' principle as set out in the ESPR. Not all detail in the DPP will be relevant for all parties. hOwever, it shuld be claearly stated, that all details relationg to detergents as required under the proposal for revision of the Detergents Regulation should be assessilble to all parties. LV (Comments): It is necessary to assess to what extent these proposed wordings are in line with the ESPR framework. RO

	(Comments): We suggest deleting the reference to notified bodies as they have no responsibility in the application of this regulation.
(e~~da~~) the actors that are to 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;	SE (Comments): What type of information are the national competent authorities and the commission expected to add to a product passport? We do not understand that there are such needs.
(f~~db~~) the procedures for introducing~~modalities to introduce~~ the updated information referred to in point (e) in the product passport	LT (Comments):

of an existing product.	Such a requirement would correspond to an additional burden for the industry since it would require more information retention. Furthermore, linking the newest DPP to the original version of the DPP for the same product could create confusion and misinformation for the consumers and market surveillance. All information included in the DPP should however be kept up to date so that stakeholders have access to the most recent and accurate information. The model level would require changing the DPP only when the formula changes, bringing new information to the consumer, when necessary, while avoiding unreasonable burden. LV (Comments): It is necessary to assess to what extent these proposed wordings are in line with the ESPR framework.
For the purpose of points (e) and (f), any new product passport shall be linked to the product passport or passports of the original product whenever appropriate.	BG (Comments): We need clarification what "whenever appropriate" means. ES (Drafting Suggestions): Delete this paragraph ES

	(Comments): *We* do not consider necessary that new product passport **shall be linked** to the original product passport. Consumers need updated information about the product that they are using now. If a product changes its formula, it will change its product passport, making unnecessary and a a new administrative burden linking this new product passport with the previous one. LV (Comments): It is necessary to assess to what extent these proposed wordings are in line with the ESPR framework.
10. The economic operator placing the product on the market shall provide distributors and online marketplaces with a digital copy of the data carrier or the unique product identifier, as relevant, to allow them to make it accessible to customers where they cannot physically access the product. The economic operator shall provide that digital copy or a webpage link free of charge and within 5 working days of receiving the request.	DK (Comments): DK notes that paragraph 1 of this article requires manufacturers to create a digital product passport, before placing a product on the market. Yet, this paragraph, amongst others sets requirements on economic operators placing the detergent on the market.

	Also, article 19, paragraph 1 point (d) writes: "The digital product passport shall be stored by the economic operator responsible for its creation" indicating that it can be another operator than only the manufacturer creating the product passport. This is not aligned with the wording of paragraph 1 of this article, where it is the responsibility of the manufacturer to create the product passport. DK suggests to streamline article 17, to avoid any uncertainties related to responsibilities of various economic operators. ES (Drafting Suggestions): **10. The economic operator placing the product on the market shall provide distributors and online marketplaces with a digital copy of the data carrier or the unique product identifier, as relevant, to allow them to make it accessible to customers where they cannot physically access the product. The economic operator shall provide that digital copy or a webpage link free of charge and within 25 working days of receiving the request.** ES (Comments):

	We consider the timing of **5 working days** insufficient to allow the economic operator to provide the digital copy or the webpage link free of charge. Instead, we suggest a deadline of 25 working days. HU (Drafting Suggestions): ~~10. The economic operator placing the product on the market shall provide distributors and online marketplaces with a digital copy of the data carrier or the unique product identifier, as relevant, to allow them to make it accessible to customers where they cannot physically access the product. The economic operator shall provide that digital copy or a webpage link free of charge and within 5 working days of receiving the request.~~ HU (Comments): Proposing for "the economic operator placing a product on the market to provide a digital copy of the data carrier to distributors and online marketplaces" (as indicated in Article 18 – point 10) brings very little added value, as the data carrier will already be present on the packaging of the product. If a product is being sold online, it will however be the

	responsibility of the online platform to make the mandatory product information available to the consumer and to determine how to practically make this information available. LV (Drafting Suggestions): **10. The economic operator placing the product on the market shall provide distributors and online marketplaces with a digital copy of the data carrier and the unique product identifier, as relevant, to allow them to make it accessible to customers where they cannot physically access the product. The economic operator shall provide that digital copy or a webpage link free of charge and within 5 working days of receiving the request.** LV (Comments): It needs to be checked whether this will conflict with the technical requirements of the data carrier. The data carrier must be secured when offered for distance selling.
11. To ensure access to the product passport for the period specified paragraph 2(g) of this Article, including after an insolvency,	BG (Drafting Suggestions): 11. To ensure access to the digital product passport for the period

a liquidation, or a cessation of activity in the Union, economic operators, when placing the product on the market, shall also make available a back-up copy of the product passport through a certified independent third-party product passport service provider.	specified paragraph 2(g) of this Article, including after an insolvency, a liquidation, or a cessation of activity in the Union, economic operators, when placing the product on the market, shall also make available a back-up copy of the digital product passport through an independent third-party product passport service provider. BG (Comments): "certified independent third-party product passport service provider" - it is not appropriate to use "certified" because it is not clear who certifies. ES (Comments): The figure of a certified independent third party to make a **back-up copy** of the product passport avalible would lead to another administrative burden for economic operators. FR (Drafting Suggestions): ~~**To ensure access to the product passport for the period specified paragraph 2(g) of this Article, including after an insolvency, a liquidation, or a cessation of activity in the Union, economic operators, when placing the product on the market, shall also make available a back-up copy of the product passport through a certified**~~

	~~**independent third-party product passport service provider.**~~ FR (Comments): - Such a provision should not be introduced through a vertical legislation such as the Detergents Regulation but through a horizontal legislation covering the general specificities of a DPP. LT (Comments): This provision would place an additional burden on the industry, as each company would have to go to an external company to back up its DPP, even if it does not actually stop operations. This will have financial implications for manufacturers, in particular SMEs. In addition, such an initiative would raise several issues such as 1) In the case of a business closure, the back-up copy of the DPP must be kept by an independent "certified" third party. Which certifications are we talking about? 2) In the case of an acquisition of a company, can the new acquiring company not become liable for the DPP? LV (Comments): The obligations of manufacturers and importers already include ensuring that they have access to the product passport for 10 years after the product

	has been placed on the market. How they do this is their responsibility. It is not possible to implement. If the company does not exist, there will be no one to demand passports from anyway. RO (Comments): We consider necessary to define the certified independent third-party product passport service provider and to clarify, at least in one recital, who performs the certification of this independent third-party product passport service provider .
	ES (Drafting Suggestions): *The obligations related to product passport for economic operators shall apply as of 30 months from the date in which Commission adopt implementing acts to determinate the specific and technical requirements related to the product passport for detergents and surfactants.* ES (Comments): There is a big concern about the transition **period for the implementation of the digital product passport** because the technical requirements of it depends on implementing acts of Commission. We propose the addition of a new paragraph 18.12

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(2).	
Article 19	
Technical design and operation of the product passport	
The technical design and operation of the product passport shall comply with the following requirements:	
(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;	ES (Drafting Suggestions): (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**, with special attention to the Regulation (Eu)…/… on Ecodesign for Sustainable Products;**

	ES (Comments): Product passports created under this regulation shall be fully interoperable with product passports required by other Union legislation, as included in article 19.a). However, we consider the need of pointing out this aspect, specially keeping in mind the new regulation on Ecodesign for Sustainable Products, in which a product passport will be required.
(b) all information included in the product passport shall be based on open standards developed with an interoperable format and shall be**, as appropriate,** machine readable, structured and searchable **and**~~e;~~ **transferable through an open interoperable data exchange network without vendor lock-in;**	DK (Drafting Suggestions): (b) all information included in the product passport shall be based on open standards developed with an interoperable format and shall be, as appropriate, machine readable, structured and searchable and~~e;~~ transferable through an open interoperable data exchange network without vendor lock-in; **The information shall be transferable through an open interoperationable data exchange network without vender lock-in.** DK

	(Comments): We suggest to introduce a reference to the provision related to interoperability of the underlying IT-infrastructure as included in the ESPR.
(c) end-users, economic operators and other relevant actors shall have **free of charge and easy access** ~~access~~ to the product passport **based on their respective access rights set out in the applicable implementing act referred to in Article 18(9);**	
(d) the ~~data included in the~~ **digital** product passport shall be stored by the economic operator responsible for its creation or by **~~economic~~** ~~operators authorised to act on their behalf~~ **~~or by certified independent third-party~~digital product passport service providers** ~~authorised to act on their behalf~~**;**	LV (Comments): The manufacturer or responsible person must produce a mutually signed agreement with the passport storage provider.
(e) if the data included in the product passport is stored or otherwise processed by **certified independent third-party product passport service providers or by economic** operators authorised to act on behalf	SE (Comments): Editorial: Typo in the last words: **surfactanton the market** should be

of economic operators placing the detergent or surfactant on the market, **those certified independent third-party product passport service providers** shall not be allowed to sell, re-use or process such data, in whole or in part, beyond what is necessary for the provision of the relevant storing or processing services **unless specifically agreed with the economic operator placing the detergent or surfactanton the market**;	**surfactant on the market**
(f) economic operators may not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the product passport online;	
(g) data authentication, reliability and integrity shall be ensured;	
(h) product passports shall be designed and operated so that a high level of security and privacy is ensured and fraud is avoided.	

Article 19a	
Title missing	
The commission shall guarantee Stakeholders can compare for the information in line with their respective access rights pursuant the provision of this regulation through the web portal set up in designed according to the Article 12a of the Regulation (EU) …/… on Ecodesign for Sustainable Products.	BG (Comments): The text is unclear and we do not understand what it means. LV (Comments): It is not clear what is meant by this.
Article 20	
Product passport registry	
1. Before placing a detergent or surfactant on the market, economic	SE

operators shall upload, in the registry established under Article 12(1) of Regulation (EU) …/… on Ecodesign for Sustainable Products **("the registry")** the unique product identifier and the unique operator identifier for the detergent or surfactant. **In case of detergents or surfactants intended to be placed under the customs procedure 'release for free circulation', economic operators shall also upload the commodity code of the detergent or surfactant in the registry.**	(Drafting Suggestions): 1. Before placing a detergent or surfactant on the market, ~~economic operators~~ **the manufacturer** shall upload, in the registry established under Article 12(1) of Regulation (EU) …/… on Ecodesign for Sustainable Products ("the registry") **the information listed in Annex VII** ~~the unique product identifier and the unique operator identifier for the detergent or surfactant~~. ~~In case of detergents or surfactants intended to be placed under the customs procedure 'release for free circulation', economic operators shall also upload the commodity code of the detergent or surfactant in the registry.~~ SE (Comments): Choice of procedure: According to articles 26(2) and 20(1) the Commission is empowered to adopt delegated acts containing additional details for the registry of product passports. This means that the requirements will be available partly in this regulation and partly in the delegated act. Collecting all requirements in the regulation would increase clarity. Other options could be to empower the Commission to add a new annex for the additional requirements or if possible to add that annex now.

	Please see our proposal for a new Annex VII including the information to be reported to the registry.
1a. Upon upload of the information referred to in paragraph 1 in the registry, the registry shall automatically communicate to the economic operator acting pursuant to paragraph 1, a unique registration identifier associated to the identifiers uploaded in the registry for a specific detergent or surfactant. That communication by the registry shall not be deemed to be proof of compliance with this Regulation or other Union legal acts.	LT (Comments): The creation of an additional unique registration identifier is an additional instrument that would create an administrative burden for the industry and could lead to uncertainties in the controls. The unique product identifier, the unique operator identifier and the DPP tools should be sufficient to ensure and carry out adequate controls. LV (Drafting Suggestions): Before placing a detergent or surfactant on the market, manufacturer, when applicable, it's authorised representative shall upload, in the registry established under Article 12(1) of Regulation (EU) …/… on Ecodesign for Sustainable Products **("the registry")** the unique product identifier and the unique operator identifier for the detergent or surfactant. **In case of detergents or surfactants intended to be placed under the customs procedure 'release for free circulation', manufacturer, when applicable, it's authorised representative or importer shall also**

	upload the commodity code of the detergent or surfactant in the registry, as well the product passport. SE (Drafting Suggestions): 1a. Upon upload of the information referred to in ~~**paragraph 1**~~ **Annex VII** in the registry, the registry shall automatically communicate to the economic operator acting pursuant to paragraph 1, a unique registration identifier associated to the identifiers uploaded in the registry for a specific detergent or surfactant. That communication by the registry shall not be deemed to be proof of compliance with this Regulation or other Union legal acts. SE (Comments): Please see the comments to article 20(1).
The Commission may adopt an implementing act specifying the details of the implementation arrangements of the registry referred to in the first subparagraph of this paragraph, including the communication of the unique registration identifier referred to in this paragraph. This implementing act shall be adopted in accordance	SE (Comments): Editorial: There is no article 50(3) in this regulation. It is probably meant to refer to another legislation? ESPR?

with the examination procedure referred to in Article 50(3).	
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.	
Article 21	IE (Comments): The customs controls set out in Art 21 are in addition to those already included in Regulation (EU) 2019/1020, it is our view that customs authorities should not be responsible for product compliance, this should be the exclusive competence of Market Surveillance Authorities.
Customs controls relating to the product passport	
1. Detergents and surfactants entering the Union market shall be subject to **the** verifications and other measures laid down in this Article.	

This Article is without prejudice to any other Union legal acts, in particular Regulation (EU) 952/2013 and Chapter VII of Regulation (EU) 2019/1020.	
2. **The person intending to place a detergent or surfactant under the customs procedure 'release for free circulation' shall provide or make available to customs authorities the unique registration identifier of that detergent or surfactant referred to in Article 20(1a).** ~~Declarants as defined in Article 5, point (15), of Regulation (EU) 952/2013 shall include the unique product identifier in the customs declaration for release for free circulation of any detergent or surfactant.~~	DK (Drafting Suggestions): The person intending to place a detergent or surfactant under the customs procedure 'release for free circulation' shall provide or make available to customs authorities the unique registration identifier of that detergent or surfactant referred to in Article 20(1a). **It shall apply as from the moment the registry is operational.** DK (Comments): We suggest to add the phrase *"it shall apply as from the moment the registry is operational"* in order to underline that this provision should not apply before the registry is operational. The purpose of this adjustment is also to create alignment to similar provisions in other product regulations such as the regulation on the safety of toys. FI

	(Drafting Suggestions): The economic operator intending… FI (Comments): To clarify that the intention is not to cover private persons. IE (Comments): IE's previous comments on Cluster 4 from January 2024 still stand, namely that while we have no issues with the creation of the Digital Product Passport as such, we do have concerns about the verification at import and the additional burden for Customs. Custom Controls are set out in Articles 46 and 47 of EU Reg 952/2013 – Union Customs Code (UCC). As per UCC, customs controls are applied on a Risk basis, where the customs authorities target their controls on consignments presenting a risk and allow legitimate trade to flow freely. The verification of the DPP by customs as set out in Article 21(2), we believe diverges from risk based to automatic control of all consignments covered by the proposal. This we believe will create significant burden for customs.

	LV (Drafting Suggestions): **The person intending to place a detergent or surfactant under the customs procedure 'release for free circulation' shall provide or make available to customs authorities the unique registration identifier of that detergent or surfactant referred to in Article 20(1a) and the product passport.**
3. **Customs authorities may release a detergent or surfactant for free circulation only after having verified as a minimum that the unique registration identifier and the commodity code provided or made available to them corresponds to the information stored in the registry. The release for free circulation shall not be deemed to be proof of compliance with this regulation or any other Union law.**	LV (Drafting Suggestions): Customs authorities may release a detergent or surfactant for free circulation only after having verified as a minimum that the unique registration identifier, product passport and the commodity code provided or made available to them corresponds to the information stored in the registry. Product can be released for free circulation only when customs have verified existence of product passport. The release for free circulation shall not be deemed to be proof of compliance with this regulation or any other Union law

The verification referred to in the first subparagraph shall take place electronically and automatically via the interconnection between the registry and the EU Customs Single Window Certificates Exchange System referred to in Article 13 of [PO please insert the serial number for Regulation (EU) …/… on Ecodesign for Sustainable Products]. It shall apply as from the moment that interconnection is operational.	
~~Customs authorities shall verify whether the unique product identifier indicated by the declarant in accordance with paragraph 2 of this Article matches a unique product identifier included in the registry in accordance with Article 20(1).~~	
4. **Customs authorities and the Commission may retrieve and use the information included in the product passport and the registry for carrying out their duties pursuant to any Union legal acts, including for risk management, customs controls and release for free circulation in accordance with Regulation (EU) No 952/2013.** ~~In addition to the verification referred to in paragraph 3, customs authorities shall verify the consistency of information made available to customs by~~	IE (Comments): Article 21(4) and Article 26(3) requires customs to verify the information in the DPP against the information provided in the customs declaration, this is an additional measure which we believe should be carried out by the relevant competent authority (MSA).

~~declarants with other information stored in the registry referred to in Article 20(1) listed in the delegated act referred to in Article 26(3).~~	LV (Comments): Paragraph 1 provides that detergents and surfactants entering the Union market shall be subject to the controls and other measures laid down in this Article. This Article is without prejudice to any other Union legislation, in particular Regulation (EU) 952/2013 and Chapter VII of Regulation (EU) 2019/1020. At the same time, paragraph 4 contains that the customs authorities and the Commission may retrieve and use the information contained in the product passport and register for the purpose of carrying out their duties under any Union legislation, including for risk management, customs control and release for free circulation in accordance with Regulation (EU) No 952/2013. On this basis, we invite you to remove the inconsistencies in the wording of draft Article 21. *Customs controls, risk management and release for free circulation shall take place in accordance with Regulation 952/2013, which is indicated in paragraph 4. It is therefore not clear why paragraph 1 states that this article is without prejudice to Regulation 952/2013.*
5. **The verifications and other measures laid down in this Article**	IE

shall be carried out on the basis of a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, under which detergents and surfactants are classified as well as the product descriptions of those detergents and surfactants. ~~The verifications referred to in paragraph 3 and 4 shall take place electronically and automatically before the release for free circulation.~~	(Comments): We note in Article 21(5) it states the following – "The verifications and other measures laid down in this Article shall be carried out on the basis of a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, under which detergents and surfactants are classified as well as the product descriptions of those detergents and surfactants." – Does this mean that the product descriptions of the detergents and substances must be verified as well as the commodity code? LV (Drafting Suggestions): **The verifications and other measures laid down in this Article shall be carried out on the basis of the list of commodity codes and product descriptions set out in Annex VII** ~~**a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, under which detergents and surfactants are classified as well as the product descriptions of those detergents and surfactants.**~~ ~~The verifications referred to in paragraph 3 and 4 shall take place electronically and automatically before the release for free circulation.~~ LV

	(Comments): Paragraph 5, as it currently stands, provides that the checks and other measures provided for in this Article shall be carried out on the basis of the list of Combined Nomenclature codes set out in Annex I to Regulation (EEC) No 2658/87, according to which detergents and surfactants are also classified, as well as the product descriptions of those detergents and surfactants. It was apparent from the previous wording that codes for detergents and surfactants would be established in the Combined Nomenclature and included in this Annex to the draft Regulation. We draw attention to the fact that the reference in the Article to the entire list of the Combined Nomenclature is incorrect and does not facilitate the work of the customs official, as would be the case if specific codes were included in the Annex to the Regulation. On this basis, we call for the specific Combined Nomenclature codes to be summarised and included in the Annex to the proposed Regulation and for Article 21 to be supplemented by a reference to this Annex, by analogy with Article 20(8) of the draft Toys Safety Regulation.

~~6. For the purpose of paragraphs 3 to 5, the interconnection between the registry referred to in Article 20(1) and the EU Customs Single Window Certificates Exchange System referred to in [Article 13 of Regulation (EU) …/… on Ecodesign for Sustainable Products] shall be used.~~	
~~7. Paragraphs 3, 4 and 5 shall apply from the day when the interconnection between the registry and the EU Customs Single Window Certificates Exchange System referred to in [Article 13 of Regulation (EU) …/… on Ecodesign for Sustainable Products] becomes operational.~~	
~~The Commission shall publish a notice in the Official Journal of the European Union to that effect indicating the date when the interconnection becomes operational.~~	
~~8. Customs authorities may retrieve and use the information included in the product passport and the registry referred to in Article 20(1) for~~	

~~carrying out their duties pursuant to Union legislation, including for risk management in accordance with Articles 46 and 47 of Regulation (EU) No 952/2013.~~	
~~9. The verifications and other measures laid down in this Article shall be carried out on the basis of a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, under which detergents and surfactants are classified as well as the product descriptions of those detergents and surfactants.~~	
~~10. The verifications and measures laid down in this Article shall not affect the application of other Union legal acts governing the release for free circulation of products, including Articles 46, 47 and 134 of Regulation (EU) No 952/2013, as well as the controls referred to in Chapter VII of Regulation (EU) 2019/1020.~~	
CHAPTER VI	

MARKET SURVEILLANCE	
Article 22 **Procedure at national level for dealing with detergents and surfactants presenting a risk**	DK (Drafting Suggestions): Procedure at national level for dealing with **non-compliant** detergents and surfactants presenting a risk DK (Comments): We suggest to specify that this article concerns detergents and surfactants that are not complying with the regulation, since it may otherwise be confused with article 24. Furthermore it could be considered whether the sentence "Procedure at national level for dealing with" is actually helpful or whether it might cause confusion. SE (Drafting Suggestions): ~~Article 22~~ ~~**Procedure at national level for dealing with detergents and surfactants presenting a risk**~~ SE (Comments):

	Sweden questions why articles 22, 23 and 25 regarding market surveillance have been added to the regulation and considers that those articles should be deleted. The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions. What is the justification for adding these requirements specifically to this regulation? Where relevant, references to the market surveillance regulation could be added. A consequence of deleting article 22 is that the test methods described in Annex VII are superfluous and that Annex can be deleted from the regulation.
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.	SE (Drafting Suggestions): ~~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.~~ SE (Comments): This requirement stating that the market surveillance authorities must have sufficient reason to believe that a detergent or surfactant presents a risk to health or the environment to start enforcement deviates from the requirements in the market surveillance regulation (e.g. articles 14(4) and 22), and thus it should be deleted. In addition, it would exclude random sampling of products as a method for market surveillance.
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.~~	BG (Comments): We prefer deleted text to be returned FI (Drafting Suggestions): 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**, where necessary,** 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. FI (Comments): It is unclear what is meant by 'controls' in this sentence. Does it mean that the MSAs themselves are obliged to carry out tests, or does the word control alternatively refer to enforcement actions in general? It would be preferable from the standpoint of view of the MSA that the authorities are not directly obliged to accomplish testing, since the test results/reports can be required to be provided by the economic operators in association with administrative proceedings. To enable necessary leeway for the MSAs in this respect, we suggest, that the following addition would be included in the provision: "*...they shall**, where necessary,** ...*" LV (Comments): It is not entirely clear what is meant by "sufficient reasons". Does it mean that the inspecting authority has to justify its suspicions in some way? SE (Drafting Suggestions): ~~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.~~ SE (Comments): This requirement stating that the market surveillance authorities must have sufficient reason to believe that a test has produced false result to start enforcement deviates from the requirements in the market surveillance regulation (e.g. articles 14(4) and 15), and thus it should be deleted. In addition, in practice it is unlikely for market surveillance authorities to have a suspicion that tests performed by an actor in the supply chain has produced a false result.
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	SE (Drafting Suggestions): ~~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~~

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.	~~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.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
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.	SE (Drafting Suggestions): ~~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.~~ SE (Comments):

	The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
5. The economic operator shall ensure that all appropriate corrective action is taken in respect of all the concerned detergents or surfactants that the economic operator has made available on the market throughout the Union.	SE (Drafting Suggestions): ~~5. The economic operator shall ensure that all appropriate corrective action is taken in respect of all the concerned detergents or surfactants that the economic operator has made available on the market throughout the Union.~~ SE (Comments): The requirement in art 22.5 is targeting the economic operator, but as the corresponding requirement for economic operators to comply with the Regulation is already laid down in other articles, this does not seem necessary. The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.

6. Where the relevant economic operator does not take adequate corrective action within the period referred to in paragraph 3, the market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict making available on their national market of the detergent or surfactant, to withdraw the detergent or surfactant from that market or to recall it.	SE (Drafting Suggestions): ~~6. Where the relevant economic operator does not take adequate corrective action within the period referred to in paragraph 3, the market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict making available on their national market of the detergent or surfactant, to withdraw the detergent or surfactant from that market or to recall it.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
The market surveillance authorities shall inform the Commission and the market surveillance authorities of other Member States, without delay, of those measures.	SE (Drafting Suggestions): ~~The market surveillance authorities shall inform the Commission and the market surveillance authorities of other Member States, without delay, of those measures.~~

	SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
The information referred to in the second subparagraph shall include all available details, in particular the data necessary for the identification of the non-compliant detergent or surfactant, the origin of that detergent or surfactant, the nature of the non-compliance alleged and the risk involved, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator.	SE (Drafting Suggestions): ~~The information referred to in the second subparagraph shall include all available details, in particular the data necessary for the identification of the non-compliant detergent or surfactant, the origin of that detergent or surfactant, the nature of the non-compliance alleged and the risk involved, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.

7. Market surveillance authorities of Member States other than the Member State initiating the procedure under this Article shall without delay inform the Commission and the market surveillance authorities of other Member States of any measures adopted and of any additional information at their disposal relating to the non-compliance of the detergent or surfactant concerned, and, in the event of disagreement with the adopted national measure, of their objections.	SE (Drafting Suggestions): ~~7. Market surveillance authorities of Member States other than the Member State initiating the procedure under this Article shall without delay inform the Commission and the market surveillance authorities of other Member States of any measures adopted and of any additional information at their disposal relating to the non-compliance of the detergent or surfactant concerned, and, in the event of disagreement with the adopted national measure, of their objections.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
8. Where, within three months of receipt of the information referred to in paragraph 6, second subparagraph, no objection has been raised by	SE (Drafting Suggestions):

either a market surveillance authority or the Commission in respect of a provisional measure taken by a Member State, that measure shall be deemed justified.	~~8. Where, within three months of receipt of the information referred to in paragraph 6, second subparagraph, no objection has been raised by either a market surveillance authority or the Commission in respect of a provisional measure taken by a Member State, that measure shall be deemed justified.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
9. Market surveillance authorities shall ensure that appropriate restrictive measures, such as withdrawal of the detergent or surfactant from the market, are taken in respect of the detergent or surfactant concerned without delay.	SE (Drafting Suggestions): ~~9. Market surveillance authorities shall ensure that appropriate restrictive measures, such as withdrawal of the detergent or surfactant from the market, are taken in respect of the detergent or surfactant concerned without delay.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to

	detergents and contains equivalent regulation why SE does not see the need for these provisions.
10. Where, for the purposes of paragraphs 4, 6, 7 and 8, information is communicated to the Commission or other market surveillance authorities that information shall be communicated through the information and communication system referred to in Article 34(1) of Regulation (EU) 2019/1020.	DK (Comments): We understand this as a reference to the existing market surveillance systems known currently as ICSMS and RAPEX/Safety Gate. Can you confirm this? SE (Drafting Suggestions): ~~10. Where, for the purposes of paragraphs 4, 6, 7 and 8, information is communicated to the Commission or other market surveillance authorities that information shall be communicated through the information and communication system referred to in Article 34(1) of Regulation (EU) 2019/1020.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the

	need for these provisions.
Article 23 **Union safeguard procedure**	SE (Drafting Suggestions): ~~Article 23~~ ~~**Union safeguard procedure**~~ SE (Comments): Sweden questions on why articles 22, 23 and 25 regarding market surveillance have been added to the regulation and suggests that those articles are deleted. The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions. What is the justification for adding these requirements specifically to this regulation? Where relevant, references to the market surveillance regulation could be added.
1. Where, on completion of the procedure set out in Article 22(3), (4) and (5), objections are raised against a measure taken by a market	SE (Drafting Suggestions):

surveillance authority, or where the Commission considers a national measure to be contrary to Union legislation, 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 measure. 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.	~~1. Where, on completion of the procedure set out in Article 22(3), (4) and (5), objections are raised against a measure taken by a market surveillance authority, or where the Commission considers a national measure to be contrary to Union legislation, 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 measure. 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.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
The Commission shall address its decision to all Member States and shall without delay communicate it to them and the relevant economic operator or operators.	SE (Drafting Suggestions): ~~The Commission shall address its decision to all Member States and shall without delay communicate it to them and the relevant economic operator or operators.~~

	SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
2. If the national measure is considered justified, all Member States shall take the necessary measures to ensure that the non-compliant detergent or surfactant is withdrawn from their market, and shall inform the Commission accordingly.	SE (Drafting Suggestions): ~~2. If the national measure is considered justified, all Member States shall take the necessary measures to ensure that the non-compliant detergent or surfactant is withdrawn from their market, and shall inform the Commission accordingly.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
3. If the national measure is considered unjustified, the Member State concerned shall withdraw that measure.	SE (Drafting Suggestions):

	~~3. If the national measure is considered unjustified, the Member State concerned shall withdraw that measure.~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
Article 24 **Compliant detergents and surfactants which present a risk to health or to the environment**	DK (Drafting Suggestions): **Compliant detergents and surfactants ~~which~~ present**ing **a risk ~~to health or to the environment~~** DK (Comments): We believe that there is an inconsistency with the wordings of the headings of article 22 and 24. We suggest to align the wording in order to clarify the difference between the two articles. SE (Drafting Suggestions): Article 24 ~~**Compliant detergents and surfactants which present a risk to health**~~

	~~or to the environment~~ **Union safeguard procedure** SE (Comments): It could be considered whether this article instead of article 23 should be regarded as a Union safeguard procedure?
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.	DK (Drafting Suggestions): 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. DK (Comments): The reference to Article 22(1) constitutes an limitation of the scope of the article, which seems neither necessary or justified. Instead it may possibly

	result in less effective means for the ensuring of protection of health and the environment. A similar adjustment has been presidency in the ongoing negotiations of the new Toys regulation. SE (Drafting Suggestions): 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 SE (Comments): Editorial when art 22 is deleted.
2. The economic operator shall ensure that corrective action is taken in respect of all the concerned detergents or surfactants that the economic operator has made available on the market throughout the Union.	

3. The market surveillance authority shall immediately inform the Commission and the market surveillance authorities of the other Member States. That information shall include all available details, in particular the data necessary for the identification of the detergents or surfactants concerned, the origin and the supply chain of the detergent or surfactant, the nature of the risk involved and the nature and duration of the national measures taken.	
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.	

	DK (Drafting Suggestions): 5. Where the risk to health or the environment as set out in the first paragraph relates to a specific substance in a concentration posing a risk, Member States may, if appropriate, introduce temporary restrictions on the making available of a group of detergents or surfactants containing this substance in that concentration. A restriction may only be introduced three months after the market surveillance authority has informed the Commission and the market surveillance authorities of the other Member States as required under the third paragraph. Member States may only use this power after reasonable attempts have been made to identify detergents or surfactants containing the specific substance that are made available in the Member State's national market. Until the temporary restriction takes effect, market surveillance authorities shall prioritise the identification of the applicable detergents or surfactants and use the procedure outlined under the first paragraph. DK (Comments):

	The safeguard clause under the current regulation (Article 15 in Regulation (EC) No 648/2004) has in the course of market surveillance activities shown to be a very ineffective means to manage risks from detergents and surfactants, since it only allows for measures towards a specific detergent. In practice this means that economic operators may continue to relaunch the same product with a new name or layout everytime the market surveillance authorities try to ban the specific detergent by using the safeguard clause. The article 24 proposed by the Commission continues in this regard the scope of the former safeguard clause, which means that the enforcement issue is also carried on. Therefore, we propose that Member States, when justified, are allowed to introduce temporary restrictions for the presence of a specific substance in a group of detergents or surfactants in a concentration posing a risk in order to enable market surveillance authorities to stop the sale of all detergents or surfactants that present a risk to health or the environment due to the presence of that substance. .
Article 25 **Formal non-compliance**	SE (Drafting Suggestions):

	~~Article 25~~ ~~**Formal non-compliance**~~ SE (Comments): Sweden questions why articles 22, 23 and 25 regarding market surveillance have been added to the regulation and suggests that those articles are deleted. The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions. What is the justification for adding these requirements specifically to this regulation? Where relevant, references to the market surveillance regulation could be added.
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:	SE (Drafting Suggestions): ~~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:~~ SE (Comments):

	The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
(a) the CE marking has been **used**~~affixed~~ in violation of Article 14 or **is not included in the product passport**~~not affixed at all~~;	BG (Comments): See our coment on art. 7(2c). ES (Drafting Suggestions): Delete Article 25.1(a) ES (Comments): For consistency reasons, our reasoning about eliminating the CE marking remains the same as what was already explained in several articles before. FI (Comments): FI supports the original wording. HU (Drafting Suggestions): ~~the CE marking has been **used**affixed in violation of Article 14 or **is not**

	~~**included in the product passport**not affixed at all;~~ SE (Drafting Suggestions): ~~(a) the CE marking has been~~ **~~used~~**~~affixed in violation of Article 14 or~~ ~~**is not included in the product passport**not affixed at all;~~ SE (Comments): Our preferred option is to delete all requirements for CE marking. The introduction of a product passport results in limited importance of the CE marking and leads to difficulties for the actors in the distribution chain to fulfil their rescpectively responsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it would not function effectively in combination with CLP for imported products of this category.
(b) the product passport has not been drawn up in accordance with Articles 18 and 19;	SE (Drafting Suggestions): ~~(b) the product passport has not been drawn up in accordance with Articles 18 and 19;~~

	SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
(c) the technical documentation referred to in Article 7(2) is either not available or incomplete;	SE (Drafting Suggestions): ~~(c) the technical documentation referred to in Article 7(2) is either not available or incomplete;~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
(d) the data carrier through which the product passport 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;	SE (Drafting Suggestions): ~~(d) the data carrier through which the product passport 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;~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
(e) the label has not been provided~~-~~**, or the label has not been provided in accordance with Articles 16 and 17,** or the labelling information referred to in Articles 15 and Annex V is false or incomplete;	SE (Drafting Suggestions): ~~(e) the label has not been provided~~ **~~, or the label has not been provided in accordance with Articles 16 and 17,~~** ~~or the labelling information referred to in Articles 15 and Annex V is false or incomplete;~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
2. Where the non-compliance referred to in paragraph 1 persists, the	SE

Member State concerned shall take all appropriate measures to restrict or prohibit the detergent or surfactant being made available on the market or ensure that it is recalled or withdrawn from the market.	(Drafting Suggestions): ~~2. Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the detergent or surfactant being made available on the market or ensure that it is recalled or withdrawn from the market~~ SE (Comments): The market surveillance regulation (EU) 2019/1020 already applies to detergents and contains equivalent regulation why SE does not see the need for these provisions.
CHAPTER VII	
DELEGATED POWERS AND COMMITTEE PROCEDURE	
Article 26 **Delegated powers**	

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.	
2. The Commission is empowered to adopt delegated acts in accordance with Article 27, amending Article 20(1) by requiring that additional information among the information listed in Annex VI be stored in the registry.	SE (Drafting Suggestions): 2. The Commission is empowered to adopt delegated acts in accordance with Article 27, amending ~~Article 20(1)~~ ***[insert a new Annex VII and refer to that annex in Article 20(1)]*** by requiring that additional information among the information listed in Annex VI be stored in the registry. SE (Comments): Choice of procedure: According to articles 26(2) and 20(1) the Commission is empowered to adopt delegated acts containing additional details for the registry of

	product passports. This means that the requirements will be available partly in this regulation and partly in the delegated act. Collecting all requirements in the regulation would increase clarity. Other options could be to empower the Commission to add a new annex for the additional requirements or to add that annex now. Our preferred option is to add an annex now and empower the Commission to add information to the annex. Why isn't an annex for this purpose already included in the proposal?
When adopting the delegated acts in accordance with the first subparagraph, the Commission shall take into account the following criteria:	
(a) coherence with other relevant Union acts where relevant;	
(b) the need to allow for the verification of the authenticity of the product passport;	

(c) the relevance of information for improving the efficiency and effectiveness of market surveillance checks and customs controls for detergents and surfactants;	
(d) the need to avoid disproportionate administrative burden for economic operators **and authoritites**.	
3. The Commission is empowered to adopt delegated acts in accordance with Article 27 supplementing this Regulation by determining additional information stored in the registry referred to in Article 20(1) that is to be controlled by customs authorities.	DK (Drafting Suggestions): The Commission is empowered to adopt delegated acts in accordance with Article 27 supplementing this Regulation by determining additional information stored in the registry referred to in Article 20(1) ~~that is to be controlled by customs authorities~~ DK (Comments): DK suggests to delete the phrase *"that is to be controlled by customs authorities*" because it creates uncertainty about the scope of the customs control. Thus it is emphasized that the customs control is limited to the unique registration identifier and commodity code, which is referred to in art. 21(3). Consequently, the customs authorities should not be imposed

	to carry out automatic verification controls on additional information in the product passport. IE (Comments): As per Article 21(4) above, this requires customs to verify the information in the DPP against the information provided in the customs declaration, this is an additional measure which we believe should be carried out by the relevant competent authority (MSA).
4. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending this Regulation by **adding**~~providing~~ an Annex containing a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, and product descriptions of detergents and surfactants and by updating such Annex.	SE (Drafting Suggestions): 4. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending ~~this Regulation by providing an Annex~~ ***[insert a new Annex VIII]*** containing a list of Combined Nomenclature codes, as set out in Annex I to Regulation (EEC) No 2658/87, and product descriptions of detergents and surfactants and ~~by updating such~~ **update that** Annex. SE (Comments):

	Choice of procedure: According to article 26(4) the Commission is empowered to adopt delegated acts adding an annex to this regulation. We suggest that an annex is added now and the Commission is empowered to add information to the annex.
5. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annexes I to VII to take into account **technical and** scientific ~~and technical~~ progress**, using where possible European standards**~~.~~	SE (Comments): Editorial: The relation between this empowerment and the empowerments in article 26 paragraphs 1–4 and 6–8 is unclear. To make the whole article clearer the paragraphs would preferrebly be sorted in a more logical order, e.g. whith this one as number one.
6. ~~Where new scientific evidence points to the need~~ **The Commission is empowered to adopt delegated acts in accordance with Article 27** to introduce biodegradability requirements ~~for substances and mixtures or other organic~~ **for surfactants and other detergent ingredients** ~~than surfactants in detergents~~, including **~~soluble film~~**	HU (Drafting Suggestions): ~~Where new scientific evidence points to the need~~ **The Commission is empowered to adopt delegated acts in accordance with Article 27** to introduce biodegradability requirements ~~for substances and mixtures or~~

polymers used to~~in of~~ encapsulated ~~d~~detergent**s** ~~capsules, the Commission is empowered to adopt delegated acts in accordance with Article 27,~~ amending Annex I to lay down biodegradability criteria for those ~~substances and mixtures~~ **ingredients** and test methods to verify compliance with them.	~~other organic~~ **for surfactants and other detergent ingredients** ~~than surfactants in detergents~~, including ~~soluble~~ **films used for soluble packaing** ~~polymers~~ **used to** ~~in of~~ **encapsulate**~~d d~~**d**etergent**s** ~~capsules, the Commission is empowered to adopt delegated acts in accordance with Article 27,~~ amending Annex I to lay down biodegradability criteria for those ~~substances and mixtures~~ **ingredients** and test methods to verify compliance with them. SE (Comments): Sweden supports this amendment.
When adopting delegated acts in accordance with the first subparagraph, the Commission shall take into account ~~the current~~ manufacturing practices, the availability of technically and economically feasible alternatives and the impacts to small and medium-sized enterprises.	
6a. When necessary, the Commission is empowered to adopt delegated acts in accordance with Article 27 to allow for some limited specific use of substances in detergents that do not comply with the	SI (Comments): SI: The phrase "where necessary" ought to be clearly defined and restricted to specific circumstances, such as in specialized detergents for

biodegradability criteria established in accordance with Annex I.	technical purposes when no other suitable alternatives exist. This provision should apply exclusively to industrial and institutional detergents. SE (Drafting Suggestions): **~~6a. When necessary, the Commission is empowered to adopt delegated acts in accordance with Article 27 to allow for some limited specific use of substances in detergents that do not comply with the biodegradability criteria established in accordance with Annex I.~~** SE (Comments): We do not support the proposed empowerment to adopt delegated acts that allows derogations for substances in detergents that do not comply with the biodegradability criteria. We do not see a need for this requirement. If such substances exist, they would rather not be be listed in Annex I(B) according to articles 4(3) or 4(4). This requirements should be read together with the proposal for article 4(5).
When adopting delegated acts in accordance with the first ~~previous~~	SE (Drafting Suggestions):

subparagraph, the Commission shall take into account manufacturing practices, the consequence on wastewater treatment plants, the availability of technically and economically feasible alternatives, the impact on small and medium-sized enterprises and the impact on health and the environment.	**~~When adopting delegated acts in accordance with the first previous subparagraph, the Commission shall take into account manufacturing practices, the consequence on wastewater treatment plants, the availability of technically and economically feasible alternatives, the impact on small and medium-sized enterprises and the impact on health and the environment.~~** SE (Comments): We do not support the proposed empowerment to adopt delegated acts that allows derogations for substances in detergents that do not comply with the biodegradability criteria. We do not see a need for this requirement. If such substances exist, they would rather not be be listed in Annex I(B) according to articles 4(3) or 4(4). This requirements should be read together with the proposal for article 4(5).
6b. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annex II in order to add the risk assessment methodology for detergents containing micro-organisms and to adapt this Annex to technical and scientific	

progress for the purpose of ensuring a high level of protection of health and the environment.	
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 Council[1], 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.	DK (Drafting Suggestions): ~~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 Council[2], 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.~~ DK (Comments): Denmark proposes to delete the point, as we prefer the automatic adaptation to the updates in the cosmetics regulation - as in the existing provisions - since this will ensure that the decisions implemented in the

[1] 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).

[2] 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).

	cosmetics regulation will be directly applicable and delays will be avoided. In this regard, we also refer to our comments to point 4 in Part A of Annex V (Labelling requirements).
8. By [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to supplement this Regulation, by determining the specific requirements for the digital labelling of detergents. Those requirements shall at least establish the types of IT solutions, which economic operators may use, and the alternative means for providing the information on the digital label, referred to in Article 17.	PL (Comments): The transition period for the implementation of the Digital Product Passport (DPP) should only start after the adoption by the Commission of delegating acts under the Detergents and Ecodesign Regulation (ESPR) setting out the related and necessary technical requirements. SE (Drafting Suggestions): 8. By [OP please insert the date = the first day of the month following ~~30~~**24** months after the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 to supplement this Regulation, by determining the specific requirements for the digital labelling of detergents. Those requirements shall at least establish the types of IT solutions, which economic operators may use, and the alternative means for providing the

	information on the digital label, referred to in Article 17. SE (Comments): The proposed amendment is aimed to ensure that the requirements in the delegated acts (with technical requirements for digital marking) become clear for the actors concerned in time before they shall be applied, in order to enable the actors to adapt to new requirements.
When adopting the delegated act referred to in the first subparagraph, the Commission shall take into account the following criteria:	
(aa) the need for the digital labelling not to compromise the safety of the end-users and the environment;	
(a) coherence with other relevant Union acts where relevant;	
(b) the need to encourage innovation;	

(c) technological neutrality characterised by absence of constraints or prescriptions on the choice of technology or equipment, within the bounds of compatibility and avoidance of interference;	
~~(d) the need for the digital labelling not to compromise the safety of the end-users and the environment.~~	
(e) the level of digital readiness among all population groups in the Union **as well as the readiness of the necessary wireless and other technological infrastructure allowing unrestricted access to the information on detergents and surfactants**..	
9. The Commission is empowered to adopt delegated acts in accordance with Article 27 amending Annex V, as regards the labelling information, which economic operators are allowed to provide only digitally in accordance with Article 16, for the purposes of adapting it to technical and scientific progress and to the level of digital readiness	SE (Drafting Suggestions): 9. The Commission is empowered to adopt ~~delegated~~ **implementing** acts ~~in accordance with Article 27~~ amending Annex V, as regards the labelling information, which economic operators are allowed to provide only digitally in accordance with Article 16, for the purposes of adapting

among the end-users of detergents. When adopting those delegated acts, the Commission shall take into account the need to ensure a high level of protection of health and environment.	it to technical and scientific progress and to the level of digital readiness among the end-users of detergents. When adopting those delegated acts, the Commission shall take into account the need to ensure a high level of protection of health and environment. **This implementing act shall be adopted in accordance with the examination procedure referred to in Article 50(3).** SE (Comments): Sweden considers that it is important to involve the member states more closely in decisions related to the transition from physical to digital labelling.
	DK (Drafting Suggestions): **10. The Commission is empowered to adopt implementing acts in accordance with Article 27 to amend Table Aand B of Annex IIIa, while taking into account the conditions set out in point 3 and 4 of that annex, in order to permit a certain use of a substance or mixture that is prohibited under point 1or 2 of that annex, or to limit a certain use that has been permitted, in detergents or surfactants.** DK (Comments):

	We propose this delegation for the granting of derogations to the general ban of substances in detergents cf. new proposed article 6a
Article 27 **Exercise of the delegation**	
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
2. The power to adopt delegated acts referred to in Article 26 shall be conferred on the Commission for ~~an indeterminate period of time~~ **a period of five years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period**.	

3. The delegation of power referred to in Article 26 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
6. A delegated act adopted pursuant to Article 26 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of	

that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.	
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.	
CHAPTER VIII	

TRANSITIONAL AND FINAL PROVISIONS	
Article 29 **Penalties**	
Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those measures and of any subsequent amendment affecting them.	
~~*Article 30*~~	SE (Drafting Suggestions): ***Article 30*** SE (Comments):

	SE disagrees with the assessment that this Article in redundant and believes that in order to ensure legal certainty it is necessary to amend Regulation (EU) 2019/1020, in accordance with recital 54.
~~**Amendment of Regulation (EU) 2019/1020**~~	SE (Drafting Suggestions): **Amendment of Regulation (EU) 2019/1020**
~~In Annex I of Regulation (EU) 2019/1020, point 15 is replaced by the following:~~	SE (Drafting Suggestions): **In Annex I of Regulation (EU) 2019/1020, point 15 is replaced by the following:**
~~'15. Regulation (EU) …/… of the European Parliament and of the Council of … on the making available on the market of detergents and surfactants (OJ L …)'.~~	SE (Drafting Suggestions): **'15. Regulation (EU) …/… of the European Parliament and of the Council of … on the making available on the market of detergents and surfactants (OJ L …)'.**

Article 31 **Report**	
[*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.~~	
Article 32	
~~**Micro-organisms r**~~**Review**	
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 ~~**1.** 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.~~ f**or the following:**	
i. For detergents containing micro-organisms: the list ~~possibility to include new~~ of micro-organisms or strains of micro-organisms allowed or banned in detergents in Annex II and the relevance of the other provisions of Annex II to ensure the safety of these products for health and the environment.	
	SE (Drafting Suggestions): **ia. After [*OP: please insert the date = 3 years from the date of application of this Regulation*] the Commission shall regularly, and at least every 4th year, perform a review of Annex II.** SE (Comments): Sweden proposes that the review clause in Article 32 should also include recurring reviews at fixed time intervals after the first three years.
~~2~~ii. For the biodegradability: based on an impact assessment of	AT

biodegradability requirements for ingredients covered by Article 4 compared to the biodegradability of the detergent as a whole; the eventual need to ban certain ingredients and to strengthen the biodegradability requirements shall also be assessed. ~~By defining the biodegradation charge as the sum of the biodegradation charges of the ingredients and the possibility of limiting this charge progressively in a review process whilemaintaining an identical perfomance and without adverse impact possibility to add new requirements for substances, mixtures or soluble film polymers of detergents and standard methods to assess these new requirements to Annex I.~~	(Comments): AT supports the Presideny´s proposal. LT (Comments): The Detergents Regulation should apply the EU Ecolabel approach, which allows the use of a certain proportion of non-degradable organic ingredients. The established eco-label criteria need to be reviewed before new biodegradability requirements are introduced in the Detergents Regulation.
	DK (Drafting Suggestions): **2. By [OP: please insert the date = 5 years from the date of application of this Regulation], the Commission shall, taking into account information from Member States on cases where market surveillance authorities had reason to believe that a detergent was circumventing the approval requirements for a biocidal product under Regulation (EU) No 528/2012, evaluate by way of a thorough assessment on the issue, submit a report on, and if not yet solved under Regulation (EU) No 528/2012, present a legislative proposal on**

	the restriction of biocidal active substances in detergents. **3. By [OP: please insert the date =5 years from the date of application of this Regulation], the Commission shall introduce a general ban on the most harmful substances in detergents and surfactants, if such a ban has not yet been introduced under Regulation (EC) No 1907/2006.** DK (Comments): In case the Danish proposal of a new article 6a can not gain support, this review clause is proposed instead. The period of 5 years in terms of the proposed article 32 (2) is intended to allow for measures to be decided under a foreseen revision of the BPR to take care of the problems regarding circumvention of the BPR in cases of detergents that also have biocidal effects . The period of 5 years in terms of the proposed article 32 (3) is intended to allow for the introduction of a general ban on the most harmful substances in all consumer products, including detergents, under the foreseen revision of Regulation (EC) No 1907/2006 (REACH).

	SE (Drafting Suggestions): **ii**a. After [*OP: please insert the date = 3 years from the date of application of this Regulation*] the Commission shall regularly, and at least every 4th year, perform a review of Annex I. SE (Comments): Sweden proposes that the review clause in Article 32 should also include recurring reviews at fixed time intervals after the first three years.
~~3iii.For the phosphorus requirements in detergents containing phosphates and other phosphorus compounds: the possibility to limit further the phosphorus content or add limitation of phosphorus content on others product categories to Annex III.~~	HU (Comments): HU supports the deletion of 3iii. HU supports the establishment of harmonized limit values for the content of phosphate and phosphorus compounds in detergents and consumer detergents for automatic dishwashers, to reduce the harmful contribution to the aquatic environment and the development of the eutrophic state. HU agrees with the proposal in Annex III.

	According to HU, however, no additional phosphorus content limitation is necessary concerning detergents intended for industrial use and detergents for industrial washing machines, i.e. the industrial use of detergents and cleaning agents. For this reason, HU supports the deletion of the previously proposed text. SE (Drafting Suggestions): **iii.For the phosphorus requirements in detergents containing phosphates and other phosphorus compounds: the possibility to limit further the phosphorus content or add limitation of phosphorus content on others product categories to Annex III.** **iiia. After [*OP: please insert the date = 3 years from the date of application of this Regulation*] the Commission shall regularly, and at least every 4th year, perform a review of Annex III.** SE (Comments): Sweden does not support deletion of the review clause for Annex III on phosphates and phosphorus compounds. We find it important to have a review clause regarding the possibility to add further limitations

	on phosphorus content. Sweden proposes that the review clause in Article 32 should also include recurring reviews at fixed time intervals after the first three years.
Article 33 **Repeal of Regulation (EC) No 648/2004**	
Regulation (EC) No 648/2004 is repealed.	
References to the repealed Regulation shall be construed as references to this Regulation and read in accordance with the correlation table in Annex VIII.	
Article 34	

Transitional provisions	PL (Comments): The transition period for the implementation of the Digital Product Passport (DPP) should only start after the adoption by the Commission of implementing acts under the Detergents and Ecodesign Regulation (ESPR) setting out the related and necessary technical requirements.
Member States shall not impede the making available on the market of detergents and surfactants which are placed on the market before [*OP: please insert the date = 30 months from the date of entry into force of this Regulation*] in conformity with Regulation (EC) No 648/2004 as applicable on … [*OP: please insert the date = one day before 30 months from the date of entry into force of this Regulation*]	HU (Drafting Suggestions): Member States shall not impede the making available on the market of detergents and surfactants which are placed on the market before [OP: please insert the date = 30 months from the date of entry into force of this Regulation] in conformity with Regulation (EC) No 648/2004 as applicable on … [OP: please insert the date = one day before 30 months from the date of entry into force of this Regulation] **except as regards the articles 18 (1) and 20 (1) for which the date of application date shall be [OP: please insert the date = one day before 48 months from**

	the date of entry into force of this Regulation] or 3 years after the date of entry into force of the implementing act referred to in article 18 (9), whichever is the latest. HU (Comments): Sufficient transition times should be given for companies to implement the DPP and its registration into the central registry. There are a couple of key milestones that are interdependent that need to be considered before companies can start implementing the IT-system & artwork changes for the DPP: - First the cen cenelec JTC24 needs to deliver harmonised standards for the product passport (timing is end 2025) - Subsequently the Commission needs to establish the implementing act mentioned in article 18 (9) and for which a period of 12 months is proposed after entry into force of this regulation (est. Timing mid 2026) - Companies will need the outcome of the implementing act to start implementation of the DPP, and will need sufficient time as establishing such complex IT system and changing all artworks to place the chosen data carrier on the label will cost significant time; similar to fragrance allergen labeling changes a time of 36 months after establishing the implementing act is proposed (which is in total 12 + 36 = 48 months). This is still ambitious timing considering how much time it took to implement the PCN notifications & related UFI

	code on the artworks.
Detergents and surfactants which, are placed on the market after [*OP: please insert the date of application = one day before 30 months from the date of entry into force of this Regulation*] and which at the moment of their placing on the market comply with Regulation (EC) No 648/2004 as applicable on [*OP: please insert the date of application = one day before 30 months from the date of entry into force of this Regulation*], may be made available on the market until [*OP: please insert the date = 36 months from the date of entry into force of this Regulation*].	
Article 35	
Entry into force and application	
This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.	

This Regulation shall apply as of [*OP: please insert the date = 30 months from the date of entry into force of this Regulation*].	DK (Drafting Suggestions): This Regulation shall apply as of [*OP: please insert the date = 30 months from the date of entry into force of this Regulation*]. **However, point 1 of Annex IIIa shall apply from [*OP: please insert the date = 60 months from the date of entry into force of this Regulation].*** DK (Comments): This provision is aimed at giving sufficient time for industry to apply for derogations from the ban of biocidal active substances, as proposed in the proposed Annex IIIa together with a new art. 6a cf. the Danish non paper as presented at the council working goup meeting April 29th. 2024 SE (Comments): It is important that the transitional period, particularly for the product passports and the registry of product passports, is set in accordance with the agreed requirements for the Ecodesign for Sustainable Products Regulation (ESPR), including adaptations to transitional periods for implementation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Done at Brussels,	
For the European Parliament *For the Council*	
The President *The President*	

ANNEX I	
BIODEGRADABILITY REQUIREMENTS REFERRED TO IN ARTICLE 4	
ULTIMATE BIODEGRADABILITY CRITERIA AND TEST METHODS FOR ~~DETERGENTS AND~~ SURFACTANTS AND OTHER ORGANIC INGREDIENTS OF DETERGENTS ~~OTHER RELEVANT INGREDIENT SURFACTANTS IN WATER SOLUBLE FILMS IN DETERGENT CAPSULES DETERGENTS~~	FR (Drafting Suggestions): ~~**ULTIMATE**~~ FR (Comments): French authorities recommend removing the adjective “ultimate” from the text to avoid any ambiguity. There will be a need to develop new criteria and test methods to cover the newly considered ingredients that will have to fulfil biodegradability requirements. Based on each of these ingredients, specific requirements will have to be developed and the requirements might differ for each of those ingredients HU (Drafting Suggestions):

	~~ULTIMATE~~ **BIODEGRADABILITY CRITERIA AND TEST METHODS FOR ~~DETERGENTS AND~~ SURFACTANTS AND OTHER ORGANIC INGREDIENTS OF DETERGENTS ~~OTHER RELEVANT INGREDIENT SURFACTANTS IN WATER SOLUBLE FILMS IN DETERGENT CAPSULES DETERGENTS~~** HU (Comments): New criteria and test methods will need to be developed to cover the newly considered ingredients that will have to fulfil biodegradability requirements. Based on each of these ingredients, specific requirements will have to be developed. It might not be possible to use adjectives (eg. “ultimate”) to describe common requirement applicable to all these ingredients, as the requirements might differ for each of them.
A: Biodegradabilty of surfactants	
1. The reference method for laboratory testing of surfactant ultimate biodegradability in this Regulation is based on the EN ISO standard	

14593: 1999 (CO_2 headspace test).	
2. Surfactants and surfactants contained in detergents shall be ultimately biodegradable as determined in accordance with the criteria laid down in point 3.	
3. Surfactants and surfactants contained in detergents shall be considered as ultimately biodegradable if they meet one of the following criteria:	DK (Comments): The testing methods for biodegradability are only designed to evaluate the biodegradability of a single surfactant. We support the introduction of Article 32. Point 2 and suggest to insert additional review dates in order to keep the methods up-to-date.
(a) the level of biodegradability (mineralisation) is at least 60 % within 28 days measured in accordance with one of the following test methods:	
(i) EN ISO Standard 14593: 1999 — Water quality — Evaluation of ultimate aerobic biodegradability of organic compounds in aqueous	

medium — Method by analysis of inorganic carbon in sealed vessels (CO_2 headspace test);	
(ii) method C.4.-C Carbon dioxide (CO_2) Evolution Test (Modified Sturm Test), described in Part C, Part IV, of the Annex to Commission Regulation (EC) No 440/2008[1];	
(iii) method C.4-D, manometric respirometry test, described in Part C, Part V, of the Annex to Regulation (EC) No 440/2008;	
(iv) method C.4-E, closed bottle test, described in Part C, Part VI, of the Annex to Regulation (EC) No 440/2008;	
(v) method C.4-F Ministry of International Trade and Industry, Japan (M.I.T.I.) described in Part C, Part VII, of the Annex to Regulation (EC)	

[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).

No 440/2008;	
(vi) ISO 10708: 1997 — Water quality — Evaluation in an aqueous medium of the ultimate aerobic biodegradability of organic compounds — Determination of biochemical oxygen demand in a two-phase closed bottle test.	
(b) the level of biodegradability (mineralisation) is at least 70% within 28 days measured in accordance with one of the following test methods:	
(i) method C.4-A DOC die-away test described in Part C, Part II, of the Annex to Regulation (EC) No 440/2008;	
(ii) method C.4-B, modified OECD screening test described in Part C, Part III, of the Annex to Regulation (EC) No 440/2008.	

Pre-adaptation shall not be used and the 10-day window principle shall not be applied in any of the test methods referred to in points (a) and (b) .	
4~~1~~. The tests referred to in point 3 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 Council[1] or international standards recognised as being equivalent;	RO (Comments): Clarification is needed. Which international standards are referred to, which are recognised as equivalent?
(b) the laboratories are accredited in accordance with the standard for laboratories referred to in Regulation (EC) No 765/2008.	RO (Drafting Suggestions): the laboratories are accredited in accordance with **the harmonized standard EN ISO/IEC 17025 by a national accreditation body, which**

[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).

	operates in accordance to Regulation (EC) No 765/2008 RO (Comments): The completion was requested by the Romanian accreditation body. Moreover, a similar provision is found in Article 5(4) of Delegated Regulation (EU) 2024/370 supplementing Directive (EU) 2020/2184 laying down conformity assessment procedures for products in contact with water intended for human consumption and rules for the designation of conformity assessment bodies involved in these procedures.
	DK (Drafting Suggestions): New: **B. Inherently biodegradability criteria and test methods for organic non-surfactants** **1. Organic non-surfactants contained in detergents shall be considered as inherently biodegradable if they meet one of the following criteria:** **(a) The level of biodegradability (mineralisation) is at least 20 %**

	within 28 days measured in accordance with one of the following test methods **B: Biodegradation of organic non-surfactants** **1. method C.4-A DOC die-away test described in Part C, Part II, of the Annex to Regulation (EC) No 440/2008** **2. method C.4.-C Carbon dioxide (CO_2) Evolution Test (Modified Sturm Test), described in Part C, Part IV, of the Annex to Commission Regulation (EC) No 440/2008**[1] **3. method C.4-F Ministry of International Trade and Industry, Japan (M.I.T.I.) described in Part C, Part VII, of the Annex to Regulation (EC) No 440/2008;** **4. method C.4-E, closed bottle test, described in Part C, Part VI, of the Annex to Regulation (EC) No 440/2008;** **5. method C.4-D, manometric respirometry test, described in Part C, Part V, of the Annex to Regulation (EC) No 440/2008** 6. **method C.4-B, modified OECD screening test described in Part C, Part III, of the Annex to Regulation (EC) No 440/2008**

[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).

	DK (Comments): Ultimate biodegradability for all organic ingredients in detergents is an important and ambitious goal. Acknowledging that it might take time and effort to achieve, we propose that less challenging requirements are introduced for a start. In order to support and accelerate the identification and use af non-surfactants that are more biodegradable, we proprose a new, transitional requirement for inherent biodegradability for organic non-surfactant substances. Inherently biodegradable is defined as > 20% but < 60% biodegradability as measured by OECD 301A-F testing
	DK (Drafting Suggestions): New: **Anaerobic Biodegradability of organic substances** **1. Organic substances contained in detergents shall be consideres as ultimately biodegradable in anaerobic conditions if they meet the following criteria:** **if the level of biodegradability (mineralistation) is at least 60 %**

	within 60 days according to: **1. method C.43 ANAEROBIC BIODEGRADABILITY OF ORGANIC SUBSTANCES IN DIGESTED SLUDGE: BY MEASUREMENT OF GAS PRODUCTION, described in Part C, Part VII, of the Annex to Commission Regulation (EC) No 440/2008 ;** DK (Comments): Requirements for anaerobic biodegradability is in particular relevant for LAS, a substance that is toxic in the environment, and has been used in high amounts in detergents. According to the Danish assossiation of Wastewater treatment plants, the prescence of LAS in wastewater sludge hinders the utilisation of wastewater sludge as an agricultural fertiliser, and must undergo costly mineralisation procedures as pre-treatment in order to comply with national requirements.
B . Biodegradabilty of organic polymers and of other organic ingredients	BG (Comments): No support. See our comments on art. 4(3). DK (Drafting Suggestions): New: C. Biodegradability of organic polymers ~~and of other organic~~

	~~ingredients~~ DK (Comments): If the proposed new requirements for inherent biodegradability above are not included, we support the inclusion of other organic ingredients as proposed by the PRES. We welcome a new entry covering the Biodegradability of organic polymers, since biodegradability may be significantly different looking at polymers vs monomers and it is therefore likely that this will require two sets of biodegradability methods. SE (Comments): We support the ambition to have biodegradability requirements for water soluble films to avoid the spread of microplastics in the environment. We would prefer to add this requirement to the regulation, see our drafting proposal. However, as a compromise we can support the PCY proposal to add these requirements in a delegated act 2 years after entry into force of the regulation. Our previous proposal for article 4(1) is moved to article 4(3).

ANNEX II	
REQUIREMENTS FOR DETERGENTS CONTAINING MICRO-ORGANISMS REFERRED TO IN ARTICLE 5	
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)**, according to the qualifications foreseen in this list for the micro-organisms concerned**.	
~~This point shall not apply to micro-organisms intentionally added to detergents placed on the market for research and development purposes.~~	BG (Comments): Clarification is needed regarding the deletion of the text.

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~~ **2015**;	
(b) *Streptococcus (Enterococcus)*, test method ISO 21528-1: ~~2004~~ **2017**;	FI (Comments): There is an error here, as test method ISO 21528-1:2017 is meant for the detection of *Enterobacteriaceae*, not *Streptococcus (Enterococcus)*.
(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.	

The finished product shall not contain significant amounts of other micro-organisms than those reported as the microbial strain(s) used as the cleaning agent(s).	LV (Comments): There is no certainty as to what is a significant quantity. Such an indefinite requirement cannot be enforced. The amount of "significant" should be specified, whether it is e.g. $1x10^6$ colony-forming units (CFUs) per ml or other. SE (Drafting Suggestions): **The finished product shall not contain ~~significant amounts of~~ other micro-organisms than those reported as the microbial strain(s) used as the cleaning agent(s).** SE (Comments): The wording “significant amounts” is vague, and will lead to uncertainties for companies and enforcement bodies.
3. Intentionally added micro-organisms shall not be genetically modified micro-organisms.	

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.	
5. When placed on the market, detergents containing micro-organisms shall have a standard plate count equal to or greater than $1x10^5$ colony-forming units (CFUs) per ml in accordance with ISO 4833-1:2014 or if not suitable for the micro-organisms in question, other internationally recognized methods.	SE (Drafting Suggestions): ~~5.~~ **- Detergents containing micro-organisms destined for use by consumers, shall not be placed on the market in a spray format.** ~~When placed on the market, detergents containing micro-organisms shall have a standard plate count equal to or greater than $1x10^5$ colony-forming units (CFUs) per ml in accordance with ISO 4833-1:2014 or if not suitable for the micro-organisms in question, other internationally recognized methods.~~ SE (Comments):

	Sweden does not find that it would appropriate to allow spray products for consumers due to the potential inhalation sensitization and that consumers cannot be expected to use PPE. We prefer the previous compromise proposal for paragraph 5, first bullet point. Furthermore, we do not support that the now proposed requirement is reintroduced. Our preferred option is to not use a test method that requires animal testing. It is also questionable if the method is relevant for the intended purpose with the new provisions for detergents that contains microorgansims.
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.~~ **The minimum shelf life of a detergent containing micro-organisms shall not be shorter than 18 months and shall have a standard plate count equal to or greater than $1x10^4$ colony-forming units (CFUs) per ml in accordance with ISO 4833-1:2014, or corresponding method, at the end of the shelf-life.**	

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.~~	
~~Detergents containing micro-organisms destined for use by consumers, shall not be placed on the market in a spray format.~~	FR (Comments): French authorities support the deletion
Detergents containing micro-organisms ~~destined for use in the industrial and institutional sector,~~ may be placed on the market in a spray format if:	DK (Drafting Suggestions): **Detergents containing micro-organisms destined for use in the industrial and institutional sector, may be placed on the market in a spray format if:** DK (Comments): We do not support the removal of the restriction of use of **microbial cleaning products in spray format** to consumers in the revised

	annex II. Furthermore, we cannot support that a microbial cleaning product in spray format can be sold to consumers if it just labelled with a warning that it may cause respiratory sensitization. SE (Comments): Sweden does not support this proposal as it would not be appropriate to allow spray products for consumers due to the potential inhalation sensitization and that consumers cannot be expected to use PPE. We prefer the previous compromise proposal for paragraph 5 in this annex.
(a) a risk assessment covering all potential risks posed by the micro-organisms has been carried out and is made available in the technical documentation;	LV (Drafting Suggestions): **a risk assessment covering all potential risks posed by the micro-organisms has been carried out and is made available in the technical documentation and it is proved, that use of this product in indicated way is safe for all potential users;**

and	
(b) in addition to the requirements laid down in Annex V, their label ~~meets the following conditions:~~	
~~(a) The label~~ contains a warning that the product may cause respiratory sensitisation~~;~~ and	HU (Comments): If the products has passed the risk assessment including assessed to be safe with regards to respiratory sensitisation, such a sentence would not be required. LT (Comments): Microbiological cleaning products must not present any risk that is incompatible with a high level of health and safety, and manufacturers are responsible for developing and producing safe products.
~~(b) The label contains~~ instructions for use ensuring the safety of the users, if necessary by protective equipment, of the other individuals potentially exposed and of their environment.	LT (Comments): Microbiological cleaning products must not present any risk that is

	incompatible with a high level of health and safety, and manufacturers are responsible for developing and producing safe products. SE (Comments): Consumers cannot be expected to use PPE. Please see previous comments in this annex regardning consumer use of products in spray format.
8. Detergents containing micro-organisms shall not be placed on the market in a refill format.	
~~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.~~	
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.	

11. The tests referred to in points 2, **4,** 5, **and** ~~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 Council[1] 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.	
ANNEX III	

[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 labo

LIMITATIONS ON THE CONTENT OF PHOSPHATES AND OTHER PHOSPHORUS COMPOUNDS REFERRED TO IN ARTICLE 6	
Detergent Limitations	
Consumer laundry detergents ~~Shall not be placed on the market if the~~ **The** total content of phosphorus **is** ~~is equal to or greater~~**lower** 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:	BG (Comments): We are against reducing the values for the total content of phosphorus in consumer detergents, without it being clear how these values were determined and without an assessed impact on the efficacy and sustainability of the products. PL (Comments): In our view, the current phosphorus limits proposed by the Commission and supported by an impact analysis are sufficient. Additional limits will not have a significant impact on environmental protection, as the

	detergents sector is not the main source of phosphorus release into the environment. The introduction of additional restrictions may lead to unintended effects, such as a double washing process.
– for 'normally soiled' fabrics in the case of heavy-duty detergents,	
– for 'lightly soiled' fabrics in the case of detergents for delicate fabrics.	
By the 1/1/~~20218~~ 2028 is lower than 0,3 grams in the same recommanded quantity of the detergents.	CZ (Comments): *CZ has a reservation regarding the proposed reduction* FI (Drafting Suggestions): delete FI (Comments):

	FI still supports the original commission proposal. Justification: Lowering the already strict limits in consumer detergents was not assessed in the impact assessment, which makes it difficult to assess what kind of effects this would have in practise. FR (Drafting Suggestions): ~~**By the 1/1/20218 2028 is lower than 0,3 grams in the same recommanded quantity of the detergents**~~. FR (Comments): French authorities consider that the current limits of phosphorus content, as proposed by the Commission and supported by their Impact Analysis, are acceptable and that tightening limits would not necessarily have a significant impact on environmental protection, as the detergents sector is not a major contributor of phosphorus releases in the environment. French authorities consider restrictions on phosphorus-based substances possible impact on increasing diluted products and voluminous

	packaging, and their transports. • Product cleaning efficiency might be decreased due to lower phosphorus content (as, for example, phosphorus is used to counteract water hardness). Consumers might have to rewash their plates and/or clothes for them to be properly cleaned, which would increase both energy and water consumption. An impact assessment on these limits could have been carried out to estimate the difference between 0,5 and 0,3 grams on the costs and savings of tertiary treatments on phosphorus. The revised Urban Wastewater Treatment Directive (compromise text from the trilogue agreement, adopted by the Parlement on April 10th 2024) is proposing to significantly increase requirements for tertiary treatments on phophorus. LT (Comments): This provision is unclear, as it does not set a clear upper limit. This limit is also too low for consumer laundry detergents to remain efficient. Reducing phosphorus may reduce the sustainability of the products, as the

	compounds would need to be replaced by other chemicals.
Consumer automatic dishwasher detergents ~~Shall not be placed on the market if the~~**The** total content of phosphorus is ~~equal to or greater~~**lower** than 0,**3**~~3~~ **2** grams in the standard dosage as defined in Part B of Annex V.	BG (Comments): See our comments above.
By the 1/1/~~20218~~ 2028 is lower than 0,2 grams in the same recommanded quantity of the detergents.	FI (Drafting Suggestions): delete FI (Comments): FI still supports the original commission proposal. Justification: Lowering the already strict limits in consumer detergents was not assessed in the impact assessment, which makes it difficult to assess what kind of effects this would have in practise. FR (Drafting Suggestions): ~~**By the 1/1/20218 2028 is lower than 0,2 grams in the same recommanded quantity of the detergents.**~~ FR

	(Comments): French authorities consider that the current limits of phosphorus content, as proposed by the Commission and supported by their Impact Analysis, are appropriate and that tightening limits would not necessarily have a significant impact on environmental protection, as the detergents sector is not a major contributor of phosphorus releases in the environment. French authorities consider restrictions on phosphorus-based substances possible impact on increasing diluted products and voluminous packaging, and their transports. • Product cleaning efficiency might be decreased due to lower phosphorus content (as, for example, phosphorus is used to counteract water hardness). Consumers might have to rewash their plates and/or clothes for them to be properly cleaned, which would increase both energy and water consumption.

	An impact assessment on these limits could have been carried out to estimate the difference between 0,3 and 0,2 grams on the costs and savings of tertiary treatments on phosphorus. The revised Urban Wastewater Treatment Directive (compromise text from the trilogue agreement, adopted by the Parlement on April 10th 2024) is proposing to significantly increase requirements for tertiary treatments on phophorus. LT (Comments): This provision is unclear, as it does not set a clear upper limit. This limit is also too low for consumer automatic dishwasher detergents to remain efficient. Reducing phosphorus may reduce the sustainability of the products, as the compounds would need to be replaced by other chemicals.
	DK (Drafting Suggestions): NEW ENTRY **Detergents for outdoor use shall not contain more than 1.5 mg/L phoshphorous** DK (Comments): Waste water from the use of outdoor detergents will rarely end up at waste water treatement plants. Hence, the phoshphorous content will

	likely end up in streams, lakes or rivers leading to Europhicaiton. Due to increased focus on climate adaptations, an increasing number of drains lead water directly into rivers, indicating an even bigger problem in the future. Denmark has a limit value in WWTP on 1,5 mg/L of phosphorous in the water, therefore Denmark believes that this value is suitable for detergents being directly emitted to the environment. Current EU limits for waste water is set between 1 and 2 mg/L. ”COUNCIL DIRECTIVE of 21 May 1991 concerning urban waste water treatment. This limit is a requirement in order to protect sensitive areas from eutrophication
~~**Industrial and institutional laundry detergents By the 1/1/2018 the total content of phosphorus is lower than 0,6g/ liter of washing solution.**~~	BG (Comments): We support the removal of the limit for industrial and institutional detergents. CZ (Comments): *CZ agrees with the removal of the proposed limits for industrial use and can support their establishment for consumer products* FR

	(Comments): French authorities note that the Presidency is deleting strengthened requirements for industrial and institutional laundry detergents, considering the comments of several delegations. SE (Drafting Suggestions): **Industrial and institutional laundry detergents By the 1/1/2028 the total content of phosphorus is lower than 0,6g/ liter of washing solution.** SE (Comments): Sweden supports the introduction of a restriction on the use of phosphates and phosphorus compounds in products for industrial and institutional use. Please see also our proposal for article 32.
~~**Industrila and instuitutional dishawer detergents By the 1/1/2018 the total content of phosphorus is lower than 0,64g / liter of washing solution.**~~	FR (Comments): French authorities note that the Presidency is deleting strengthened requirements for industrial and institutional dishwasher detergents, considering the comments of several delegations. SE

	(Drafting Suggestions): **Industrial and instuitutional dishawer detergents By the 1/1/2028 the total content of phosphorus is lower than 0,64g / liter of washing solution.** SE (Comments): Sweden supports the introduction of a restriction on the use of phosphates and phosphorus compounds in products for industrial and institutional use. Please see also our proposal for article 32.
	CZ (Drafting Suggestions): ANNEX IIIa CZ (Comments): *CZ has reservations about the DK proposal and is still reviewing the material. Moreover CZ does not understand the rationale behind completely banning biocidal active substances in detergents and surfactants. There are many active substances that do not pose a risk and could be very important for specific uses (such as lactic acid, fragrances like eucalyptus oil, lavender oil, etc.).*
	CZ (Comments):

	The Czech Republic might support banning CMR, ED, and PBT substances in consumer detergents and suggests alignment with the regulations for biocidal products, specifically article 19 (4b). Regarding the use of these substances in professional and industrial contexts, we have not yet established a position nor have we set limits for CMR and ED substances in consumer products. *CZ could not support the automatic transfer of restrictions on the content of certain substances in detergents for professional users.* DK (Drafting Suggestions): **ANNEX IIIa** **SUBSTANCES AND MIXTURES PROHIBITED IN DETERGENTS AND SURFACTANTS** **1. The presence of substances that are considered active substances under Regulation (EU) No 528/2012 is prohibited in detergents and surfactants. However, this shall not apply to:** **(a) substances in detergents or surfactants approved as biocidal products in accordance with chapter VI of Regulation (EU) No 528/2012** **(b) active substances listed in Annex I of Regulation (EU) No**

	528/2012 **(c) active substances approved for use as a preservative for products during storage (product type 6) in accordance with Regulation (EU) No 528/2012 for use in detergents or surfactants** **(d) active substances included in the review programme as set out in the Commission Delegated Regulation (EU) No 1062/2014, when the substance is used as a preservative in a detergent or surfactant.** **2. For detergents and surfactants, other than** industrial and institutional detergents, **the presence of substances or mixtures in the form classified under Regulation (EC) No 1272/2008 in any of the following categories is prohibited:** **(a) carcinogenicity, germ cell mutagenicity or reproductive toxicity (CMR) category 2;** **(b) endocrine disruption category 1 or 2;** **(c) specific target organ toxicity category 1, either in single exposure or in repeated exposure;** **(d) respiratory sensitisation category 1. (e) persistent, bioaccumulative and toxic (PBT) and very persistent and very bioaccumulative (vPvB) assessment**

	3. By way of derogation from point 1, active substances prohibited under that point may be used in detergents or surfactants if they are listed in Table A and used in accordance with the conditions set out therein, provided that **a) It has been found safe by ECHA, and** **b) There are no suitable alternative substances or mixtures available for its intended use in the detergent or surfactant, such as a solvent or surfactant, as established by ECHA based on an analysis of alternatives.** **4. By way of derogation from point 2 substances or mixtures prohibited under that point may be used in detergents or surfactants if they are listed in Table B** and used in accordance with the conditions set out therein**, provided that** **a. It has been found safe by ECHA when used by non-professionals taking into account the exposure from other sources.** **b. There are no suitable substances or mixtures available, as established by ECHA based on an analysis of alternatives.** **c. The substance or mixture is not prohibited for use in consumer articles under Regulation (EC) No 1907/2006.**

5. By way of derogation from point 2, enzymes and proteins prohibited under point 2(d) may be used in detergents and surfactants provided that the derived exposure level does not exceed 15 ng/m3.

6. The non-intended presence of a substance or mixture referred to in point 2 that stems from impurities of natural or synthetic ingredients, or from the manufacturing process and that is technically unavoidable in good manufacturing practice, shall be permitted provided that the individual concentration limit of [100] mg/kg is not exceeded.

TABLE A - Permitted uses of active substances subject to the prohibition under point 1 of this Annex

Substance	Classification	Permitted use	Maximum concentration

TABLE B - Permitted uses of substances subject to generic

	prohibitions under point 2 of this Annex **Substance** | **Classification** | **Permitted use** | **Maximum concentration** | | | | DK (Comments): Please note that minor adjustments have been made to our proposal since our non paper.
ANNEX IV	
CONFORMITY ASSESSMENT PROCEDURE REFERRED TO IN ARTICLE 7(2)	SE (Comments): Our preferred option is to delete all requirements for CE marking. The introduction of a product passport results in limited importance of the CE marking and overlaps (see e.g. article 18(8)b for product passports). Some of the proposed responsibilities in the requirements for CE-marking and technical documentation seem to lead to difficulties for the actors in

	the distribution chain to fulfil their respectively responsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it would not function effectively in combination with CLP for imported products of this category.
Module A - Internal production protocol	
1. Description of the module	
Internal production control is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in points 2, 3 and 4, and ensures and declares on his or her sole responsibility that the detergent or surfactant concerned satisfy the requirements of this Regulation that apply to them.	BG (Comments): Point 4 is missing.

2. Technical documentation	SE (Drafting Suggestions): 2. ~~Technical d~~Documentation SE (Comments): Our preferred option is to delete all requirements for CE marking. Thus, avoid requirements like technical documentation, that seems to refer to CE-marking requirements.
2.1. The manufacturer shall establish the technical documentation. The documentation shall make it possible to assess conformity of the detergent or surfactant with the relevant requirements, and shall include an adequate analysis and assessment of the risks.	SE (Drafting Suggestions): 2.1. The manufacturer shall establish the ~~technical~~ documentation. The documentation shall make it possible to assess conformity of the detergent or surfactant with the relevant requirements, and shall include an adequate analysis and assessment of the risks. SE (Comments): Avoid requirements like technical documentation, that seems to refer to CE-marking requirements. It could be worth checking whether the requirements for a product passport cover this provision.

2.2. The technical documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and intended use of the detergent or surfactant. The technical documentation shall contain, where applicable, at least the following elements:	SE (Drafting Suggestions): 2.2. The ~~technical~~ documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and intended use of the detergent or surfactant. The technical documentation shall contain, where applicable, at least the following elements SE (Comments): Avoid requirements like technical documentation, that seems to refer to CE-marking requirements.
(a) a general description of the detergent or surfactant and a description of the intended use;	
(b) the test reports demonstrating the compliance with Annex I and, where applicable, with Annexes II and III;	

(c) a list of test methods used to demonstrate compliance with the requirements of this Regulation ;	
(d) results of calculations made and examinations carried out;	
(e) an ingredient data sheet which meets the following requirements:	SE (Drafting Suggestions): ~~(e) an ingredient data sheet which meets the following requirements:~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(i) **the name of the detergent and of the manufacturer and the intended use of the detergent;**	SE (Drafting Suggestions): ~~(i) **the name of the detergent and of the manufacturer and the intended use of the detergent;**~~ SE (Comments):

	See our comments on article 7(6). Our preferred option is to delete this requirement.
(ii) lists all **contained**~~intentionally added~~ substances**, except impurities; the** ~~and~~ preservatives **shall only be listed if they must be** ~~referred to in~~**labelled in accordance with** Part A**(3)** of Annex V;	BG (Drafting Suggestions): (ii) lists all intentionally added substances, except impurities; the preservatives shall only be listed if they must be labelled in accordance with Part A(3) of Annex V; BG (Comments): We do not support the replacement of "added" with "contained" because we believe that we should stick to the fact that the manufacturer knows what ingredients are purposefully put into the product. In addition, the content may in some cases be influenced by other factors, and the use of "contained" has a broader meaning and also includes the presence of unintentionally added traces of the ingredients in the product. DK (Drafting Suggestions): (ii) Lists all contained substances, except impurities; the preservatives ~~shall only be~~ must be listed in accordance with part A(3) of Annex V DK

	(Comments): The proposed text will exclude preservatives that are not yet listed in the cosmetics glossary and this will limit safety information to PCN. DK does not see the reasoning behind such a "derogation FR (Drafting Suggestions): lists all **~~contained~~ intentionally added** substances**~~, except impurities;~~ ~~the and~~** preservatives **shall only be listed if they must be** ~~referred to in~~**labelled in accordance with** Part A**(3)** of Annex V LV (Drafting Suggestions): lists all contained substances, except impurities; lists all preservatives, including "carry-over preservatives"; LV (Comments): The technical documentation should indicate all preservatives in the composition, regardless of their quantity. Otherwise, it is impossible to make sure that only permitted preservatives have been used. SE (Drafting Suggestions): **~~(ii)~~** ~~lists all~~ **~~contained~~**~~intentionally added substances~~**~~, except impurities;~~**

	the and preservatives **shall only be listed if they must be** referred to in**labelled in accordance with** Part A**(3)** of Annex V; SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(ii**i**) the common chemical name or IUPAC name and, where available, the INCI name**,** **and** the CAS number, and the European Pharmacopoeia name, is given for each ingredient;	SE (Drafting Suggestions): (ii**i**) the common chemical name or IUPAC name and, where available, the INCI name, **and** the CAS number, and the European Pharmacopoeia name, is given for each ingredient; SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(i**v**ii) all substances are listed in order of decreasing abundance by weight, and the list is sub-divided into the following weight percentage ranges:	SE (Drafting Suggestions): (i**v**ii) all substances are listed in order of decreasing abundance by

	~~weight, and the list is sub-divided into the following weight percentage ranges:~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(1) 10 % or more,	SE (Drafting Suggestions): ~~(1) 10 % or more,~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(2) 1 % or over, but less than 10 %,	SE (Drafting Suggestions): ~~(2) 1 % or over, but less than 10 %,~~ SE (Comments):

	See our comments on article 7(6). Our preferred option is to delete this requirement.
(3) 0,1 % or over, but less than 1 %,	SE (Drafting Suggestions): ~~(3) 0,1 % or over, but less than 1 %,~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
(4) less than 0,1 %.	SE (Drafting Suggestions): ~~(4) less than 0,1 %.~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.

For the purposes of point (e), a perfume, an essential oil, or a colouring agent shall be considered to be a single component.	SE (Drafting Suggestions): ~~For the purposes of point (e), a perfume, an essential oil, or a colouring agent shall be considered to be a single component.~~ SE (Comments): See our comments on article 7(6). Our preferred option is to delete this requirement.
3. Manufacturing	
The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure compliance of the detergent or surfactant with the technical documentation referred to in point 2 and with the requirements of this Regulation that apply to them.	
	BG (Drafting Suggestions): 4. CE marking and digital product passport 4.1. The manufacturer shall affix the CE marking to each individual

	packaging of the detergent or surfactant that satisfies the applicable requirements of this Regulation. 4.2. The manufacturer shall create the digital product passport for a detergent model and ensure that together with the technical documentation, it remains available for 5 years after the product has been placed on the market. The digital product passport shall identify the detergent for which it has been created. 5. Authorised representative The manufacturer's obligations set out in point 4 may be fulfilled by the manufacturer's authorised representative, on the manufacturer's behalf and under the manufacturer's responsibility, provided that they are specified in the mandate. BG (Comments): In order to finilise the procedure of Module A.
ANNEX V	
LABELLING REQUIREMENTS	

PART A – LABELLING OF CONTENTS	
The information to be included on the labels of detergents and surfactants made available on the market	
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 **contained**~~added~~ in a concentration above 0,2 % by weight:	BG (Drafting Suggestions): 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 **intentionally** added in a concentration above 0,2 % by weight: BG (Comments): We do not support the replacement of "added" with "contained". we believe that we should stick to the fact that the manufacturer knows what ingredients are purposefully put into the product. In addition, the content may in some cases be influenced by other factors, and the use of "contained" has a broader meaning and also includes the presence of

	unintentionally added traces of the ingredients in the product. DK (Comments): We support the amendment FR (Drafting Suggestions): 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 **~~contained~~ added** in a concentration above 0,2 % by weight HU (Drafting Suggestions): 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** **~~contained~~**~~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.	
2. The following classes of constituents, if **contained**~~added~~, shall be listed irrespective of their concentration:	BG (Drafting Suggestions): 2. The following classes of constituents, if **intentionally** added, shall be listed irrespective of their concentration: BG

	(Comments): See our comments on point 1. DK (Comments): We support the amendment ES (Drafting Suggestions): 2. The following classes of constituents, if ~~contained~~**added**, shall be listed irrespective of their concentration: ES (Comments): The term "contained" is too broad, so we propose to go back to the original wording in this specific case FR (Drafting Suggestions): ~~**Contained**~~ added FR (Comments): French authorities would recommend to keep the original phrasing, which mentioned "added constituents", to avoid any implementation issue. French authorities do not understand the aim of

	replacing “added constituents” by “contained constituents” This particular provision could, in practice, be problematic to implement and monitor for the industry, as it does not consider potential impurities present in low concentrations in detergent products. Creating such a requirement, without allowing for these constituents to be present up to a specific threshold, would be unimplementable and unenforceable. HU (Drafting Suggestions): 2. The following classes of constituents, if **added**, shall be listed irrespective of their concentration: HU (Comments): If modified, this particular provision could, in practice, be problematic to implement and monitor for the industry. Creating such a requirement, without allowing for these constituents to be present up to a specific threshold, would be unimplementable and unenforceable. We recommend keeping on using the terminology “if added.” PL (Drafting Suggestions): 2. The following classes of constituents, if ~~contained~~ **added**, shall be

	listed irrespective of their concentration: PL (Comments): Poland prefers to use word "added" instead of "contained".
(a) enzymes,	
(b) micro-organisms,	
(c) optical brighteners,	
(d) perfumes.	
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:	FR (Drafting Suggestions): 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~~ **excepting when preservatives are listed due to the labelling requirements for treated articles in article 58(3) of Regulation (EU) No 528/2012 or** where preservatives do not exceed the elicitation thresholds referred to in point 3.4.3.3. / table 3.4.6.**, inluding Note 1,** of Annex I to Regulation (EC) No 1272/2008 : FR (Comments): French authorities would suggest to delete "using where possible the system referred to in Article 33 of Regulation (EC) No 1223/2009" as this create an overlap with CLP leading to a double labelling of the preservative : with INCI number and with CLP prescriptions. In addition, French authorities would like to support Swedish previous comment to clarify the wording SE (Comments): It should be clarified that for those detergents where the labelling requirements for treated articles in the Biocidal Products Regulation (EU) No 528/2012 (BPR) will be applicable, they should be labelled in accordance with BPR

	This could be achieved by keeping the COM proposal, but adding the following at the end of the last paragraph: "Where labelling of treated article containing a certain preservative is required in accordance with Regulation (EU) No 528/2012, those requirements shall prevail other requirements in this paragraph."
(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;	FR (Drafting Suggestions): ~~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.	FR (Drafting Suggestions): ~~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	DK (Drafting Suggestions):

referred to in point 3.4.3.3. / table-3.4.6.**, inluding Note 1,** 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~~.	The condition listed in point (b) of the first subparagraph does not have to be met where preservatives do not exceed **a** ~~the elicitation~~ thresholds~~**s**~~ **of 1,5 mg/kg.**~~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~~. DK (Comments): A large number of EU citizens are negatively affected by allergenic substances, and preservatives are known to be able to cause allergenic reactions. If a general obligation to label all carry over preservatives is not possible, it should be specified that specific groups of substances used as preservatives, that are known for triggering allergenic reactions at significantly lower thresholds than the elicitation threshold in CLP (eg. isothiazolinones and formaldehyde releasers). We therefore propose a threshold for labelling of preservatives of 1,5 mg/kg as concentration of some preservatives above 1,5 mg/kg can cause allergenic reactions. Such a labelling requirement will make it possible for a sensitized person to make an informed choice and to avoid detergents containing preservatives that can cause an allergic reaction. FR

	(Drafting Suggestions): ~~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.~~**~~, inluding Note 1,~~** ~~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~~. FR (Comments): French authorities agree with this precision regarding Note 1. However French authorities would like to clarify the global wording of point 3. (see above) IE (Comments): IE: Regarding the addition of reference to Note 1 of Annex 1 to CLP, IE agrees with the addition. PL (Comments): Poland supports the current provision. In our opinion, the original COM provision was also sufficient SE (Drafting Suggestions):

	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.**, inluding Note 1,** 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~~. **Where labelling of treated article containing a certain preservative is required in accordance with Regulation (EU) No 528/2012, those requirements shall prevail other requirements in this paragraph.** SE (Comments): It should be clarified that for those detergents where the labelling requirements for treated articles in the Biocidal Products Regulation (EU) No 528/2012 (BPR) will be applicable, they should be labelled in accordance with BPR This could be achieved by keeping the COM proposal, but adding the following at the end of the last paragraph: "Where labelling of treated article containing a certain preservative is required in accordance with Regulation (EU) No 528/2012, those requirements shall prevail other requirements in this paragraph."

4. If **contained**~~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 ~~**or have been included in its Annex II**~~, shall be labelled using the system referred to in Article 33 of that Regulation. The first sentence shall not apply to allergenic fragrances that **are already labelled on the product in accordance with**~~meet the labelling thresholds under~~ Regulation (EC) No 1272/2008.	BG (Drafting Suggestions): If **intentionally** 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. BG (Comments): We support deleting the reference to Annex II of the Cosmetic Products Regulation. DK (Drafting Suggestions): If added at concentrations exceeding ~~0,01 % by weight~~ **0,001% 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 **or have been included in its Annex II**, 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~~. DK (Comments): In order to protect EU citizens against allergenic reactions to fragrances, the threshold should be identical with the threshold for leave on products in the cosmetics regulation. Not all users of detergents rinse their hands after using detergents, and the exposure (skin as well as respiratory) to fragrances in laundry textiles lasts throughout the day via the textiles they wear. We support the proposal from the presidency to include a reference also to Annex II of Regulation (EC) No 1223/2009. Furthermore, we believe that the Commission's claim that such a reference is not possible from a legal point of view, since Annex II lists prohibited substances, is not correct. If reference may be made to substances in Annex III of Regulation (EC) No 1223/2009, such reference may also be made to substances in Annex II of that regulation. Like with substances listed in Annex II, use of the substances listed in Annex III are also prohibited except from the specific use stated in that annex. Also, some substances are listed in Annex III, though originally meant to be listed in Annex II, due to the application of the exception procedure in article 15(2) of

	Regulation (EC) No 1223/2009. Therefore, we believe that it is neither legally nor scientifically justified to leave out a reference to Annex II here. With reference to our comment to and suggestion for the deletion of the proposed article 26 (7), we would also like to stress that it is inexpedient to condition the proposed labelling requirement for detergents on a procedure adding those requirements in the Detergent's Regulation as well. This will cause unnecessary delays and excess work. Similar problems arises, if the application of the labelling requirement depends on a reference to specific entries of the annexes in the CPR. Therefore instead, the requirements should be directly applicable when listed in Annex II and III of the CPR, and reference should not be made to specific entries. ES (Drafting Suggestions): 4. If ~~contained~~ **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 **~~or have been included in~~**

	~~**its Annex II**~~, shall be labelled using the system referred to in Article 33 of that Regulation. The first sentence shall not apply to allergenic fragrances that **are already labelled on the product in accordance with**~~meet the labelling thresholds under~~ Regulation (EC) No 1272/2008. ES (Comments): Likewise, we would rather support coming back to the original wording. On another note, regarding allergenic fragrances banned for their sensitising properties in cosmetic products and the question of the Presidency, Spain prefers **Option A**: No labelling nor ban in detergents i.e. the initial proposal of the Commission. FR (Drafting Suggestions): 4. ~~If **contained**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 **or have been included in its Annex II**, shall be labelled using the system referred to in Article 33 of that Regulation. The first sentence shall not apply to allergenic fragrances that **are already labelled on the product in accordance with**~~meet the labelling thresholds under Regulation (EC) No 1272/2008.~~

	FR (Comments): French authorities would support option A. Therefore, they ask for deletion of this point 4 Or rewording this one unique sentence : *allergenic fragrances* ***are labelled on the product in accordance with*** *Regulation (EC) No 1272/2008* IE (Comments): IE: We agree with option B as outlined in WK 5519/2024, i.e. labelling for allegenic fragrances should be similar to that in Annex III of the Cosmetics Regulation, in the Annex of this Regulation, to be updated via Delegated Acts. PL (Comments): As for the PRES question regarding preference between options regarding allergenic fragrances banned for their sensitising properties in cosmetic products, Polnad can support option A (no o labelling nor ban in detergents i.e. the initial proposal of the Commission) or option B (Labelling similar to the one provided for allergenic fragrances listed in Annex III to the Cosmetics Regulation).

	The Commission's initial proposal in this respect seemed sufficient. If such a list were to be added, it would seem logical not to duplicate the work of different EU bodies. However, in our opinion, the assessment of substances in cosmetic products takes place in a completely different area of exposure from that required for detergents. It therefore appears that if the list of prohibited sensitisers is introduced into the Detergents Regulation, it is not possible to rely directly on evaluations for the use of substances in cosmetic products, but an independent procedure should be used.
5. The requirements referred to in points 1 to 4 shall not apply to ~~professional~~ **industrial and institutional** 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.	
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 **food nor** surfaces in contact with food**, except if the product as been found safe for such applications on the basis of a risk assessment made available in the technical documentation**;	
(b) an indication of the shelf life of the product;	
(c) use instructions or special precautions, where relevant.	LV (Drafting Suggestions): After "c" a new subsection "d" should be added: d) an indication or a precautionary statement "This product sontains biologicaly active microorganisms"
PART B – LABELLING OF DOSAGE INFORMATION	

The information to be included on the label of consumer laundry detergents**,** ~~and~~ consumer automatic dishwasher detergents **and consumer detergents for surface cleaning.**	
1. The label of consumer laundry detergents shall contain the following information:	FR (Drafting Suggestions): the following information : directions for use, dose rate, expressed in metric units, and were appropriate frequency of application, in a manner which is meaningful and comprehensible FR (Comments): French authorities would suggest to simplify the way the dosage informations are labelled, by prescribing the aim and not a strict format
(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,	FR (Drafting Suggestions): ~~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 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 $CaCO_3$/l,	FR (Drafting Suggestions): ~~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 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 $CaCO_3$/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,	FR (Drafting Suggestions): ~~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,~~
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-	FR (Drafting Suggestions): ~~For the purposes of point 1, the standard washing machine loads shall be~~

duty detergent unless the claims of the manufacturer predominantly promote fabric care, namely low temperature wash, delicate fibres and colours.	~~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.~~
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.	FR (Drafting Suggestions): ~~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.~~ RO (Drafting Suggestions): The label of consumer automatic dishwasher detergents shall indicate the standard dosage expressed in grams or millilitres or number of tablets/**capsules** 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. RO (Comments): To adapt the text to the current products formats, for all categories of

	detergents for both washing machines and dishwaters.
4. The label of consumer detergents for surface cleaning shall contain the recommended dilution and volume to be used per surface area.	DK (Drafting Suggestions): The label of ~~consumer~~ detergents for surface cleaning shall contain the recommended dilution and volume to be used per surface area DK (Comments): Denmark support the provision but in so far the regulation does not prohibit consumers from buying professional or industrial detergents. Therefore, this provision should also cover detergents marketed for professional/industrial use. Moreover, a dosage recommendation is also be useful for industrial and professional use of these products, as it is likely that the professionals are the ones that use the largest quantities of the products and therefore will have a higher impact on the environment – professionals are not necessarily experts on the best dilution of a specific detergent and therefore some guidance could also be helpful for them. Note: It is not a requirement to follow these dilutions and therefore it should not have a large impact on the industry"

	HU (Drafting Suggestions): **4. The label of consumer detergents for surface cleaning shall contain directions for use, frequency of application and dose rate, expressed in metric units, in a manner which is meaningful and comprehensible to the user, for each use provided for under the terms of authorisation** ~~the recommended dilution and volume to be used per surface area~~**.** HU (Comments): Dosage information should be provided to the consumer, to ensure correct dosing and use of detergent products. Manufacturers should be able to provide such dosage information in the manner that is the most appropriate. Imposing for such dosage information to follow a strict format should however be reconsidered, as dosing information will depend on the type of detergents considered and on the format through which they will be placed on the market. IE (Comments): IE: We agree with this additional provision.

PART C – DIGITAL LABELLING	
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;	
(f) phosphonates;	
(g) soap.	
PART D – SIMPLIFIED DOSAGE INFORMATION FOR CONSUMER LAUNDRY DETERGENTS	
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.	
ANNEX VI	
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**, the importer and,**	BG

where relevant, ~~or~~ the manufacturer's authorised representative, as well the manufacturer's unique operator identifier;	(Comments): Why the importer is also included? FI (Drafting Suggestions): (b) the name **and** the address of the manufacturer, the importer and, where relevant, the manufacturer's authorised representative, as well the manufacturer's unique operator identifier; LT (Comments): The current organization of the economic operators (manufacturer, distributor, and importer) is sufficient to ensure that proper responsibilities are allocated through the supply chain. The addition of a new economic operator – the authorized representative – will not bring added value to the current system and might lessen the efficiency of the supply chain communication in some specific situations (e.g. in case of contract termination for the authorized representative). SE (Drafting Suggestions): (b) the name, the address of the manufacturer **and, where available**, the importer**(s) and, where relevant,** ~~or~~ the manufacturer's authorised representative, as well the manufacturer's unique operator identifier;

	SE (Comments): I the manufacturer is established in the Union, there is no need for an importer or an authorised representative.
(c) the identification of detergent or surfactant allowing traceability, including a colour image of sufficient clarity to enable the identification of the detergent or surfactant;	SE (Drafting Suggestions): (c) the identification of detergent or surfactant allowing traceability, including **its trade name, and where relevant** a colour image **of the packaging(s) of the products** of sufficient clarity to enable the identification of the detergent or surfactant; SE (Comments): It would be more appropriate for this product type to include photos of the packaging(s) and not of the product itself. If there are different sizes of packaging for the same product – would it be enough with one product passport for all sizes?
(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 2658/87[1];	
(e) references to Union legal acts that the detergent or surfactant complies with;	SE (Drafting Suggestions): e) **a** references ~~to Union legal acts that the detergent or surfactant complies with~~ **that the product passport is for the requirements in this regulation;** SE (Comments): It is not possible for the manufacturer to confirm this. In case the product is placed on the Union market by an importer, the manufacturer can not know if the provisions in CLP will be fulfilled when the product is sold to an end user.
(ea) the CE marking;	HU (Drafting Suggestions): ~~**(ea) the CE marking;**~~

[1] 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).

	SE (Drafting Suggestions): **~~(ea) the CE marking~~**; SE (Comments): Our preferred option is to delete all requirements for CE marking. The introduction of a product passport results in limited importance of the CE marking and leads to difficulties for the actors in the distribution chain to fulfil their rescpectively respnsibilities. Sweden does not agree that the introduction of CE marking of detergents and surfactants would result in benefits for market surveillance authorities, a reduced administrative burden for the companies, and it would not function effectively in combination with CLP for imported products of this category.
(f) a full list of substances intentionally added **~~contained~~** 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~~	DK (Drafting Suggestions): Two options: Option one:

~~not available,~~ the common chemical name or International Union of Pure and Applied Chemists name.	(f) A full list of substances intentionally added (including Part A of Annex V substances and information requirements for these substances) 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 common chemical name or International Union of Pure and Applied Chemists name. Option two (sub-point): (f)(i) Substances included in Annex V,A shall be listed in accordance with requirements as put forth in Annex V,A. DK (Comments): In order to not limit the information that can be found in the product pass it is necessary to include the same requirement for information that is available on the product (requirements in Annex V, A). Currently, this paragraph will not make a manufacturer responsible of including the extra information available in Annex V, A on the product pass. SE

	(Drafting Suggestions): (f) a full list of substances intentionally added ~~**contained**~~ 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, and, when also the latter is not available,~~ the common chemical name or International Union of Pure and Applied Chemists name. **, and, when also the latter is not available,the European Pharmacopoeia name.** SE (Comments): Editorial and reintroduction of the European Pharmacopoeia as an alternative.
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.	DK (Drafting Suggestions): 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, **if there are safety measures that can ensure that a**

	consumer will not be able to purchase the detergent. DK (Comments): This might create a gap where information can avoid being displayed by stating that the detergent is for professional use. Requirements must ensure that consumers cannot purchase these detergents. LV (Drafting Suggestions): The obligation referred to in point (f) shall also apply to **industrial and institutional** detergents, or to surfactants for industrial and institutional detergents, for which a safety data sheet referred to in Article 31 of Regulation (EC) No 1907/2006 is available. **After "f" a new subsections "g" and "h" should be added**: g) a full list of microorganisms intentionally added in the detergent indicated with their scientific name, i.e. taxonomic identity. h) Compliance with Annex II requirements must be stated there, if product contains microorganisms.
	SE (Comments): The method in this annex is not relevant in relation to the provisions on

	degradeability in article 4 and Annex I. It has never been used in our national enforcement. Thus we suggest that this annex is deleted. **Please note that we have more comments and proposals after this annex, at the end of this table.**
ANNEX VII	
TEST METHODS REFERRED TO IN ARTICLE 22(2)	SE (Drafting Suggestions): ~~**TEST METHODS REFERRED TO IN ARTICLE 22(2)**~~
1. Reference method (confirmatory test)	SE (Drafting Suggestions): ~~1. Reference method (confirmatory test)~~
1.1. Definition	SE (Drafting Suggestions): ~~1.1. Definition~~

This method describes a laboratory model of the activated sludge and secondary settler which is designed to simulate municipal sewage treatment. Improved state-of-the-art operating conditions can be applied to this test method as described in EN ISO 11733.	SE (Drafting Suggestions): ~~This method describes a laboratory model of the activated sludge and secondary settler which is designed to simulate municipal sewage treatment. Improved state-of-the-art operating conditions can be applied to this test method as described in EN ISO 11733.~~
1.2. Equipment needed for measurement	SE (Drafting Suggestions): ~~1.2. Equipment needed for measurement~~
The method of measurement employs the small-activated sludge plant shown in Figure 1, and in greater detail in Figure 2. The equipment consists of a sewage vessel A for synthetic sewage, dosing pump B, aeration vessel C, settling vessel D, air-lift pump E to recycle the activated sludge, and vessel F for collecting the treated effluent.	SE (Drafting Suggestions): ~~The method of measurement employs the small-activated sludge plant shown in Figure 1, and in greater detail in Figure 2. The equipment consists of a sewage vessel A for synthetic sewage, dosing pump B, aeration vessel C, settling vessel D, air-lift pump E to recycle the activated sludge, and vessel F for collecting the treated effluent.~~

Vessels A and F must be of glass or suitable plastic and hold at least twenty-four litres. Pump B must provide a constant flow of synthetic sewage to the aeration vessel; this vessel, during normal operation, contains three litres of mixed liquor. A sintered aeration cube G is suspended in the vessel C at the apex of the cone. The quantity of air blown through the aerator shall be monitored by means of a flow meter H.	SE (Drafting Suggestions): ~~Vessels A and F must be of glass or suitable plastic and hold at least twenty-four litres. Pump B must provide a constant flow of synthetic sewage to the aeration vessel; this vessel, during normal operation, contains three litres of mixed liquor. A sintered aeration cube G is suspended in the vessel C at the apex of the cone. The quantity of air blown through the aerator shall be monitored by means of a flow meter H.~~
1.3. Synthetic sewage	SE (Drafting Suggestions): ~~1.3. Synthetic sewage~~
A synthetic sewage is employed for the test. Dissolve in each litre of tap water:	SE (Drafting Suggestions): ~~A synthetic sewage is employed for the test. Dissolve in each litre of tap water:~~

– 160 mg peptone;	SE (Drafting Suggestions): ~~– 160 mg peptone;~~
– 110 mg meat extract;	SE (Drafting Suggestions): ~~– 110 mg meat extract;~~
– 30 mg urea, $CO(NH_2)_2$;	SE (Drafting Suggestions): ~~– 30 mg urea, $CO(NH_2)_2$;~~
– 7 mg sodium chloride, NaCl;	SE (Drafting Suggestions): ~~– 7 mg sodium chloride, NaCl;~~
– 4 mg calcium chloride, $CaCl_2.2H_2O$;	SE (Drafting Suggestions): ~~– 4 mg calcium chloride, $CaCl_2.2H_2O$;~~

– 2 mg magnesium sulphate, $MgSO_4.7H_2O$;	SE (Drafting Suggestions): ~~– 2 mg magnesium sulphate, $MgSO_4.7H_2O$;~~
– 28 mg of di-potassium hydrogen phosphate, K_2HPO_4;	SE (Drafting Suggestions): ~~– 28 mg of di-potassium hydrogen phosphate, K_2HPO_4;~~
– and 10 ± 1 mg of the surfactant.	SE (Drafting Suggestions): ~~– and 10 ± 1 mg of the surfactant.~~
The synthetic sewage is freshly prepared daily.	SE (Drafting Suggestions): ~~The synthetic sewage is freshly prepared daily.~~
1.4. Preparation of samples	SE

	(Drafting Suggestions): ~~1.4. Preparation of samples~~
Uncompounded surfactants are examined in the original state. Active content of surfactant samples must be determined in order to prepare the synthetic sewage (point 1.3).	SE (Drafting Suggestions): ~~Uncompounded surfactants are examined in the original state. Active content of surfactant samples must be determined in order to prepare the synthetic sewage (point 1.3).~~
1.5. Operation of equipment	SE (Drafting Suggestions): ~~1.5. Operation of equipment~~
Initially, fill aeration vessel C and settling vessel D with synthetic sewage. The height of the vessel D should be so fixed that the volume contained in the aeration vessel C is three litres. Inoculation is made by introducing 3 ml of a secondary effluent of good quality, freshly collected from a treatment plant dealing with a predominantly domestic sewage. The effluent must be kept under aerobic conditions in the period between	SE (Drafting Suggestions): ~~Initially, fill aeration vessel C and settling vessel D with synthetic sewage. The height of the vessel D should be so fixed that the volume contained in the aeration vessel C is three litres. Inoculation is made by introducing 3 ml of a secondary effluent of good quality, freshly collected~~

sampling and application. Then set the aerator G, air-lift E and dosing device B in operation. The synthetic sewage must pass through the aeration vessel C at a rate of one litre per hour; this gives a mean retention time of three hours.	~~from a treatment plant dealing with a predominantly domestic sewage. The effluent must be kept under aerobic conditions in the period between sampling and application. Then set the aerator G, air-lift E and dosing device B in operation. The synthetic sewage must pass through the aeration vessel C at a rate of one litre per hour; this gives a mean retention time of three hours.~~
The rate of aeration should be so regulated that the contents of vessel C are kept constantly in suspension and the dissolved oxygen content is at least 2 mg/l. Foaming must be prevented by appropriate means. Anti-foaming agents that inhibit the activated sludge or contain surfactants must not be used. The air-lift pump E must be set so that the activated sludge from the settling vessel is continually and regularly recycled to aeration vessel C. Sludge which has accumulated around the top of the aeration vessel C, in the base of the settling vessel D, or in the circulation circuit must be returned to the circulation at least once each day by brushing or some other appropriate means. When the sludge fails to settle, its settleability may be increased by the addition of 2 ml portions of a 5 % solution of ferric chloride, repeated as necessary.	SE (Drafting Suggestions): ~~The rate of aeration should be so regulated that the contents of vessel C are kept constantly in suspension and the dissolved oxygen content is at least 2 mg/l. Foaming must be prevented by appropriate means. Anti-foaming agents that inhibit the activated sludge or contain surfactants must not be used. The air-lift pump E must be set so that the activated sludge from the settling vessel is continually and regularly recycled to aeration vessel C. Sludge which has accumulated around the top of the aeration vessel C, in the base of the settling vessel D, or in the circulation circuit must be returned to the circulation at least once each day by brushing or some other appropriate means. When the sludge fails to settle, its settleability may be increased by the addition of 2 ml portions of a 5 %~~

	~~solution of ferric chloride, repeated as necessary.~~
The effluent from the settling vessel D is accumulated in vessel F for twenty-four hours, following which a sample is taken after thorough mixing. Vessel F must then be carefully cleaned.	SE (Drafting Suggestions): ~~The effluent from the settling vessel D is accumulated in vessel F for twenty-four hours, following which a sample is taken after thorough mixing. Vessel F must then be carefully cleaned.~~
1.6. Checking measuring equipment	SE (Drafting Suggestions): ~~1.6. Checking measuring equipment~~
The surfactant content (in mg/l) of the synthetic sewage is determined immediately before use.	SE (Drafting Suggestions): ~~The surfactant content (in mg/l) of the synthetic sewage is determined immediately before use.~~
The surfactant content (in mg/l) of the effluent collected over twenty-four hours in vessel F should be determined analytically by the same method,	SE (Drafting Suggestions):

immediately after collection: otherwise the samples must be preserved, preferably by freezing. The concentrations must be determined to the nearest 0,1 mg/l surfactant	~~The surfactant content (in mg/l) of the effluent collected over twenty-four hours in vessel F should be determined analytically by the same method, immediately after collection: otherwise the samples must be preserved, preferably by freezing. The concentrations must be determined to the nearest 0,1 mg/l surfactant~~
As a check on the efficiency of the process, the chemical oxygen demand (COD) or the dissolved organic carbon (DOC) of the glass fibre filtered effluent accumulated in vessel F and of the filtered synthetic sewage in vessel A is measured at least twice per week.	SE (Drafting Suggestions): ~~As a check on the efficiency of the process, the chemical oxygen demand (COD) or the dissolved organic carbon (DOC) of the glass fibre filtered effluent accumulated in vessel F and of the filtered synthetic sewage in vessel A is measured at least twice per week.~~
The reduction in COD or DOC should level off when a roughly regular daily surfactant degradation is obtained at the end of the running-in period shown in Figure 3.	SE (Drafting Suggestions): ~~The reduction in COD or DOC should level off when a roughly regular daily surfactant degradation is obtained at the end of the running-in period shown in Figure 3.~~

The content of dry matter in the activated sludge contained in the aeration vessel should be determined twice a week in g/l. If it is more than 2,5 g/l, the excess activated sludge must be discarded.	SE (Drafting Suggestions): ~~The content of dry matter in the activated sludge contained in the aeration vessel should be determined twice a week in g/l. If it is more than 2,5 g/l, the excess activated sludge must be discarded.~~
The degradation test is performed at room temperature; this should be steady and kept between 19-24 ° C.	SE (Drafting Suggestions): ~~The degradation test is performed at room temperature; this should be steady and kept between 19-24 ° C.~~
1.7. Calculation of biodegradability	SE (Drafting Suggestions): ~~1.7. Calculation of biodegradability~~
The percentage degradation of surfactant must be calculated every day on the basis of the surfactant content in mg/l of the synthetic sewage and of the corresponding effluent accumulated in vessel F.	SE (Drafting Suggestions): ~~The percentage degradation of surfactant must be calculated every day on the basis of the surfactant content in mg/l of the synthetic sewage and of~~

	~~the corresponding effluent accumulated in vessel F.~~
The degradability values thus obtained should be presented graphically as in Figure 3.	SE (Drafting Suggestions): ~~The degradability values thus obtained should be presented graphically as in Figure 3.~~
The degradability of the surfactant should be calculated as the arithmetic mean of the values obtained over the twenty-one days that follow the running-in and acclimatisation period, during which degradation has been regular and the operation of the plant trouble-free. In any event the duration of the running-in period should not exceed six weeks.	SE (Drafting Suggestions): ~~The degradability of the surfactant should be calculated as the arithmetic mean of the values obtained over the twenty-one days that follow the running-in and acclimatisation period, during which degradation has been regular and the operation of the plant trouble-free. In any event the duration of the running-in period should not exceed six weeks.~~
The daily degradation values are calculated to the nearest 0,1 % but the final result is given to the nearest whole number.	SE (Drafting Suggestions): ~~The daily degradation values are calculated to the nearest 0,1 % but the final result is given to the nearest whole number.~~

In some cases it may be permissible to reduce the frequency of sampling but at least fourteen results collected over the twenty-one days which follow the running-in period should be used in calculating the average.	SE (Drafting Suggestions): ~~In some cases it may be permissible to reduce the frequency of sampling but at least fourteen results collected over the twenty-one days which follow the running-in period should be used in calculating the average.~~
2. Determination of anionic surfactants in biodegradability tests	SE (Drafting Suggestions): ~~2. Determination of anionic surfactants in biodegradability tests~~
2.1. Principle	SE (Drafting Suggestions): ~~2.1. Principle~~
The method is based on the fact that the cationic dye methylene blue forms blue salts with anionic surfactants (MBAS), which can be extracted with chloroform. To eliminate interference, the extraction is first effected from alkaline solution and the extract is then shaken with acidic	SE (Drafting Suggestions): ~~The method is based on the fact that the cationic dye methylene blue forms blue salts with anionic surfactants (MBAS), which can be extracted~~

methylene blue solution. The absorbency of the separated organic phase is measured photometrically at the wavelength of maximum absorption of 650 nm.	~~with chloroform. To eliminate interference, the extraction is first effected from alkaline solution and the extract is then shaken with acidic methylene blue solution. The absorbency of the separated organic phase is measured photometrically at the wavelength of maximum absorption of 650 nm.~~
2.2. Reagents and equipment	SE (Drafting Suggestions): ~~2.2. Reagents and equipment~~
2.2.1. Buffer solution pH 10	SE (Drafting Suggestions): ~~2.2.1. Buffer solution pH 10~~
Dissolve 24 g sodium bicarbonate, $NaHCO_3$ AR, and 27 g anhydrous sodium carbonate (Na_2CO_3) AR in deionised water and dilute to 1000 ml.	SE (Drafting Suggestions): ~~Dissolve 24 g sodium bicarbonate, $NaHCO_3$ AR, and 27 g anhydrous sodium carbonate (Na_2CO_3) AR in deionised water and dilute to 1000 ml.~~

2.2.2. Neutral methylene blue solution	SE (Drafting Suggestions): ~~2.2.2. Neutral methylene blue solution~~
Dissolve 0,35 g methylene blue AR in deionised water and dilute to 1000 ml. Prepare the solution at least twenty-four hours before use. The absorbency of the blank chloroform phase, measured against chloroform must not exceed 0,015 per 1 cm of layer thickness at 650 nm.	SE (Drafting Suggestions): ~~Dissolve 0,35 g methylene blue AR in deionised water and dilute to 1000 ml. Prepare the solution at least twenty-four hours before use. The absorbency of the blank chloroform phase, measured against chloroform must not exceed 0,015 per 1 cm of layer thickness at 650 nm.~~
2.2.3. Acidic methylene blue solution	SE (Drafting Suggestions): ~~2.2.3. Acidic methylene blue solution~~
Dissolve 0,35 g methylene blue AR in 500 ml deionised water and mix with 6,5 ml H_2SO_4 (d = 1,84 g/ml). Dilute to 1000 ml with deionised water. Prepare the solution at least twenty-four hours before use. The absorbency of the blank chloroform phase, measured against chloroform	SE (Drafting Suggestions): ~~Dissolve 0,35 g methylene blue AR in 500 ml deionised water and mix with 6,5 ml H_2SO_4 (d = 1,84 g/ml). Dilute to 1000 ml with deionised~~

must not exceed 0,015 per 1 cm of layer thickness at 650 nm.	~~water. Prepare the solution at least twenty-four hours before use. The absorbency of the blank chloroform phase, measured against chloroform must not exceed 0,015 per 1 cm of layer thickness at 650 nm.~~
2.2.4. Chloroform (trichloromethane) AR freshly distilled	SE (Drafting Suggestions): ~~2.2.4. Chloroform (trichloromethane) AR freshly distilled~~
2.2.5. Dodecyl benzene sulphonic acid methyl ester	SE (Drafting Suggestions): ~~2.2.5. Dodecyl benzene sulphonic acid methyl ester~~
2.2.6. Ethanolic potassium hydroxide solution, KOH 0,1 M	SE (Drafting Suggestions): ~~2.2.6. Ethanolic potassium hydroxide solution, KOH 0,1 M~~
2.2.7. Ethanol pure, C2H5OH	SE (Drafting Suggestions): ~~2.2.7. Ethanol pure, C2H5OH~~

2.2.8. sulphuric acid, H2SO4 0,5 M	SE (Drafting Suggestions): ~~2.2.8. sulphuric acid, H2SO4 0,5 M~~
2.2.9. Phenolphthalein solution	SE (Drafting Suggestions): ~~2.2.9. Phenolphthalein solution~~
Dissolve 1 g phenolphthalein in 50 ml ethanol and add 50 ml deionised water while stirring continuously. Filter off any precipitate obtained.	SE (Drafting Suggestions): ~~Dissolve 1 g phenolphthalein in 50 ml ethanol and add 50 ml deionised water while stirring continuously. Filter off any precipitate obtained.~~
2.2.10. Methanolic hydrochloric acid: 250 ml hydrochloric acid AR and 750 ml methanol	SE (Drafting Suggestions): ~~2.2.10. Methanolic hydrochloric acid: 250 ml hydrochloric acid AR and 750 ml methanol~~

2.2.11. Separating funnel, 250 ml	SE (Drafting Suggestions): ~~2.2.11. Separating funnel, 250 ml~~
2.2.12. Graduated flask, 50 ml	SE (Drafting Suggestions): ~~2.2.12. Graduated flask, 50 ml~~
2.2.13. Graduated flask, 500 ml	SE (Drafting Suggestions): ~~2.2.13. Graduated flask, 500 ml~~
2.2.14. Graduated flask, 1000 ml	SE (Drafting Suggestions): ~~2.2.14. Graduated flask, 1000 ml~~
2.2.15. Round-bottomed flask with ground glass stopper and reflux	SE

condenser, 250 ml; boiling granules	(Drafting Suggestions): ~~2.2.15. Round-bottomed flask with ground glass stopper and reflux condenser, 250 ml; boiling granules~~
2.2.16. pH meter	SE (Drafting Suggestions): ~~2.2.16. pH meter~~
2.2.17. Photometer for measurements at 650 nm, with 1 to 5 cm cells	SE (Drafting Suggestions): ~~2.2.17. Photometer for measurements at 650 nm, with 1 to 5 cm cells~~
2.2.18. Qualitative grade filter paper	SE (Drafting Suggestions): ~~2.2.18. Qualitative grade filter paper~~
2.3. Procedure	SE (Drafting Suggestions): ~~2.3. Procedure~~

The samples for analysis must not be taken through a layer of foam.	SE (Drafting Suggestions): ~~The samples for analysis must not be taken through a layer of foam.~~
After thorough cleaning with water, the equipment used for the analysis must be thoroughly rinsed with methanolic hydrochloric acid (point 2.2.10) and then with deionised water before using.	SE (Drafting Suggestions): ~~After thorough cleaning with water, the equipment used for the analysis must be thoroughly rinsed with methanolic hydrochloric acid (point 2.2.10) and then with deionised water before using.~~
Filter the activated sludge plant influent and effluent to be examined immediately on sampling. Discard the first 100 ml of the filtrates.	SE (Drafting Suggestions): ~~Filter the activated sludge plant influent and effluent to be examined immediately on sampling. Discard the first 100 ml of the filtrates.~~
Place a measured volume of the sample, neutralised if necessary, into a 250 ml separating funnel (point 2.2.11). The volume of sample should contain between 20 and 150 g of MBAS. At the lower MBAS content, up	SE (Drafting Suggestions): ~~Place a measured volume of the sample, neutralised if necessary, into a~~

to 100 ml of sample may be used. When using less than 100 ml, dilute to 100 ml with deionised water. Add to the sample 10 ml of buffer solution (point 2.2.1), 5 ml of neutral methylene blue solution (point 2.2.2) and 15 ml of chloroform (point 2.2.4). Shake the mixture uniformly and not too vigorously for one minute. After phase separation, run the chloroform layer into a second separating funnel, containing 110 ml of deionised water and 5 ml of acidic methylene blue solution (point 2.2.3). Shake the mixture for one minute. Pass the chloroform layer through a cotton-wool filter previously cleaned and wetted with chloroform into a graduated flask (point 2.2.12).	~~250 ml separating funnel (point 2.2.11). The volume of sample should contain between 20 and 150 g of MBAS. At the lower MBAS content, up to 100 ml of sample may be used. When using less than 100 ml, dilute to 100 ml with deionised water. Add to the sample 10 ml of buffer solution (point 2.2.1), 5 ml of neutral methylene blue solution (point 2.2.2) and 15 ml of chloroform (point 2.2.4). Shake the mixture uniformly and not too vigorously for one minute. After phase separation, run the chloroform layer into a second separating funnel, containing 110 ml of deionised water and 5 ml of acidic methylene blue solution (point 2.2.3). Shake the mixture for one minute. Pass the chloroform layer through a cotton-wool filter previously cleaned and wetted with chloroform into a graduated flask (point 2.2.12).~~
Extract the alkaline and acid solutions three times, using 10 ml of chloroform for the second and third extractions. Filter the combined chloroform extracts through the same cotton wool filter and dilute to the mark in the 50 ml flask (point 2.2.12) with chloroform used for rewashing the cotton wool. Measure the absorbency of the chloroform solution with a photometer at 650 nm in 1 to 5 cm cells against chloroform. Run a blank determination through the whole procedure.	SE (Drafting Suggestions): ~~Extract the alkaline and acid solutions three times, using 10 ml of chloroform for the second and third extractions. Filter the combined chloroform extracts through the same cotton wool filter and dilute to the mark in the 50 ml flask (point 2.2.12) with chloroform used for rewashing the cotton wool. Measure the absorbency of the chloroform solution with~~

	~~a photometer at 650 nm in 1 to 5 cm cells against chloroform. Run a blank determination through the whole procedure.~~
2.4. Calibration curve	SE (Drafting Suggestions): ~~2.4. Calibration curve~~
Prepare a calibration solution from the standard substance dodecylbenzene sulphonic acid methyl ester (tetrapropylene type mol. wt. 340) after saponification into the potassium salt. The MBAS is calculated as sodium dodecyl benzene sulphonate (mol. wt. 348).	SE (Drafting Suggestions): ~~Prepare a calibration solution from the standard substance dodecylbenzene sulphonic acid methyl ester (tetrapropylene type mol. wt. 340) after saponification into the potassium salt. The MBAS is calculated as sodium dodecyl benzene sulphonate (mol. wt. 348).~~
From a weighing pipette, weigh 400 to 450 mg of dodecyl-benzene-sulphonic-acid-methyl-ester (point 2.2.5) to the nearest 0,1 mg in a round-bottomed flask and add 50 ml of ethanolic potassium hydroxide solution (point 2.2.6) and some boiling granules. After mounting the reflux condenser, boil for one hour. After cooling, wash the condenser and	SE (Drafting Suggestions): ~~From a weighing pipette, weigh 400 to 450 mg of dodecyl-benzene-sulphonic-acid-methyl-ester (point 2.2.5) to the nearest 0,1 mg in a round-bottomed flask and add 50 ml of ethanolic potassium hydroxide solution~~

ground glass joint with about 30 ml of ethanol, and add these washings to the contents of the flask. Titrate the solution with sulphuric acid against phenolphthalein until it becomes colourless. Transfer this solution to a 1000 ml graduated flask (point 2.2.14), dilute to the mark with deionised water and mix.	~~(point 2.2.6) and some boiling granules. After mounting the reflux condenser, boil for one hour. After cooling, wash the condenser and ground glass joint with about 30 ml of ethanol, and add these washings to the contents of the flask. Titrate the solution with sulphuric acid against phenolphthalein until it becomes colourless. Transfer this solution to a 1000 ml graduated flask (point 2.2.14), dilute to the mark with deionised water and mix.~~
Part of this surfactant stock solution is then further diluted. Withdraw 25 ml, transfer to a 500 ml graduated flask (point 2.2.13), dilute to the mark with deionised water and mix.	SE (Drafting Suggestions): ~~Part of this surfactant stock solution is then further diluted. Withdraw 25 ml, transfer to a 500 ml graduated flask (point 2.2.13), dilute to the mark with deionised water and mix.~~
This standard solution contains:	SE (Drafting Suggestions): ~~This standard solution contains:~~

$\frac{E \times 1{,}023 \text{ mg MBAS per ml}}{20\,000}$	SE (Drafting Suggestions): ~~$\frac{E \times 1{,}023 \text{ mg MBAS per ml}}{20\,000}$~~
where E is the sample weight in mg.	SE (Drafting Suggestions): ~~where E is the sample weight in mg.~~
To establish the calibration curve, withdraw 1, 2, 4, 6, 8 ml portions of the standard solution and dilute each to 100 ml with deionised water. Then proceed as stated under point 2.3 including a blank determination.	SE (Drafting Suggestions): ~~To establish the calibration curve, withdraw 1, 2, 4, 6, 8 ml portions of the standard solution and dilute each to 100 ml with deionised water. Then proceed as stated under point 2.3 including a blank determination.~~
2.5. Calculation of results	SE (Drafting Suggestions): ~~2.5. Calculation of results~~

The amount of anionic surfactant (MBAS) in the sample is read from the calibration curve (point 2.4). The MBAS content of the sample is given by:	SE (Drafting Suggestions): ~~The amount of anionic surfactant (MBAS) in the sample is read from the calibration curve (point 2.4). The MBAS content of the sample is given by:~~
$\frac{\text{mg MBAS x 1000}}{\text{V}} = \text{MBAS mg/l}$	SE (Drafting Suggestions): ~~$\frac{\text{mg MBAS x 1000}}{\text{V}} = \text{MBAS mg/l}$~~
where: V = ml volume of the sample used.	SE (Drafting Suggestions): ~~where: V = ml volume of the sample used.~~
Express the results as sodium dodecylbenzene sulphonate (MW 348).	SE (Drafting Suggestions):

	~~Express the results as sodium dodecylbenzene sulphonate (MW 348).~~
2.6. Expression of results	SE (Drafting Suggestions): ~~2.6. Expression of results~~
Express the results as MBAS mg/l to the nearest 0,1.	SE (Drafting Suggestions): ~~Express the results as MBAS mg/l to the nearest 0,1.~~
3. Determination of non-ionic surfactants in biodegradation test liquors	SE (Drafting Suggestions): ~~3. Determination of non-ionic surfactants in biodegradation test liquors~~
3.1. Principle	SE (Drafting Suggestions): ~~3.1. Principle~~

Surface active agents are concentrated and isolated by gas stripping. In the sample used, the quantity of non-ionic surfactant should be in the range 250-800 g.	SE (Drafting Suggestions): ~~Surface active agents are concentrated and isolated by gas stripping. In the sample used, the quantity of non-ionic surfactant should be in the range 250-800 g.~~
The stripped surfactant is dissolved in ethyl acetate.	SE (Drafting Suggestions): ~~The stripped surfactant is dissolved in ethyl acetate.~~
After phase separation and evaporation of the solvent, the non-ionic surfactant is precipitated in aqueous solution with modified Dragendorff reagent ($KBiI_4$ + $BaCl_2$ + glacial acetic acid).	SE (Drafting Suggestions): ~~After phase separation and evaporation of the solvent, the non-ionic surfactant is precipitated in aqueous solution with modified Dragendorff reagent ($KBiI_4$ + $BaCl_2$ + glacial acetic acid).~~
The precipitate is filtered, washed with glacial acetic acid and dissolved in ammonium tartrate solution. The bismuth in the solution is titrated	SE (Drafting Suggestions):

potentiometrically with pyrrolidinedithiocarbamate solution at pH 4-5 using a bright platinum indicator electrode and a calomel or silver/silver chloride reference electrode. The method is applicable to non-ionic surfactants containing 6-30 alkylene oxide groups.	~~The precipitate is filtered, washed with glacial acetic acid and dissolved in ammonium tartrate solution. The bismuth in the solution is titrated potentiometrically with pyrrolidinedithiocarbamate solution at pH 4-5 using a bright platinum indicator electrode and a calomel or silver/silver chloride reference electrode. The method is applicable to non-ionic surfactants containing 6-30 alkylene oxide groups.~~
The titration result is multiplied by the empirical factor of 54 for conversion to the reference substance nonylphenol condensed with 10 mols ethylene oxide (NP 10).	SE (Drafting Suggestions): ~~The titration result is multiplied by the empirical factor of 54 for conversion to the reference substance nonylphenol condensed with 10 mols ethylene oxide (NP 10).~~
3.2. Reagents and Equipment	SE (Drafting Suggestions): ~~3.2. Reagents and Equipment~~
Reagents are to be made up in deionised water.	SE (Drafting Suggestions):

	~~Reagents are to be made up in deionised water.~~
3.2.1. Pure ethyl acetate, freshly distilled.	SE (Drafting Suggestions): ~~3.2.1. Pure ethyl acetate, freshly distilled.~~
3.2.2. Sodium bicarbonate, NaHCO3 AR.	SE (Drafting Suggestions): ~~3.2.2. Sodium bicarbonate, NaHCO3 AR.~~
3.2.3. Dilute hydrochloric acid [20 ml concentrated acid (HCl) diluted to 1000 ml with water]	SE (Drafting Suggestions): ~~3.2.3. Dilute hydrochloric acid [20 ml concentrated acid (HCl) diluted to 1000 ml with water]~~
3.2.4. Methanol AR, freshly distilled, stored in a glass bottle.	SE (Drafting Suggestions): ~~3.2.4. Methanol AR, freshly distilled, stored in a glass bottle.~~

3.2.5. Bromocresol purple, 0,1 g in 100 ml methanol.	SE (Drafting Suggestions): ~~3.2.5. Bromocresol purple, 0,1 g in 100 ml methanol.~~
3.2.6. Precipitating agent: the precipitating agent is a mixture of two volumes of solution A and one volume of solution B. The mixture is stored in a brown bottle and can be used for up to one week after mixing.	SE (Drafting Suggestions): ~~3.2.6. Precipitating agent: the precipitating agent is a mixture of two volumes of solution A and one volume of solution B. The mixture is stored in a brown bottle and can be used for up to one week after mixing.~~
3.2.6.1. Solution A	SE (Drafting Suggestions): ~~3.2.6.1. Solution A~~
Dissolve 1,7 g bismuth nitrate, BiONO3.H2O AR, in 20 ml glacial acetic acid, and make up to 100 ml with water. Then dissolve 65 g potassium iodide AR in 200 ml water. Mix these two solutions in a 1000 ml measuring flask, add 200 ml glacial acetic acid (point 3.2.7) and make up	SE (Drafting Suggestions): ~~Dissolve 1,7 g bismuth nitrate, BiONO3.H2O AR, in 20 ml glacial acetic acid, and make up to 100 ml with water. Then dissolve 65 g potassium~~

to 1000 ml with water.	~~iodide AR in 200 ml water. Mix these two solutions in a 1000 ml measuring flask, add 200 ml glacial acetic acid (point 3.2.7) and make up to 1000 ml with water.~~
3.2.6.2. Solution B	SE (Drafting Suggestions): ~~3.2.6.2. Solution B~~
Dissolve 290 g barium chloride, $BaCl_2.2H_2O$ AR, in 1000 ml of water.	SE (Drafting Suggestions): ~~Dissolve 290 g barium chloride, $BaCl_2.2H_2O$ AR, in 1000 ml of water.~~
3.2.7. Glacial acetic acid 99-100 % (lower concentrations are unsuitable).	SE (Drafting Suggestions): ~~3.2.7. Glacial acetic acid 99-100 % (lower concentrations are unsuitable).~~
3.2.8. Ammonium tartrate solution: mix 12,4 g tartaric acid AR and 12,4 ml of ammonia solution AR (d = 0,910 g/ml) and make up to 1000 ml	SE (Drafting Suggestions):

with water (or use the equivalent amount of ammonium tartrate AR).	~~3.2.8. Ammonium tartrate solution: mix 12,4 g tartaric acid AR and 12,4 ml of ammonia solution AR (d = 0,910 g/ml) and make up to 1000 ml with water (or use the equivalent amount of ammonium tartrate AR).~~
3.2.9. Dilute ammonia solution: 40 ml ammonia solution AR (d = 0,910 g/ml) diluted to 1000 ml with water.	SE (Drafting Suggestions): ~~3.2.9. Dilute ammonia solution: 40 ml ammonia solution AR (d = 0,910 g/ml) diluted to 1000 ml with water.~~
3.2.10. Standard acetate buffer: dissolve 40 g solid sodium hydroxide AR, in 500 ml water in a beaker and allow to cool. Add 120 ml glacial acetic acid (point 3.2.7). Mix thoroughly, cool and transfer to a 1000 ml volumetric flask. Make up to the mark with water.	SE (Drafting Suggestions): ~~3.2.10. Standard acetate buffer: dissolve 40 g solid sodium hydroxide AR, in 500 ml water in a beaker and allow to cool. Add 120 ml glacial acetic acid (point 3.2.7). Mix thoroughly, cool and transfer to a 1000 ml volumetric flask. Make up to the mark with water.~~
3.2.11. Pyrrolidinedithiocarbamate solution (known as ‘carbate solution’): dissolve 103 mg sodium pyrrolidinedithiocarbamate, C5H8NNaS2.2H2O, in about 500 ml water, add 10 ml of n-amyl alcohol AR and 0,5 g	SE (Drafting Suggestions): ~~3.2.11. Pyrrolidinedithiocarbamate solution (known as ‘carbate solution’):~~

NaHCO3 AR, and make up to 1000 ml with water.	~~dissolve 103 mg sodium pyrrolidinedithiocarbamate, C5H8NNaS2.2H2O, in about 500 ml water, add 10 ml of n-amyl alcohol AR and 0,5 g NaHCO3 AR, and make up to 1000 ml with water.~~
3.2.12. Copper sulphate solution (for standardisation of point 3.2.11).	SE (Drafting Suggestions): ~~3.2.12. Copper sulphate solution (for standardisation of point 3.2.11).~~
STOCK SOLUTION	SE (Drafting Suggestions): ~~STOCK SOLUTION~~
Mix 1,249 g copper sulphate, $CuSO_4.5H_2O$ AR, with 50 ml 0,5 M sulphuric acid and make up to 1000 ml with water.	SE (Drafting Suggestions): ~~Mix 1,249 g copper sulphate, $CuSO_4.5H_2O$ AR, with 50 ml 0,5 M sulphuric acid and make up to 1000 ml with water.~~
STANDARD SOLUTION	SE (Drafting Suggestions):

	~~STANDARD SOLUTION~~
Mix 50 ml stock solution with 10 ml 0,5 M H_2SO_4 and make up to 1000 ml with water.	SE (Drafting Suggestions): ~~Mix 50 ml stock solution with 10 ml 0,5 M H_2SO_4 and make up to 1000 ml with water.~~
3.2.13. Sodium chloride AR.	SE (Drafting Suggestions): ~~3.2.13. Sodium chloride AR.~~
3.2.14. Gas-stripping apparatus (see Figure 5). The diameter of the sintered disc must be the same as the internal diameter of the cylinder.	SE (Drafting Suggestions): ~~3.2.14. Gas-stripping apparatus (see Figure 5). The diameter of the sintered disc must be the same as the internal diameter of the cylinder.~~
3.2.15. Separating funnel, 250 ml.	SE (Drafting Suggestions): ~~3.2.15. Separating funnel, 250 ml.~~

3.2.16. Magnetic stirrer with magnet 25-30 mm.	SE (Drafting Suggestions): ~~3.2.16. Magnetic stirrer with magnet 25-30 mm.~~
3.2.17. Gooch crucible, diameter of the perforated base = 25 mm, Type G4.	SE (Drafting Suggestions): ~~3.2.17. Gooch crucible, diameter of the perforated base = 25 mm, Type G4.~~
3.2.18. Circular glass-fibre filter papers, 27 mm diameter with fibre diameter 0,3-1,5 m.	SE (Drafting Suggestions): ~~3.2.18. Circular glass-fibre filter papers, 27 mm diameter with fibre diameter 0,3-1,5 m.~~
3.2.19. Two filter flasks with adapters and rubber collars, 500 and 250 ml respectively.	SE (Drafting Suggestions): ~~3.2.19. Two filter flasks with adapters and rubber collars, 500 and 250 ml respectively.~~

3.2.20. Recording potentiometer fitted with a bright platinum indicator electrode and a calomel or silver/silver chloride reference electrode with a 250 mV range, with automatic burette of 20-25 ml capacity, or alternative manual equipment.	SE (Drafting Suggestions): ~~3.2.20. Recording potentiometer fitted with a bright platinum indicator electrode and a calomel or silver/silver chloride reference electrode with a 250 mV range, with automatic burette of 20-25 ml capacity, or alternative manual equipment.~~
3.3. Method	SE (Drafting Suggestions): ~~3.3. Method~~
3.3.1. Concentration and separation of the surfactant	SE (Drafting Suggestions): ~~3.3.1. Concentration and separation of the surfactant~~
Filter the aqueous sample through a qualitative filter paper. Discard the first 100 ml of the filtrate.	SE (Drafting Suggestions): ~~Filter the aqueous sample through a qualitative filter paper. Discard the~~

	~~first 100 ml of the filtrate.~~
Into the stripping apparatus, previously rinsed with ethyl acetate, place a measured quantity of the sample, such that it contains between 250-800 g non-ionic surfactant.	SE (Drafting Suggestions): ~~Into the stripping apparatus, previously rinsed with ethyl acetate, place a measured quantity of the sample, such that it contains between 250-800 g non-ionic surfactant.~~
To improve the separation add 100 g sodium chloride and 5 g sodium bicarbonate.	SE (Drafting Suggestions): ~~To improve the separation add 100 g sodium chloride and 5 g sodium bicarbonate.~~
If the volume of the sample exceeds 500 ml, add these salts to the stripping apparatus in solid form, and dissolve by passing nitrogen or air through.	SE (Drafting Suggestions): ~~If the volume of the sample exceeds 500 ml, add these salts to the stripping apparatus in solid form, and dissolve by passing nitrogen or air through.~~

If a smaller-sized sample is used, dissolve the salts in 400 ml water and then add to the stripping apparatus.	SE (Drafting Suggestions): ~~If a smaller-sized sample is used, dissolve the salts in 400 ml water and then add to the stripping apparatus.~~
Add water to bring the level to the upper stopcock.	SE (Drafting Suggestions): ~~Add water to bring the level to the upper stopcock.~~
Cautiously add 100 ml ethyl acetate on top of the water.	SE (Drafting Suggestions): ~~Cautiously add 100 ml ethyl acetate on top of the water.~~
Fill the wash-bottle in the gas-line (nitrogen or air) two-thirds full with ethyl acetate.	SE (Drafting Suggestions): ~~Fill the wash-bottle in the gas-line (nitrogen or air) two-thirds full with ethyl acetate.~~
Pass a gas stream of 30-60 l/h through the apparatus; the use of a	SE

flowmeter is recommended. The rate of aeration must be increased gradually at the beginning. The gas rate must be so adjusted that the phases remain noticeably separate to minimise the mixing of the phases and the solution of the ethyl acetate in the water. Stop the gas flow after five minutes.	(Drafting Suggestions): ~~Pass a gas stream of 30-60 l/h through the apparatus; the use of a flowmeter is recommended. The rate of aeration must be increased gradually at the beginning. The gas rate must be so adjusted that the phases remain noticeably separate to minimise the mixing of the phases and the solution of the ethyl acetate in the water. Stop the gas flow after five minutes.~~
If there is a reduction of more than 20 % in the volume of the organic phase through solution in water, the sublation must be repeated paying special attention to the rate of gas flow.	SE (Drafting Suggestions): ~~If there is a reduction of more than 20 % in the volume of the organic phase through solution in water, the sublation must be repeated paying special attention to the rate of gas flow.~~
Run off the organic phase into a separating funnel. Return any water in the separating funnel from the aqueous phase — it should only be a few ml — to the stripping apparatus. Filter the ethyl acetate phase through a dry qualitative filter paper into a 250 ml beaker.	SE (Drafting Suggestions): ~~Run off the organic phase into a separating funnel. Return any water in the separating funnel from the aqueous phase — it should only be a few ml — to the stripping apparatus. Filter the ethyl acetate phase through a dry qualitative filter paper into a 250 ml beaker.~~

Put a further 100 ml ethyl acetate into the stripping apparatus and again pass nitrogen or air through for five minutes. Draw off the organic phase into the separating funnel used for the first separation, reject the aqueous phase and run the organic phase through the same filter as the first ethyl acetate portion. Rinse both the separating funnel and the filter with about 20 ml ethyl acetate.	SE (Drafting Suggestions): ~~Put a further 100 ml ethyl acetate into the stripping apparatus and again pass nitrogen or air through for five minutes. Draw off the organic phase into the separating funnel used for the first separation, reject the aqueous phase and run the organic phase through the same filter as the first ethyl acetate portion. Rinse both the separating funnel and the filter with about 20 ml ethyl acetate.~~
Evaporate the ethyl acetate extract to dryness using a water-bath (fume cupboard). Direct a gentle stream of air over the surface of the solution to accelerate the evaporation.	SE (Drafting Suggestions): ~~Evaporate the ethyl acetate extract to dryness using a water-bath (fume cupboard). Direct a gentle stream of air over the surface of the solution to accelerate the evaporation.~~
3.3.2. Precipitation and filtration	SE (Drafting Suggestions): ~~3.3.2. Precipitation and filtration~~

Dissolve the dry residue from 3.3.1 in 5 ml methanol, add 40 ml water and 0,5 ml dilute HCl (point 3.2.3) and stir the mixture with a magnetic stirrer.	SE (Drafting Suggestions): ~~Dissolve the dry residue from 3.3.1 in 5 ml methanol, add 40 ml water and 0,5 ml dilute HCl (point 3.2.3) and stir the mixture with a magnetic stirrer.~~
To this solution add 30 ml of precipitating agent (point 3.2.6) from a measuring cylinder. The precipitate forms after repeated stirring. After stirring for ten minutes leave the mixture to stand for at least five minutes.	SE (Drafting Suggestions): ~~To this solution add 30 ml of precipitating agent (point 3.2.6) from a measuring cylinder. The precipitate forms after repeated stirring. After stirring for ten minutes leave the mixture to stand for at least five minutes.~~
Filter the mixture through a Gooch crucible, the base of which is covered with a glass-fibre filter paper. First wash the filter under suction with about 2 ml glacial acetic acid. Then thoroughly wash the beaker, magnet, and crucible with glacial acetic acid, of which about 40-50 ml is necessary. It is not necessary to quantitatively transfer the precipitate	SE (Drafting Suggestions): ~~Filter the mixture through a Gooch crucible, the base of which is covered with a glass-fibre filter paper. First wash the filter under suction with about 2 ml glacial acetic acid. Then thoroughly wash the beaker, magnet,~~

adhering to the sides of the beaker, to the filter, because the solution of the precipitate for the titration is returned to the precipitating beaker, and the remaining precipitate will then be dissolved.	~~and crucible with glacial acetic acid, of which about 40-50 ml is necessary. It is not necessary to quantitatively transfer the precipitate adhering to the sides of the beaker, to the filter, because the solution of the precipitate for the titration is returned to the precipitating beaker, and the remaining precipitate will then be dissolved.~~
3.3.3. Dissolution of the precipitate	SE (Drafting Suggestions): ~~3.3.3. Dissolution of the precipitate~~
Dissolve the precipitate in the filter crucible by the addition of hot ammonium tartrate solution (about 80 ° C) (point 3.2.8) in three portions of 10 ml each. Allow each portion to stand in the crucible for some minutes before being sucked through the filter into the flask.	SE (Drafting Suggestions): ~~Dissolve the precipitate in the filter crucible by the addition of hot ammonium tartrate solution (about 80 ° C) (point 3.2.8) in three portions of 10 ml each. Allow each portion to stand in the crucible for some minutes before being sucked through the filter into the flask.~~
Put the contents of the filter flask into the beaker used for the precipitation. Rinse the sides of the beaker with a further 20 ml of tartrate	SE (Drafting Suggestions):

solution to dissolve the rest of the precipitate.	~~Put the contents of the filter flask into the beaker used for the precipitation. Rinse the sides of the beaker with a further 20 ml of tartrate solution to dissolve the rest of the precipitate.~~
Carefully wash the crucible, adapter and filter flask with 150-200 ml water, and return the rinsing water to the beaker used for the precipitation.	SE (Drafting Suggestions): ~~Carefully wash the crucible, adapter and filter flask with 150-200 ml water, and return the rinsing water to the beaker used for the precipitation.~~
3.3.4. The titration	SE (Drafting Suggestions): ~~3.3.4. The titration~~
Stir the solution using a magnetic stirrer (point 3.2.16), add a few drops of bromocresol purple (point 3.2.5) and add the dilute ammonia solution (point 3.2.9) until the colour turns violet (the solution is initially weakly acid from the residue of acetic acid used for rinsing).	SE (Drafting Suggestions): ~~Stir the solution using a magnetic stirrer (point 3.2.16), add a few drops of bromocresol purple (point 3.2.5) and add the dilute ammonia solution (point 3.2.9) until the colour turns violet (the solution is initially weakly~~

	~~acid from the residue of acetic acid used for rinsing).~~
Then add 10 ml standard acetate buffer (point 3.2.10), immerse the electrodes in the solution, and titrate potentiometrically with standard 'carbate solution' (point 3.2.11), the burette tip being immersed in the solution.	SE (Drafting Suggestions): ~~Then add 10 ml standard acetate buffer (point 3.2.10), immerse the electrodes in the solution, and titrate potentiometrically with standard 'carbate solution' (point 3.2.11), the burette tip being immersed in the solution.~~
The titration rate should not exceed 2 ml/min.	SE (Drafting Suggestions): ~~The titration rate should not exceed 2 ml/min.~~
The endpoint is the intersection of the tangents to the two branches of the potential curve.	SE (Drafting Suggestions): ~~The endpoint is the intersection of the tangents to the two branches of the potential curve.~~
It will be observed occasionally that the inflection in the potential curve	SE

becomes flattened; this can be eliminated by carefully cleaning the platinum electrode (by polishing with emery paper).	(Drafting Suggestions): ~~It will be observed occasionally that the inflection in the potential curve becomes flattened; this can be eliminated by carefully cleaning the platinum electrode (by polishing with emery paper).~~
3.3.5. Blank determinations	SE (Drafting Suggestions): ~~3.3.5. Blank determinations~~
At the same time run a blank determination through the whole procedure with 5 ml methanol and 40 ml water, according to the instructions in point 3.3.2. The blank titration should be below 1 ml, otherwise the purity of the reagents (points 3.2.3, 3.2.7, 3.2.8, 3.2.9, 3.2.10) is suspect, especially their content of heavy metals, and they must be replaced. The blank must be taken into account in the calculation of the results.	SE (Drafting Suggestions): ~~At the same time run a blank determination through the whole procedure with 5 ml methanol and 40 ml water, according to the instructions in point 3.3.2. The blank titration should be below 1 ml, otherwise the purity of the reagents (points 3.2.3, 3.2.7, 3.2.8, 3.2.9, 3.2.10) is suspect, especially their content of heavy metals, and they must be replaced. The blank must be taken into account in the calculation of the results.~~
3.3.6. Control of the factor of the ‘carbate solution’	SE

	(Drafting Suggestions): ~~3.3.6. Control of the factor of the 'carbate solution'~~
Determine the factor for the carbate solution on the day of use. To do this, titrate 10 ml of the copper sulphate solution (point 3.2.12) with 'carbate solution' after the addition of 100 ml water and 10 ml standard acetate buffer (point 3.2.10). If the amount used is a ml, the factor f is:	SE (Drafting Suggestions): ~~Determine the factor for the carbate solution on the day of use. To do this, titrate 10 ml of the copper sulphate solution (point 3.2.12) with 'carbate solution' after the addition of 100 ml water and 10 ml standard acetate buffer (point 3.2.10). If the amount used is a ml, the factor f is:~~
$f = \frac{10}{a}$	SE (Drafting Suggestions): ~~$f = \frac{10}{a}$~~
and all the results of the titration are multiplied by this factor.	SE (Drafting Suggestions): ~~and all the results of the titration are multiplied by this factor.~~

3.4. Calculation of results	SE (Drafting Suggestions): ~~3.4. Calculation of results~~
Every non-ionic surfactant has its own factor, depending on its composition, particularly on the length of the alkene oxide chain. The concentration of non-ionic surfactant is expressed in relation to a standard substance — a nonyl phenol with ten ethylene oxide units (NP 10) — for which the conversion factor is 0,054.	SE (Drafting Suggestions): ~~Every non-ionic surfactant has its own factor, depending on its composition, particularly on the length of the alkene oxide chain. The concentration of non-ionic surfactant is expressed in relation to a standard substance — a nonyl phenol with ten ethylene oxide units (NP 10) — for which the conversion factor is 0,054.~~
Using this factor the amount of surfactant present in the sample is found expressed as mg of NP 10 equivalent, as follows:	SE (Drafting Suggestions): ~~Using this factor the amount of surfactant present in the sample is found expressed as mg of NP 10 equivalent, as follows:~~
(b — c) xfx 0,054 = mg non-ionic surfactant as NP 10	SE

	(Drafting Suggestions): ~~(b – c) xfx 0,054 = mg non-ionic surfactant as NP-10~~
where:	SE (Drafting Suggestions): ~~where:~~
b = volume of ‘carbate solution’ used by the sample (ml),	SE (Drafting Suggestions): ~~b = volume of ‘carbate solution’ used by the sample (ml),~~
c = volume of ‘carbate solution’ used by the blank (ml),	SE (Drafting Suggestions): ~~c = volume of ‘carbate solution’ used by the blank (ml),~~
f = factor of the ‘carbate solution’.	SE (Drafting Suggestions): ~~f = factor of the ‘carbate solution’.~~

3.5. Expression of results	SE (Drafting Suggestions): ~~3.5. Expression of results~~
Express the results in mg/l as NP 10 to the nearest 0,1.	SE (Drafting Suggestions): ~~Express the results in mg/l as NP 10 to the nearest 0,1.~~
Figure 1 Activated sludge plant: overviews	SE (Drafting Suggestions): ~~Figure 1 Activated sludge plant: overviews~~
A Storage vessel	SE (Drafting Suggestions): ~~A Storage vessel~~

B	Dosing device	SE (Drafting Suggestions): ~~B Dosing device~~
C	Aeration chamber (three litres capacity)	SE (Drafting Suggestions): ~~C Aeration chamber (three litres capacity)~~
D	Settling vessel	SE (Drafting Suggestions): ~~D Settling vessel~~
E	Air-lift pump	SE (Drafting Suggestions): ~~E Air-lift pump~~
F	Collector	SE

		(Drafting Suggestions): ~~F Collector~~
G	Sintered aerator	SE (Drafting Suggestions): ~~G Sintered aerator~~
H	Air-flow meter	SE (Drafting Suggestions): ~~H Air-flow meter~~
I	Air	SE (Drafting Suggestions): ~~I Air~~
Figure 2 Activated sludge plant: detail (dimensions in millimetres)		SE

		(Drafting Suggestions): ~~Figure 2 Activated sludge plant: detail (dimensions in millimetres)~~
A	Liquid level	SE (Drafting Suggestions): ~~A Liquid level~~
B	Hard PVC	SE (Drafting Suggestions): ~~B Hard PVC~~
C	Glass or waterproof plastic (hard PVC)	SE (Drafting Suggestions): ~~C Glass or waterproof plastic (hard PVC)~~

Figure 3 Calculation of biodegradability - Confirmatory test	SE (Drafting Suggestions): ~~Figure 3 Calculation of biodegradability - Confirmatory test~~
A Running-in period	SE (Drafting Suggestions): ~~A Running-in period~~
B Period used for calculation (twenty-one days)	SE (Drafting Suggestions): ~~B Period used for calculation (twenty-one days)~~
C Readily biodegradable surfactant	SE

		(Drafting Suggestions): ~~C Readily biodegradable surfactant~~
D	Surfactant not readily biodegradable	SE (Drafting Suggestions): ~~D Surfactant not readily biodegradable~~
E	Biodegradation (%)	SE (Drafting Suggestions): ~~E Biodegradation (%)~~
F	Time (days)	SE (Drafting Suggestions): ~~F Time (days)~~
		SE (Drafting Suggestions): **ANNEX VII** **INFORMATION IN THE PRODUCT PASSPORT REGISTRY**

	The following information for the detergent or surfactant shall be uploaded in the Product passport registry: **(a) the unique product identifier** **(b) the unique operator identifier** **(c) In case of detergents or surfactants intended to be placed under the customs procedure 'release for free circulation', economic operators shall also upload the commodity code** SE (Comments): Choice of procedure: This proposal is intended to be read together with our proposal for article 26(2). According to articles 26(2) and 20(1) the Commission is empowered to adopt delegated acts containing additional details for the registry of product passports. This means that the requirements will be available partly in this regulation and partly in the delegated act. Collecting all requirements in the regulation would increase clarity. An options could be to empower the Commission to add a new annex for the additional requirements or to add that annex now. Our preferred option is to add an annex now and empower the Commission to add information to the annex. Why isn't an annex for this purpose already

	included in the proposal?
	SE (Drafting Suggestions): **ANNEX VIII** **LIST OF COMBINED NOMENCLATURE CODES, AS SET OUT IN ANNEX I TO REGULATION (EEC) No 2658/87, AND PRODUCT DESCRIPTIONS OF DETERGENTS AND SURFACTANTS** SE (Comments): Choice of procedure: This proposal is intended to be read together with our proposal for article 26(4). According to article 26(4) the Commission is empowered to adopt delegated acts adding an annex to this regulation. We suggest that an annex is added now and the Commission is empowered to add information to the annex. Why isn't an annex for this purpose already included in the proposal?

Comments on Detergents Regulation ST 8717 2024

From: AT, BG, CZ, DK, ES, FI, FR, HU, IE, LT, LV, PL, RO, SI, SE **Updated: 13/05/2024 14:33**