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General Secretariat

Brussels, 10 June 2024

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

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**NOTE**

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| From:          | DE, DK, FI, FR IE, NL, RO, SK delegations   |
| To:            | Working Party on Technical Harmonisation (Dangerous Substances - Chemicals)   |
| N° prev. doc.: | ST 10035/24   |
| N° Cion doc.:  | ST 8904 2023 ADD 1-7  |
| Subject:       | Proposal for a Regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004<br>- Comments on additional proposals by DE, DK, FI, FR, IE, NL, RO, SK |

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## Additional proposals on Detergents and Surfactants Regulation

WPTH 31 May 2024

In addition to the steering note and subsequent to bilateral discussions with several Member States, the Presidency would like to invite delegations to share their views on the following proposals at the WPTH on 31 May.

### A. Introduction of a review clause on phosphorus content

Due to a certain number of delegations in favor of introducing a review clause on phosphorus content, the Presidency suggest to introduce a new subparagraph iv, in article 31, that would read as follows:

(...)

**iv. As regards detergents containing phosphates and other phosphorus compounds: the possibility to limit further the phosphorus content or add limitation of phosphorus content on other products categories to Annex III; this assessment should take into account the impact on the environment and the availability of suitable alternatives with less or no phosphorus.**

For sake of coherence, recital 10 would be amended as follows:

(10) Phosphorus is **an 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 **should be assessed, particularly to investigate when** ~~either because their contribution is not significant or because suitable alternatives are currently not~~ **become** available.

### **DE comments:**

DEU welcomes and supports the Presidency's proposals to make the existing phosphorus limits in household laundry detergents and automatic dishwashing detergents (Annex III) more ambitious.

As already mentioned several times, we advocate and support the limit (by the 1.1.2028) on the content of phosphates and other phosphorus compounds in industrial and institutional laundry detergents and automatic dishwasher detergents previously proposed by the Council Presidency . Companies are in a position to comply with the limits. If the deadline of January 1, 2028 is too short for some Member States, 2030 could also be set as the deadline.

**Therefore, a review clause is not needed.**

### B. Introduction of an additional point regarding micro-organisms in spray formats in Annex II, point 7

Subsequent to discussions with delegations, the Presidency suggests to add a warning about respiratory sensitisation regarding the use of detergents containing micro-organisms in spray format. The Annex II, point 7 would be amended as follows:

7. Detergents containing micro-organisms may be placed on the market in a spray format if:

- (a) the manufacturer or an appropriate third party has carried out and made available in the technical documentation a risk assessment taking into account appropriate

## DE Comments

methodologies, covering all potential risks posed by the micro-organisms to human health and the environment, and demonstrating their safe use; and

(b) in addition to the requirements laid down in Annex V, their label contains :

i. the following warning: “this product may cause respiratory sensitisation”, unless when they are already labelled for respiratory sensitisation in accordance with Regulation (EC) No 1272/2008 ; and

ii. instructions for use ensuring the safety of the users, if necessary by protective equipment, of the other individuals potentially exposed and of their environment.

### DE comments:

We continue to advocate a ban on the spray format for consumers. We do not see any need for detergents in spray form that contain micro-organisms. This product form should also be avoided in order to prevent animal testing.

According to the criteria of the eco-label (see Commission Decision (EU) 2017/1217), no product containing micro-organisms may be used in trigger sprays. Furthermore, it can be assumed that spray applications pose additional risks, especially for untrained consumers.

### **C. Introduction of a new threshold in the Annex V, Part A, point 3 related to labelling of preservatives**

It has been brought to our attention that the new proposal for the labelling of preservatives based on the CLP table of elicitation thresholds is very complex and that these CLP thresholds may fail to ensure safety, especially for preservatives without harmonised classification or with an outdated classification. Moreover, the different limits foreseen by the CLP Regulation would be difficult to interpret and to apply by manufacturers and market surveillance authorities. On the other hand, the detergents Committee has always agreed on the fact that labelling provisions of preservatives under the current Detergents Regulation nr. 648/2004 apply to all preservatives added, including carry-over preservatives. In order to avoid going backwards, a general and sufficiently low threshold should be set for the labelling of preservatives. As proposed by different delegations, the threshold of 1,5 mg/kg would be a safe level, ensuring the protection of users of detergents against allergic reactions, even when they have already been sensitized.

Annex V, Part A, point 3 would be amended as follows :

*3. Except when they are already labelled on the product in accordance with Regulation (EC) No 1272/2008 or Regulation (EU) No 528/2012, 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 one of the following conditions:*

*(a) they 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; or*

*(b) they ~~are~~ **have to be** labelled on a constituent of the detergent or the surfactant, unless the concentration of the preservative in the detergent or surfactant **does not exceed the threshold of 1,5 mg/kg.***

### DE comments:

## DE Comments

We fully agree with the proposal that sets a uniform threshold of 1.5 mg/kg. This threshold is clear and would also apply to detergents that are not classified as sensitizing. This threshold would reflect the ESCD position statement of the European Society of Contact Dermatitis (ESCD) of May 21, 2024, which calls for all preservatives in a detergent to be labelled and considers the general CLP-limits to be far too high.

Furthermore, the condition b should be linked to the fact that a labelling obligation exists and shall not depend on whether the constituent has been correctly labelled or not.

### **D. Introduction of a new article 17b regarding the safety requirements at refill stations**

Considering that specific safety requirements are needed for detergents and surfactants made available on the market in refill format even if they are not classified as hazardous and that such requirements should be notably aligned with the CLP provisions, the following is proposed:

(NEW) ***Article 17b: Supply in refill format***

***When detergents or surfactants are made available on the market in refill format, the economic operator shall ensure that the following conditions are met:***

***(a) there is no risk of confusion between the refill packaging and food containers;***

***(b) the packaging to be refilled is suitable and clean;***

***(c) risk mitigation measures are applied to minimize the exposure of humans, especially of children, and of the environment;***

***(d) measures are taken to prevent uncontrolled use of the refill station by children;***

***(e) at the moment of refill, the supplier is available on site for maintenance and immediate assistance, including emergency assistance;***

***(f) refill stations can be operated outdoors and outside business hours only if immediate assistance can be provided;***

***(g) the substances or mixtures provided through a refill station do not react with each other in a way that could endanger clients or staff;***

***(h) staff of the supplier are appropriately trained to minimise safety risks to consumers, professional users and themselves.***

#### **DE comments:**

We fully agree with the proposed new article. It is absolutely necessary to align the provision with the new CLP Regulation so that the safety requirements for refill sales apply to all detergents.

Detergents that are not classified as hazardous according to CLP are also chemicals. Furthermore, the hazard classification of detergents is in most cases based on self-classification, which by its very nature cannot ensure a uniform and objective classification of hazard. In addition, care should also be taken to ensure that there is no confusion with food containers and that the packaging is suitable.

## Additional proposals on Detergents and Surfactants Regulation

WPTH 31 May 2024

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### A. Introduction of a review clause on phosphorus content

Due to a certain number of delegations in favor of introducing a review clause on phosphorus content, the Presidency suggest to introduce a new subparagraph iv, in article 31, that would read as follows:

(...)

**iv. As regards detergents containing phosphates and other phosphorus compounds: the possibility to limit further the phosphorus content or add limitation of phosphorus content on other products categories to Annex III; this assessment should take into account the impact on the environment and the availability of suitable alternatives with less or no phosphorus.**

For sake of coherence, recital 10 would be amended as follows:

(10) Phosphorus is **an 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 **should be assessed, particularly to investigate when** ~~either because their contribution is not significant or because suitable alternatives are currently not~~ **become** available.

### **DK supports a review clause on phosphorus content.**

As we have mentioned several times, we find in particular that P limitations should be set for detergents for outdoor use that are emitted directly into the environment.

### B. Introduction of an additional point regarding micro-organisms in spray formats in Annex II, point 7

Subsequent to discussions with delegations, the Presidency suggests to add a warning about respiratory sensitisation regarding the use of detergents containing micro-organisms in spray format. The Annex II, point 7 would be amended as follows:

7. Detergents containing micro-organisms may be placed on the market in a spray format if:

- (a) the manufacturer or an appropriate third party has carried out and made available in the technical documentation a risk assessment taking into account appropriate methodologies, covering all potential risks posed by the micro-organisms to human health and the environment, and demonstrating their safe use; and
- (b) in addition to the requirements laid down in Annex V, their label contains :

## DK Comments

- i. the following warning: “this product may cause respiratory sensitisation”, unless when they are already labelled for respiratory sensitisation in accordance with Regulation (EC) No 1272/2008 ; and*
- ii. instructions for use ensuring the safety of the users, if necessary by protective equipment, of the other individuals potentially exposed and of their environment.*

### **DK supports the proposal as a minimum requirement.**

We do not think spray products with detergents containing micro organisms should be sold to consumers at all.

### **C. Introduction of a new threshold in the Annex V, Part A, point 3 related to labelling of preservatives**

It has been brought to our attention that the new proposal for the labelling of preservatives based on the CLP table of elicitation thresholds is very complex and that these CLP thresholds may fail to ensure safety, especially for preservatives without harmonised classification or with an outdated classification. Moreover, the different limits foreseen by the CLP Regulation would be difficult to interpret and to apply by manufacturers and market surveillance authorities. On the other hand, the detergents Committee has always agreed on the fact that labelling provisions of preservatives under the current Detergents Regulation nr. 648/2004 apply to all preservatives added, including carry-over preservatives. In order to avoid going backwards, a general and sufficiently low threshold should be set for the labelling of preservatives. As proposed by different delegations, the threshold of 1,5 mg/kg would be a safe level, ensuring the protection of users of detergents against allergic reactions, even when they have already been sensitized.

Annex V, Part A, point 3 would be amended as follows :

*3. Except when they are already labelled on the product in accordance with Regulation (EC) No 1272/2008 or Regulation (EU) No 528/2012, 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 one of the following conditions:*

*(a) they 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; or*

*(b) they are labelled on a constituent of the detergent or the surfactant, unless the concentration of the preservative in the detergent or surfactant **does not exceed the threshold of 1,5 mg/kg.***

### **DK supports the proposal.**

DK agrees that only referring to the elicitation threshold will lead to the situation that substances without a harmonised classification and that are known skin sensitizers will not be labelled on detergents.

This will lead to problems when diagnosing patients with allergy, as it is very important to know what the sources are, and to be able to advise the patients on what substances has triggered the allergenic reaction and how to avoid it in the future. This is only possible, if the preservatives are labelled on the product and this is especially important for substances and mixtures where consumers have a direct skin contact, such as detergents.

## DK Comments

We are therefore very happy to see this proposal with a limit value for carry over preservatives of 1,5 mg/kg.

### **D. Introduction of a new article 17b regarding the safety requirements at refill stations**

Considering that specific safety requirements are needed for detergents and surfactants made available on the market in refill format even if they are not classified as hazardous and that such requirements should be notably aligned with the CLP provisions, the following is proposed:

(NEW) Article 17b: Supply in refill format

When detergents or surfactants are made available on the market in refill format, the economic operator shall ensure that the following conditions are met:

(a) there is no risk of confusion between the refill packaging and food containers;

(b) the packaging to be refilled is suitable and clean;

(c) risk mitigation measures are applied to minimize the exposure of humans, especially of children, and of the environment;

(d) measures are taken to prevent uncontrolled use of the refill station by children;

(e) at the moment of refill, the supplier is available on site for maintenance and immediate assistance, including emergency assistance;

(f) refill stations can be operated outdoors and outside business hours only if immediate assistance can be provided;

(g) the substances or mixtures provided through a refill station do not react with each other in a way that could endanger clients or staff;

(h) staff of the supplier are appropriately trained to minimise safety risks to consumers, professional users and themselves.

### **DK supports the proposal**

In principle, Denmark supports the rationale behind the amendment

A uniform approach to refill makes compliance and enforcement easier for distributors and market surveillance authorities respectively.

With regard to the tight timeframe in which we are operating, we can accept the proposal as it stands, which is in broad alignment with the revised CLP.

However, we believe that an easier solution would simply be to state in the Detergents Regulation, that Article 35 of the CLP also applies to the sale of detergents.

This would ensure dynamic alignment between the two regulations and a uniform ruleset for distributors.

FI comments on Additional proposals by the Presidency shared on 30.5.2024

**Proposal A, Introduction of a review clause on phosphorus content**

FI can support this proposal. It should be combined with keeping the phosphorus limit values as they currently are (and as proposed by the Commission also).

**Proposals B, Introduction of an additional point regarding micro-organisms in spray formats in Annex II, point 7**

FI can support this proposal.

**Proposal C, Introduction of a new threshold in the Annex V, Part A, point 3 related to labelling of preservatives**

FI can support this proposal.

**Proposal D, Introduction of a new article 17b regarding the safety requirements at refill stations**

FI can support this proposal, although there might be some overlap with other regulations. For example it seems that requirement (a) is already covered by General Product Safety Regulation (see Art 6(1)(f)).

## FR Comments

### Recital 3

(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. **Regarding online sales, several surveys show that the number of products offered for sale via the Internet is increasing and this type of sale poses particular enforcement issues where there is no responsible economic operator established in the Union. Refill should be encouraged as a specific waste prevention measure that counts towards and is necessary for meeting of the re-use and refill targets, in line with the Green Deal and the new Circular Economy Action Plan (CEAP).** 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.*

French authorities suggest the addition of a **sentence** to recital (3) to support the development of refill sales of safe detergents, in line with European guidelines within the framework of PPWR (in particular art 25 PPWR).

### Article 1 (définition)

French authorities agree with the proposal of rewording suggested by the Commission during the last working party.

### Article 4 (biodegradability)

Appropriate transition periods for implementation need to be defined once testing methods and criteria have been identified by these delegated acts.

### Article 5 et annexe III (phosphorus)

With regard to consumer products, French authorities recall that the current phosphorus content limits, as proposed by the Commission and supported by its impact analysis, are appropriate and that a strengthening of the limits, while imposing new constraints on economic operators, would not necessarily have a significant impact on environmental protection. The Urban Wastewater Directive is currently being revised and proposes to significantly increase the requirements for tertiary treatment in wastewater treatment plants. An impact study aimed at estimating the costs and savings on tertiary treatment of a reduction in the phosphate content would be relevant in this context. Therefore, the new stricter limits should be deleted in this proposal and this point should be addressed by the introduced review clause.

Consequently, French authorities agree with the new subparagraph iv, in article 31, unless the following parts are deleted :

~~**By the 1/1/2028 is lower than 0,3 grams in the same recommended quantity of the detergents.**~~

~~**By the 1/1/2028 is lower than 0,2 grams in the same recommended quantity of the detergents.**~~

## **FR Comments**

### **Article 8 (authorised representative)**

French authorities support the compromise.

### **Article 17 b) (refill)**

French authorities worry if extending the rules initially meant for dangerous products only won't lead to restrict the development of sales in refill format.

### **Article 35 (DPP)**

Regarding entry into force of DPP provisions, French authorities emphasize that the period of 12 months after publication of the implementing acts is not sufficient. Indeed, companies will need the result of the implementing acts to begin setting up the complex IT system that will support the product passport and the data carrier chosen on the label. A deadline of 12 months contrasts sharply with the deadlines set for the battery product passport, a sector for which an application deadline of 42 months was granted. The French authorities recall that their recommendation is to have a transition period of 48 months from the date of entry into force of the detergent regulation or at least 36 months (at least 24 months) after the publication of the acts of implementation of the Commission under the Detergents Regulation and the ESPR, taking into account the latest.

### **Annex V, Part A, point 3 : Introduction of a new threshold related to labelling of preservatives**

French authorities support the compromise.

## Additional proposals on Detergents and Surfactants Regulation

WPTH 31 May 2024

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For sake of coherence, recital 10 would be amended as follows:

(10) Phosphorus is **an 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 **should be assessed, particularly to investigate when** ~~either because their contribution is not significant or because suitable alternatives are currently not~~ **become** available.

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(b) in addition to the requirements laid down in Annex V, their label contains :

**i. the following warning: “this product may cause respiratory sensitisation”, unless when they are already labelled for respiratory sensitisation in accordance with Regulation (EC) No 1272/2008 ; and**

**ii. instructions for use ensuring the safety of the users, if necessary by protective equipment, of the other individuals potentially exposed and of their environment.**

## IE Comments

### C. Introduction of a new threshold in the Annex V, Part A, point 3 related to labelling of preservatives

It has been brought to our attention that the new proposal for the labelling of preservatives based on the CLP table of elicitation thresholds is very complex and that these CLP thresholds may fail to ensure safety, especially for preservatives without harmonised classification or with an outdated classification. Moreover, the different limits foreseen by the CLP Regulation would be difficult to interpret and to apply by manufacturers and market surveillance authorities. On the other hand, the detergents Committee has always agreed on the fact that labelling provisions of preservatives under the current Detergents Regulation nr. 648/2004 apply to all preservatives added, including carry-over preservatives. In order to avoid going backwards, a general and sufficiently low threshold should be set for the labelling of preservatives. As proposed by different delegations, the threshold of 1,5 mg/kg would be a safe level, ensuring the protection of users of detergents against allergic reactions, even when they have already been sensitized.

Annex V, Part A, point 3 would be amended as follows :

*3. Except when they are already labelled on the product in accordance with Regulation (EC) No 1272/2008 or Regulation (EU) No 528/2012, 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 one of the following conditions:*

*(a) they 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; or*

*(b) they are labelled on a constituent of the detergent or the surfactant, unless the concentration of the preservative in the detergent or surfactant **does not exceed the threshold of 1,5 mg/kg.***

**IE comment:** While these matters relate to the area of the EPA ( phosphates) from a general perspective we agree that inclusion of a limit allows manufacturers to comply and authorities to check compliance. We suggest that the threshold may be better understood if read as “**0.00015%**” rather than 1.5mg/kg, keeping it aligned with the concentration limits set out in the CLP Regulation.

### D. Introduction of a new article 17b regarding the safety requirements at refill stations

Considering that specific safety requirements are needed for detergents and surfactants made available on the market in refill format even if they are not classified as hazardous and that such requirements should be notably aligned with the CLP provisions, the following is proposed:

(NEW) **Article 17b: Supply in refill format**

**When detergents or surfactants are made available on the market in refill format, the economic operator shall ensure that the following conditions are met:**

**(a) there is no risk of confusion between the refill packaging and food containers;**

## IE Comments

(b) the packaging to be refilled is suitable and clean;

(c) risk mitigation measures are applied to minimize the exposure of humans, especially of children, and of the environment;

(d) measures are taken to prevent uncontrolled use of the refill station by children;

(e) at the moment of refill, the supplier is available on site for maintenance and immediate assistance, including emergency assistance;

(f) refill stations can be operated outdoors and outside business hours only if immediate assistance can be provided;

(g) the substances or mixtures provided through a refill station do not react with each other in a way that could endanger clients or staff;

(h) staff of the supplier are appropriately trained to minimise safety risks to consumers, professional users and themselves.

**IE comment:** We note the alignment of Art. 17b(c) to (h) with the current draft of the legally revised CLP proposal and agree to their inclusion.

Regarding Art. 17b(a), we note that this has been deleted from the draft text of the CLP proposal, however, we are in favour of its inclusion in the Detergents Regulation to mitigate incidents in confusing detergents and surfactants with food products.

We do not agree with the inclusion of Art. 17b(b), which has been deleted from the CLP proposal. This provision falls outside the scope of the Detergents Regulation and is onerous on the economic operator who should not be responsible for checking packaging's cleanliness.

## NL Comments

### Written reaction of the Netherlands to Working Party on Technical Harmonisation (Dangerous Substances - Chemicals) regarding the document on Additional proposals on Detergents and Surfactants Regulation WPTH 31 May 2024 (response date: 04/0624)

#### Regarding the Dutch Opinion

Comments of the Netherlands to the (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

#### A. Our general comments

The Directive's revised text is much clearer than before and, in addition, a number of alterations were made that improved the document's quality considerably.

#### B. Comments/questions regarding the presidency compromise proposal

Digital Product Passport: process operationalization period of 12 months is fine with the NL, in case a longer period fits better (up to 24 months) we could support that as well.

Article 19c mentions customs authorities (see below), but is lacking in 18.9d.

- 19.C: *'end-users, economic operators, competent national authorities, the appointed bodies referred to in Article 45 of Regulation (EC) No 1272/2008, customs authorities, civil society organisations, researchers, trade unions, the Commission and any organisation acting on their behalf and other relevant actors shall have free of charge and easy access to the digital product passport based on their respective access rights set out in the applicable implementing act referred to in Article 18(9)';*

Customs authorities should be included in 18.9d as well as suggested below:

- 18.9d: *'the actors that may have access to information in the digital 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, **customs authorities**, civil society organisations, researchers, trade unions, and the Commission, or any organisation acting on their behalf'*

Phosphorus: *We would like to thank the Presidency for their compromise proposal on the transmission of the ingredients data sheet to poison centres through the DPP web-portal. However, we do wonder how this would work in practice. The poison centres have their own database and PCN format for the emergency health response information. The DPP does not seem to provide for this PCN format. We wonder how providing the ingredients data sheet to poison centres through the DPP would help in providing them the correct information in a useful manner for emergency health response. **We are therefore wondering if the obligation could be replaced by an obligation to provide the ingredients data sheet to poison centres via the PCN format, in their database.***



- Art. 3, point 1- We disagree with the reinstatement of the wording “or added to support cleaning processes” .  
Justification: it 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
- Art. 9 (7) We propose to eliminate the wording ”if necessary”. In our opinion keeping a register of complaints, of non-conforming detergents and surfactants and recalls of such detergents and surfactants should be mandatory, supporting in this way the activity of market surveillance authorities.
- Art. 16, the last sentence of point 1, we suggest rewarding, namely - *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 ~~must~~ *may* be provided on the physical label.* Justification: the dosage information are important for consumers.
- Art. 18 (9) letter d) We suggest deleting the reference to notified bodies. Justification: they have no responsibility in the application of this regulation. The text should be correlated with the provisions of art. 19, letter c) where notified bodies are not included.
- Art. 18 (11) and art. 19, letter e) 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. We noticed that in art. 19, letter d) the reference to the certified independent third-party was deleted. On the other hand, as agreed at the meeting of the working party on May 15, 2024, the word “certified” should be deleted.
- Art 21 (2) we support DE, DK and LV proposal and justification for adding a second sentence, namely ”it shall apply as from the moment the registry is operational”



MINISTERUL ECONOMIEI, ANTREPRENORIATULUI  
ȘI TURISMULUI

- Art. 3 - we see no reason for the deletion of this article and of recital 54. Keeping this article is important for ensuring the consistency in the application of the Regulation 2019/1020.
- Annex III - We are reluctant to the additional limit-from 2028- for the content of phosphorus.  
Justification: it is not known how the new limit has been determined and there is no impact assessment on the efficacy and sustainability of the products. In the same time, as a compromise, we propose to introduce in the review clause the possibility to add further limitations on phosphorus content, based on impact assessment.



**SK CA comment on document  
Additional proposals on Detergents and Surfactants Regulation  
WPTH 31 May 2024**

We would like to thank the Presidency for providing additional proposals on Detergent and surfactant Regulation and for the possibility to further comments.

On the issue D for Introduction of a new article 17b regarding the safety requirements at *refill stations* we are concerned with the implementation in practise of the following points:

*(d) measures are taken to prevent uncontrolled use of the refill station by children;*

and

*(f) refill stations can be operated outdoors and outside business hours only if immediate assistance can be provided;*

Centre for Chemical Substances and Preparations

Bratislava, June 05, 2024