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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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 - Outcome of the European Parliament's first reading (Strasbourg, 26 to 29 February 2024)

I. INTRODUCTION

The rapporteur, Manuela RIPA (Greens/EFA, DE), presented a report on the above proposal for a Regulation on behalf of the Committee on the Environment, Public Health and Food Safety (ENVI) which contained 150 amendments (amendments 1 to 150) to the proposal. No other amendment was tabled.

II. VOTE

When it voted on 27 February 2024, the plenary of the European Parliament adopted amendments 1 to 150 to the proposal for a Regulation.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto.

P9_TA(2024)0091

Detergents and surfactants

European Parliament legislative resolution of 27 February 2024 on the proposal for a regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004 (COM(2023)0217 – C9-0154/2023 – 2023/0124(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0217)
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0154/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 12 July 2023¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on the Internal Market and Consumer Protection,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0039/2024),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 349, 29.9.2023, p. 121.

Amendment 1
Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

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

Amendment 2
Proposal for a regulation
Recital 10

Text proposed by the Commission

Amendment

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

(10) Phosphorus is **an** ingredient used in detergents. However, phosphorus and its compounds cause **significant** damage to ecosystems and aquatic environments as they contribute to eutrophication. To further ensure a high level of protection of the environment, and reduce the contribution of detergents to that phenomenon, it is necessary to establish harmonised limits on the content of phosphates and phosphorus compounds in **certain consumer and industrial** detergents.

Amendment 3
Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

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

^{1a} Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33)

Amendment 4
Proposal for a regulation
Recital 12 b (new)

Text proposed by the Commission

Amendment

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

Amendment 5
Proposal for a regulation
Recital 14

Text proposed by the Commission

Amendment

(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.

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

Amendment 6

Proposal for a regulation

Recital 15 a (new)

Text proposed by the Commission

Amendment

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

Amendment 7

Proposal for a regulation

Recital 17

Text proposed by the Commission

Amendment

(17) To facilitate compliance of the manufacturers with their obligations under this Regulation, manufacturers established in the Union should be allowed to appoint an authorised representative to carry out specific tasks on their behalf. Moreover, to ensure a clear and proportionate distribution of responsibilities between the manufacturer and the authorised representative it is necessary to set out the list of tasks that manufacturers should be allowed to entrust the authorised representative with. Further, to ensure the enforceability and effectiveness of the market surveillance requirements and that only compliant detergents and surfactants are placed on the Union market, the appointment of an authorised representative should be mandatory when the manufacturer is established outside of the Union.

(17) To facilitate compliance of the manufacturers with their obligations under this Regulation, manufacturers established in the Union should be allowed to appoint an authorised representative to carry out specific tasks on their behalf. ***Such an appointment should be valid only when accepted in writing by the authorised representative.*** Moreover, to ensure a clear and proportionate distribution of responsibilities between the manufacturer and the authorised representative it is necessary to set out the list of tasks that manufacturers should be allowed to entrust the authorised representative with. Further, to ensure the enforceability and effectiveness of the market surveillance requirements and that only compliant detergents and surfactants are placed on the Union market, the appointment of an authorised representative should be mandatory when the manufacturer is established outside of the Union.

Amendment 8
Proposal for a regulation
Recital 18

Text proposed by the Commission

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

Amendment

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

Amendment 9
Proposal for a regulation
Recital 19

Text proposed by the Commission

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

Amendment

(19) In order to safeguard the functioning of the internal market and to ensure that the objective of providing a high level of protection of health and the environment is achieved, it is necessary to establish that detergents and surfactants from third countries entering the Union market also comply with this Regulation. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those products. It is also necessary to lay down rules for importers to ensure that the detergents and surfactants they place on the market comply with those requirements and that the documentation drawn up by manufacturers **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.

Amendment 10
Proposal for a regulation
Recital 20

Text proposed by the Commission

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

Amendment

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

Amendment 11
Proposal for a regulation
Recital 24

Text proposed by the Commission

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

deleted

Amendment

³⁶ 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).

Amendment 12
Proposal for a regulation
Recital 25

Text proposed by the Commission

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

Amendment 13
Proposal for a regulation
Recital 26

Text proposed by the Commission

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

Amendment

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

Amendment

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

Amendment 14
Proposal for a regulation
Recital 28

Text proposed by the Commission

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

Amendment

(28) Fragrance substances are organic compounds with characteristic, usually pleasant, odours, which are widely used in detergents but also in many other products such as perfumes and other perfumed cosmetics. Those substances could cause an allergic reaction upon contact, especially to sensitised persons, even when contained in low concentrations. Therefore, it is important to provide information on the presence of individual allergenic fragrances in detergents so that sensitised persons can avoid contact with the substance to which they are allergic. It is therefore necessary to lay down strict requirements for the labelling of allergenic fragrances. However, those substances could also trigger a labelling requirement under Regulation (EC) No 1272/2008. Specific labelling requirements should therefore be established that would apply only when the labelling thresholds under Regulation (EC) No 1272/2008 are not met. This will not only prevent the unnecessary burden for economic operators but also ensure that end-users receive this information presented in a clear manner thus providing a high level of protection of human health even for sensitised persons.
Appropriate transition periods should be applied to new labelling requirements established by delegated acts.

Amendment 15
Proposal for a regulation
Recital 31

Text proposed by the Commission

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

Amendment

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

Amendment 16
Proposal for a regulation
Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) Digital labelling could increase readability, ease of use and comprehension of labels for consumers, including vulnerable and visually impaired consumers.

Amendment 17
Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) To avoid imposing an unnecessary administrative burden for economic operators and since, *in most cases*, the digital label is *only* complementary to the physical one, economic operators should be able to decide whether to use digital labels or provide all the information on a physical label only. The choice to provide a digital label should rest with manufacturers and importers, who are responsible for providing the accurate set of labelling information.

Amendment

(32) To avoid imposing an unnecessary administrative burden for economic operators and since the digital label is complementary to the physical one, economic operators should be able to decide whether to use digital labels or provide all the information on a physical label only. The choice to provide a digital label should rest with manufacturers and importers, who are responsible for providing the accurate set of labelling information.

Amendment 18
Proposal for a regulation
Recital 33

Text proposed by the Commission

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

Amendment

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

Amendment 19
Proposal for a regulation
Recital 34

Text proposed by the Commission

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

Amendment

(34) For detergents sold to end-users in a refill format, it should be ***ensured that*** all labelling information ***is available in a separately available label which should be attached to the packaging at the moment of refill. This should include the*** dosage instructions for consumer laundry detergents.

Amendment 20
Proposal for a regulation
Recital 35

Text proposed by the Commission

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

Amendment

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

Amendment 21
Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) Given the current development of the digital skills, economic operators should also provide the labelling information by alternative means to end-users when they cannot access the digital label. This obligation should be imposed as a safety measure to reduce any potential risks by the unavailability of the labelling information, ***in particular as regards refilled detergents, where all the information may be provided in a digital label.***

Amendment 22
Proposal for a regulation
Recital 37

Text proposed by the Commission

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

Amendment

(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.

Amendment

(37) Since detergents have the same use and present the same risks irrespective of the format in which they are made available on the market, economic operators making detergents available on the market in a refill format should ensure that these comply with the same requirements as the pre-packaged ones. In addition, consumers should receive the required labelling information also when opting for refilled detergents. ***A physical copy of the label should also always be visible at the refill station.*** The refill sale of detergents should, therefore, be explicitly covered by this Regulation in order to ensure a high level of protection of health and the environment and a level playing field for economic operators. ***In order to further the Union's transition towards a circular economy, the reuse and refill of packaging should be encouraged and promoted. Manufacturers and final distributors should, where feasible, enable and further develop the sale of detergents in refill format at the point of sale and***

should endeavour to make detergents available to consumers in other sustainable sales forms, for example by making detergents available in recyclable packaging that allows consumers to refill the appropriate packaging at home, where possible while ensuring the safety of consumers.

Amendment 23
Proposal for a regulation
Recital 39 a (new)

Text proposed by the Commission

Amendment

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

Amendment 24
Proposal for a regulation
Recital 43

Text proposed by the Commission

Amendment

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

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

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

Amendment 25
Proposal for a regulation
Recital 44

Text proposed by the Commission

(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.

Amendment

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

Amendment 26
Proposal for a regulation
Recital 45

Text proposed by the Commission

(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.

Amendment

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

Amendment 27
Proposal for a regulation
Recital 60

Text proposed by the Commission

(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 this Regulation is achieving its objectives, taking into account the impacts on small and medium-sized enterprises.

Amendment

(60) In view of the need to ensure a high level of health and environmental protection and the need to take into account new developments based on scientific facts, the Commission should submit to the European Parliament and to the Council a report on the application of this Regulation. The Commission should in its report assess inter alia if this Regulation is achieving its objectives, taking into account the impacts on small and medium-sized enterprises.

Amendment 28
Proposal for a regulation
Recital 61

Text proposed by the Commission

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

Amendment

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

Amendment 29
Proposal for a regulation
Recital 61 a (new)

Text proposed by the Commission

Amendment

(61a) In order to facilitate the transition to a fully circular economy, the Commission should assess the introduction of targets for sustainable renewable raw materials and recycled content for detergents.

Amendment 30
Proposal for a regulation
Article 2 – paragraph 1 – point 1 – indent 3

Text proposed by the Commission

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

Amendment

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

Amendment 31
Proposal for a regulation
Article 2 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

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

Amendment 32
Proposal for a regulation
Article 2 – paragraph 1 – point 3 b (new)

Text proposed by the Commission

Amendment

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

Amendment 33
Proposal for a regulation
Article 2 – paragraph 1 – point 3 c (new)

Text proposed by the Commission

Amendment

(3c) ‘industrial and institutional laundry detergent’ means a detergent for laundry placed on the market for use by specialised personnel outside the domestic sphere;

Amendment 34
Proposal for a regulation
Article 2 – paragraph 1 – point 3 d (new)

Text proposed by the Commission

Amendment

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

Amendment 35
Proposal for a regulation
Article 2 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

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

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

Amendment 36
Proposal for a regulation
Article 2 – paragraph 1 – point 20

Text proposed by the Commission

Amendment

(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;

(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 **in** this Regulation **and other applicable Union harmonisation legislation and to ensure protection of the public interest covered by that legislation**;

Amendment 37
Proposal for a regulation
Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘market surveillance authority’ means a market surveillance authority as defined in Article 3, point 4, of Regulation (EU) 2019/1020;

Amendment

(21) ‘market surveillance authority’ means a market surveillance authority as defined in Article 3, point 4, of Regulation (EU) 2019/1020 **as responsible for organising and carrying out market surveillance in the territory of that Member State;**

Amendment 38
Proposal for a regulation
Article 2 – paragraph 1 – point 24

Text proposed by the Commission

(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 affixing;

Amendment

deleted

Amendment 39
Proposal for a regulation
Article 2 – paragraph 1 – point 25

Text proposed by the Commission

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

Amendment

(25) ‘corrective **action**’ means **an action** as defined in Article 3, point 16, of Regulation (EU) 2019/1020^{1a};

^{1a} **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).**

Amendment 40
Proposal for a regulation
Article 2 – paragraph 1 – point 28

Text proposed by the Commission

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

Amendment

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

Amendment 41
Proposal for a regulation
Article 2 – paragraph 1 – point 29

Text proposed by the Commission

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

Amendment

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

Amendment 42
Proposal for a regulation
Article 2 – paragraph 1 – point 33

Text proposed by the Commission

(33) ‘refill’ means the operation by which ***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;***

Amendment

(33) ‘refill’ means the operation by which ***a consumer or a professional user fills a packaging with a detergent offered by a supplier in the course of a commercial activity, whether in return for payment or free of charge;***

Amendment 43
Proposal for a regulation
Article 2 – paragraph 1 – point 34 a (new)

Text proposed by the Commission

Amendment

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

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

Amendment 44
Proposal for a regulation
Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Paragraph 1 shall not apply to the following:

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

Amendment 45
Proposal for a regulation
Article 4 – paragraph 2 – point a – introductory part

Text proposed by the Commission

Amendment

(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:**

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

Amendment 46
Proposal for a regulation
Article 4 – paragraph 2 – point a – point i

Text proposed by the Commission

Amendment

- (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;* **deleted**

Amendment 47
Proposal for a regulation
Article 4 – paragraph 2 – point a – point ii

Text proposed by the Commission

Amendment

- (ii) *the surfactants are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014⁴⁵ ;* **deleted**

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

Amendment 48
Proposal for a regulation
Article 4 – paragraph 2 – point b

Text proposed by the Commission

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

Amendment

(b) *they are included in the review programme as set out in Commission Delegated Regulation (EU) No 1062/2014^{1a};*

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

Amendment 49
Proposal for a regulation
Article 4 – paragraph 2 – point c

Text proposed by the Commission

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

Amendment

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

Amendment 50
Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

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

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

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

Amendment 51
Proposal for a regulation
Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. By... [two years from the entry into force of the delegated act adopted in accordance with the second subparagraph], water-soluble film around detergents shall be degradable.

By... [18 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 27 supplementing Annex I with criteria and test methods for the degradability of water-soluble film around detergents.

Amendment 52
Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The first paragraph shall not apply to detergents that are industrial biocidal products within the meaning of Regulation (EU) No 528/2012 or medical devices within the meaning of Regulation (EU) No 2017/745^{1a}.

^{1a} Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC (OJ L 117, 5.5.2017, p. 1).

Amendment 53
Proposal for a regulation
Article 6 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

The unintentional presence in surfactants and detergents of phosphates and other phosphorus compounds that stems from impurities of ingredients, from the manufacturing process or storage or from migration from packaging, shall be tolerated if that presence is technically unavoidable in good manufacturing practice and, notwithstanding such presence, those surfactants and detergents are safe.

Amendment 54
Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Animal testing

- 1. The safety of detergents and surfactants and conformity with this Regulation shall be established by using non-animal new approach methods validated and adopted at Union level.**
- 2. Without prejudice to the general obligations pursuant to Article 1(1), the following shall be prohibited:**
 - (a) the placing on the market of detergents and surfactants where the final formulation or ingredients or combinations of ingredients have been the object of animal testing with a view to meeting the requirements of this Regulation;**
 - (b) the performance within the Union of animal testing of finished detergents and surfactants or ingredients or combinations of ingredients with a view to meeting the requirements of this Regulation.**
- 3. Paragraphs 1 and 2 shall be applicable without prejudice to relevant Union law, and shall not prevent the use of data acquired before [the date of entry into force of this Regulation].**
- 4. In exceptional circumstances, where concerns arise as regards the safety of a detergent ingredient, the Commission may adopt a decision granting a derogation from paragraphs 1 and 2. The Commission may act on its own initiative or on the basis of a reasoned request from an economic operator or a Member State.**

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

That decision shall lay down the conditions associated with that derogation in terms of specific objectives, duration and reporting of the results. A derogation shall be granted only where:

 - (a) the ingredient is widely used and cannot be replaced by another ingredient capable of performing a similar function;**
 - (b) the human health problem is substantiated and the need to conduct animal tests is justified and is supported by a detailed research protocol proposed as the basis for the evaluation.**

Amendment 55
Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) where relevant, affix the CE marking in accordance with Article 14,

deleted

Amendment 56
Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

Amendment

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

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

Amendment 57
Proposal for a regulation
Article 7 – paragraph 6 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

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

(a) at the time of placing a detergent on the market;

Amendment 58
Proposal for a regulation
Article 7 – paragraph 6 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

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

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

Amendment 59
Proposal for a regulation
Article 7 – paragraph 7

Text proposed by the Commission

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

Amendment 60
Proposal for a regulation
Article 7 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

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

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

Amendment 61
Proposal for a regulation
Article 7 – paragraph 8

Text proposed by the Commission

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

Amendment

8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic *format and, on request, in paper format*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation, in a language which can be easily understood by that authority. ***The relevant information and documentation shall be provided within 20 working days of receipt of the request.*** They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

Amendment 62
Proposal for a regulation
Article 7 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

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

Amendment 63
Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 64
Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

Amendment 65
Proposal for a regulation
Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

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.

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

Amendment 66
Proposal for a regulation
Article 8 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the detergent or surfactant with the requirements laid down in this Regulation;

Amendment

(c) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the detergent or surfactant with the requirements laid down in this Regulation, ***within 20 working days of the receipt of the request and in a language that can be easily understood by that authority;***

Amendment 67
Proposal for a regulation
Article 8 – paragraph 3 – subparagraph 2 – point e

Text proposed by the Commission

(e) terminate the mandate if the manufacturer does not comply with the obligations of the manufacturer under this Regulation.

Amendment

(e) terminate the mandate if the manufacturer does not comply with the obligations of the manufacturer under this Regulation ***and inform, within 20 working days, the market surveillance authority of the Member State in which the manufacturer is established of the termination of the mandate.***

Amendment 68
Proposal for a regulation
Article 8 – paragraph 3 – subparagraph 2 – point e a (new)

Text proposed by the Commission

Amendment

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

Amendment 69
Proposal for a regulation
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. When the authorised representative changes, detailed arrangements related to that change shall be laid down in a mandate in accordance with paragraphs 1, 2, and 3.

Amendment 70
Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

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

deleted

Amendment 71
Proposal for a regulation
Article 9 – paragraph 4

Text proposed by the Commission

Amendment

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

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

Amendment 72
Proposal for a regulation
Article 9 – paragraph 8

Text proposed by the Commission

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

Amendment 73
Proposal for a regulation
Article 9 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8. Importers that consider or have reason to believe that a detergent or surfactant which they have placed on the market is not in conformity with this Regulation shall immediately **inform and cooperate with the manufacturer and the competent authorities and shall immediately** take the corrective **actions** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate. Furthermore, where importers consider or have reason to believe that a detergent or surfactant which they have placed on the market presents a risk to health or the environment, they shall immediately inform the **manufacturer and the** 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 **action** taken.

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

Amendment 74
Proposal for a regulation
Article 9 – paragraph 10

Text proposed by the Commission

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

Amendment

10. Importers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic *format and, on request, in paper format*, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation in a language which can be easily understood by that authority. ***The relevant information and documentation shall be provided within 20 working days of receipt of the request.*** They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by a detergent or surfactant which they have placed on the market.

Amendment 75
Proposal for a regulation
Article 9 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

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

Amendment 76
Proposal for a regulation
Article 10 – paragraph 2 – point b

Text proposed by the Commission

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

Amendment

deleted

Amendment 77
Proposal for a regulation
Article 10 – paragraph 5

Text proposed by the Commission

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

Amendment

5. Distributors that consider or have reason to believe that a detergent or a surfactant which they have made available on the market is not in conformity with this Regulation shall ***immediately inform and cooperate with the manufacturer or importer, as applicable, and the competent authorities and shall ensure*** that the corrective ***actions*** 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 ***action*** taken.

Amendment 78
Proposal for a regulation
Article 10 – paragraph 6

Text proposed by the Commission

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

Amendment

6. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic ***format and, on request, in paper format***, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation. ***The relevant information and documentation shall be provided within 20 working days of receipt of the request.*** They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by detergents and surfactants which they have made available on the market.

Amendment 79
Proposal for a regulation
Article 12 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) to ensure that the package bears his or her name, registered trade name or registered trade mark, postal ***and email*** address ***and telephone number at which they can be contacted*** preceded by the words ‘packaged by’ or ‘repackaged by’;

Proposal for a regulation
Article 14

Text proposed by the Commission

Amendment

Article 14

deleted

Rules and conditions for affixing the CE marking

1. *The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.*

2. *The CE marking shall be affixed visibly, legibly and indelibly before a detergent is placed on the market.*

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.

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.*

Amendment 81

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

Amendment

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

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

Amendment 82

Proposal for a regulation

Article 15 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

- (a) a type number, batch number or other element allowing their identification;

Amendment

- (a) a type **number, model** number, batch number or other element allowing their identification;

Amendment 83

Proposal for a regulation

Article 15 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Amendment 84

Proposal for a regulation

Article 15 – paragraph 5

Text proposed by the Commission

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

Amendment

5. The information referred to in paragraphs 3 and 4 shall be in a language which can be easily understood by end-users, as determined by the Member State concerned, and shall be clear, understandable and intelligible **and shall comply with the requirements set out in Section 1.2.1.4 and 1.2.1.5 of Part 1 of Annex I to Regulation (EC) No 1272/2008**. The label shall be accessible for inspection purposes where the detergent or surfactant is made available on the market.

Amendment 85
Proposal for a regulation
Article 15 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. *Without prejudice to Directive .../...
[Directive of the European Parliament
and of the Council on substantiation and
communication of explicit environmental
claims (Green Claims Directive)
COM/2023/166 final], the label of
detergents and surfactants may report the
fact that no animal tests have been carried
out only if the manufacturer and its
suppliers, where this information can be
identified by the manufacturer with all
reasonable efforts, have not carried out or
commissioned any animal tests on the
finished detergent or surfactant, or its
prototype, or any of the ingredients
contained in it, or used any ingredients
that have been tested on animals by others
for the purpose of developing new
detergents or surfactants. The label may
only report the fact that the detergent or
surfactant is ‘vegan’ or ‘animal-free’ if
no animal-derived ingredients or animal
by-products have been used in the
production and development of the
detergent or surfactant.*

Amendment 86
Proposal for a regulation
Article 16 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) on a physical label;

(a) on a physical label **or**;

Amendment 87
Proposal for a regulation
Article 16 – paragraph 1 – subparagraph 2

Text proposed by the Commission

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

Amendment

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

Amendment 88
Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Amendment 89
Proposal for a regulation
Article 17 – paragraph 1 – point b

Text proposed by the Commission

(b) the information on the digital label shall be searchable;

Amendment

(b) the information on the digital label shall be ***easily*** searchable;

Amendment 90
Proposal for a regulation
Article 17 – paragraph 1 – point e

Text proposed by the Commission

(e) the information on the digital label shall be presented in a **way** that addresses the needs of vulnerable groups and supports, as relevant, the necessary adaptations to facilitate access to the information by those groups;

Amendment

(e) the information on the digital label shall be presented in a **format** that addresses the needs of vulnerable groups, **including persons with disabilities**, and supports, as relevant, the necessary adaptations to facilitate access to the information by those groups;

Amendment 91
Proposal for a regulation
Article 17 – paragraph 1 – point i

Text proposed by the Commission

(i) the information on the digital label shall be accessible via the data carrier.

Amendment

(i) the information on the digital label shall be **easily** accessible via the data carrier.

Amendment 92
Proposal for a regulation
Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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

Amendment

The data carrier shall be physically, **indelibly, visibly and legibly** present on the detergent or surfactant, their packaging or the documentation accompanying them, **in a way that allows it to be processed automatically by digital devices**.

Amendment 93
Proposal for a regulation
Article 17 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Amendment 94
Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

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

Amendment

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

Amendment 95
Proposal for a regulation
Article 17 – paragraph 5 – subparagraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Amendment 96
Proposal for a regulation
Article 18 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

This obligation shall apply 18 months from the entry into force of the implementing act adopted in accordance with paragraph 9.

Amendment 97
Proposal for a regulation
Article 18 – paragraph 2 – point a

Text proposed by the Commission

Amendment

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

(a) it shall correspond ***to a specific model, that shall be updated when changes are made to the list of ingredients, or where appropriate,*** to a specific batch of the detergent or surfactant;

Amendment 98
Proposal for a regulation
Article 18 – paragraph 2 – point d

Text proposed by the Commission

(d) it shall be *up-to date*;

Amendment

(d) it shall be *up-to-date, accurate and complete*;

Amendment 99
Proposal for a regulation
Article 18 – paragraph 2 – point f

Text proposed by the Commission

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

Amendment

(f) it shall be *easily* accessible to *customers*, end-users, *manufacturers, importers, distributors, competent national authorities*, market surveillance authorities, customs authorities, the Commission, other economic operators *and other relevant stakeholders, such as civil society organisations and researchers*;

Amendment 100
Proposal for a regulation
Article 18 – paragraph 2 – point i

Text proposed by the Commission

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

Amendment

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

Amendment 101
Proposal for a regulation
Article 18 – paragraph 3 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 102
Proposal for a regulation
Article 18 – paragraph 3 – subparagraph 3

Text proposed by the Commission

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.

Amendment

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

Amendment 103
Proposal for a regulation
Article 18 – paragraph 9 – subparagraph 1 – introductory part

Text proposed by the Commission

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:

Amendment

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:

Amendment 104
Proposal for a regulation
Article 19 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Amendment 105
Proposal for a regulation
Article 19 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) product passports shall be designed and operated in a user-friendly way;

Amendment 106
Proposal for a regulation
Article 19 – paragraph 1 – point c

Text proposed by the Commission

Amendment

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

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

Amendment 107
Proposal for a regulation
Article 19 – paragraph 1 – point d

Text proposed by the Commission

Amendment

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

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

Amendment 108
Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

Amendment

1. Where the market surveillance authorities of one Member State have sufficient reason to believe that a detergent or surfactant presents a risk to health 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.

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

Amendment 109
Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

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

Amendment 110
Proposal for a regulation
Article 24 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment

1. Where, having carried out an evaluation under Article 22(1), a market surveillance authority finds that although a detergent or surfactant is in compliance with this Regulation, it presents a risk to health or to the environment, it shall require the relevant economic operator to take all appropriate measures to ensure that the detergent or surfactant concerned, when placed on the market, no longer presents that risk, to withdraw the detergent or surfactant from the market or to recall it, within a reasonable period ***laid down by the market surveillance authorities and*** which is commensurate with the nature of that risk.

Amendment 111
Proposal for a regulation
Article 24 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

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

Amendment 112
Proposal for a regulation
Article 25 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the CE marking has been affixed in violation of Article 14 or not affixed at all;

deleted

Amendment 113
Proposal for a regulation
Article 25 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) any other administrative obligation provided for in this Regulation is not fulfilled.

Amendment 114
Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 115
Proposal for a regulation
Article 26 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Where Commission Regulation (EC) 440/2008^{1a} provides for non-animal approaches for testing the respiratory sensitisation properties of micro-organisms, the Commission shall, without undue delay, adopt delegated acts in accordance with Article 27 to amend Annex II to this Regulation by determining the requirements for placing on the market detergents containing micro-organisms in a spray format.

^{1a} 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).

Amendment 116
Proposal for a regulation
Article 26 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. The Commission is empowered to adopt delegated acts in accordance with Article 27 to amend Annex II by updating the standards applicable for the enumeration of micro-organisms to take into account scientific and technical progress.

Amendment 117
Proposal for a regulation
Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011^{1a}, in conjunction with Article 5 thereof, shall apply.

^{1a} 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).

Amendment 118
Proposal for a regulation
Article 29 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 119
Proposal for a regulation
Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

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

- (a) the nature, gravity, and extent of the infringement;***
- (b) the intentional or negligent character of the infringement;***
- (c) the damage to human health or the environment caused by the infringement, insofar as it can be determined;***
- (d) the level of cooperation of the natural or legal person held responsible with the competent authority.***

Amendment 120
Proposal for a regulation
Article 31 – paragraph 1

Text proposed by the Commission

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

Amendment

By [OP: please insert the date = 5 years from the date of application of this Regulation], the Commission shall submit to the European Parliament and to the Council a report on the application of this Regulation. The report shall contain an assessment of:

- (a) how this Regulation is achieving its objectives, including an assessment on the impact on small and medium-sized enterprises;
 - (b) *the risk of the generation of anti-microbial resistance associated with the use of detergents or surfactants with biocidal properties;*
 - (c) *the occurrence of unsubstantiated marketing claims, advertisements and packaging designs which mislead or have the potential to mislead consumers by giving the impression of healthier or environmentally friendlier detergents or surfactants;*
 - (d) *physical and digital labelling requirements of detergents, taking into account the safety of end-users and the environment and the level of digital readiness among all population groups in the Union.*
 - (e) *the feasibility and environmental and socio-economic costs and benefits of a phase out of phosphorus in consumer detergents and of a reduction and where possible phase-out of phosphorus in detergents for industrial & institutional use in line with the commitments under the Baltic Sea Action Plan;*
 - (f) *the environmental, health and socio-economic costs and benefits of extending the generic approach to risk management to detergents and surfactants and of phasing out substances of concern, including those that cause cancers, gene mutations, affect the reproductive or the endocrine system, are persistent and bioaccumulative, affect the immune, neurological or respiratory systems or are toxic to a specific organ, taking into account combination effects, in order to achieve a non-toxic environment.*
- The report shall be accompanied, where appropriate, by a legislative proposal.*

Amendment 121
Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 122
Proposal for a regulation
Article 32 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

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

Amendment 123
Proposal for a regulation
Article 32 a (new)

Text proposed by the Commission

Amendment

Article 32a

Renewable feedstock content review

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

Amendment 124
Proposal for a regulation
Annex II – point 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(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);

(a) shall belong to a collection of an International Depository Authority (IDA) or have had their DNA identified in accordance with a “Strain identification protocol” (using 16S ribosomal DNA sequencing or an equivalent method) ;

Amendment 125
Proposal for a regulation
Annex II – point 2 – point e a (new)

Text proposed by the Commission

Amendment

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

Amendment 126
Proposal for a regulation
Annex II – point 2 – point e b (new)

Text proposed by the Commission

Amendment

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

Amendment 127
Proposal for a regulation
Annex II – point 2 – point e c (new)

Text proposed by the Commission

Amendment

(ec) any other micro-organisms listed in Annex 1, Table 4 of Regulation (EU) 2020/741^{1a}.

^{1a} Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 on minimum requirements for water reuse (OJ L 177, 5.6.2020, p. 32).

Amendment 128
Proposal for a regulation
Annex II – point 5

Text proposed by the Commission

Amendment

5. When placed on the market, detergents containing micro-organisms shall have a standard plate count equal to or greater than 1×10^5 colony-forming units (CFUs) per ml in accordance with ISO 4833-1:2014.

5. When placed on the market, detergents containing micro-organisms shall have a standard plate count equal to or greater than 1×10^5 colony-forming units (CFUs) per ml in accordance with ISO **21149** or ISO 4833-1:2014.

Amendment 129
Proposal for a regulation
Annex II – point 6

Text proposed by the Commission

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

Amendment

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

Amendment 130
Proposal for a regulation
Annex II – point 7

Text proposed by the Commission

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

Amendment

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

Amendment 131
Proposal for a regulation
Annex II – point 9

Text proposed by the Commission

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

Amendment

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

Amendment 132
Proposal for a regulation
Annex III – table

<i>Text proposed by the Commission</i>	
Detergent	Limitations
Consumer laundry detergents	Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,5 grams in the recommended quantity of the detergent to be used in the main cycle of the washing process for a standard washing machine load as defined in Part B of Annex V for hard water: for ‘normally soiled’ fabrics in the case of heavy-duty detergents, for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics.
Consumer automatic dishwasher detergents	Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,3 grams in the standard dosage as defined in Part B of Annex V.
<i>Amendment</i>	
Detergent	Limitations
Consumer laundry detergents	<p>1. Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,5 grams in the recommended quantity of the detergent to be used in the main cycle of the washing process for a standard washing machine load as defined in Part B of Annex V for hard water:</p> <ul style="list-style-type: none"> - for ‘normally soiled’ fabrics in the case of heavy-duty detergents, - for ‘lightly soiled’ fabrics in the case of detergents for delicate fabrics. <p>2. Shall not contain phosphate.</p> <p>3. Shall not be placed on the market if by[4 years from entry into force of this Regulation] the total content of phosphorus is equal to or greater than</p> <ul style="list-style-type: none"> - 0, 1g for ‘lightly soiled’ fabrics in the case of light-duty detergents, - 0, 25g for ‘normally soiled’ fabrics in the case of heavy-duty detergents, - 0, 045 g for stain-removers used as in-wash, - 0, 023 g for stain removers used as pre-treatment, <p>in the recommended quantity of the detergent to be used in the main cycle of the washing process for a standard washing machine load as defined in Part B of Annex V.</p>
Consumer automatic dishwasher detergents	1. Shall not be placed on the market if the total content of phosphorus is equal to or greater than 0,3 grams in the standard dosage as defined in Part B of Annex V.

	<p>2. Shall not contain phosphohate.</p> <p>3. Shall not be placed on the market if by [4 years from entry into force of this Regulation] the total content of phosphorus is equal to or greater than</p> <ul style="list-style-type: none"> - 0, 2 g/wash in dishwasher detergents, - 0, 03g/wash in rinse aids.
<i>Consumer hand dishwashing detergents</i>	Shall not contain phosphate and other phosphorus content by [4 years from entry into force of this Regulation].
<i>Consumer hard surface cleaners</i>	<p>1. Shall not contain phosphate.</p> <p>2. All-purpose cleaners and window cleaners shall not contain phosphorus content by [4 years from entry into force of this Regulation].</p> <p>3. Kitchen cleaners and sanitary cleaners shall not be placed on the market if the total content of phosphorus is equal to or greater than:</p> <ul style="list-style-type: none"> 2 g/l of cleaning solution by [4 years from entry into force of this Regulation] and 1 g/l of cleaning solution by [7 years from entry into force of this Regulation].
<i>Industrial and institutional laundry detergents</i>	<p>Shall not be placed on the market if by [4 years from entry into force of this Regulation] the total content of phosphorus is equal to or greater than</p> <ul style="list-style-type: none"> 0, 5 g/kg of laundry for light soil; 1 g/kg of laundry for medium soil; 1, 5 g/kg of laundry for heavy soil.
<i>Industrial and institutional dishwasher detergents</i>	<p>Shall not be placed on the market if by [7 years from entry into force of this Regulation] the total phosphorus content is equal to or greater than</p> <ul style="list-style-type: none"> - for dishwasher detergents and multi-component systems: -- 0, 3 g/l of washing solution for soft water; -- 0, 4g/l of washing solution for medium water; -- 0, 75g/l of washing solution for hard water. - for pre-soaks 1g/l of washing solution; - for rinse aids 0,02 g/l of washing solution.

Amendment 133
Proposal for a regulation
Annex V – Part A – point 1 – point c

Text proposed by the Commission

Amendment

(c) *anionic* surfactants,

(c) surfactants,

Amendment 134
Proposal for a regulation
Annex V – Part A – point 1 – point d

Text proposed by the Commission

Amendment

(d) *cationic surfactants*,

deleted

Amendment 135
Proposal for a regulation
Annex V – Part A – point 1 – point e

Text proposed by the Commission

Amendment

(e) *amphoteric surfactants*,

deleted

Amendment 136
Proposal for a regulation
Annex V – Part A – point 1 – point f

Text proposed by the Commission

Amendment

(f) *non-ionic surfactants*,

deleted

Amendment 137
Proposal for a regulation
Annex V – Part A – point 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Where a digital label is provided in accordance with Article 16(1) of this Regulation, the preservatives shall be listed, using where possible the system referred to in Article 33 of Regulation (EC) No 1223/2009, irrespective of their concentration.

Amendment 138
Proposal for a regulation
Annex V – Part B – point 1 – point a

Text proposed by the Commission

(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,

Amendment

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

Amendment 139
Proposal for a regulation
Annex V – Part B – point 1 – point c

Text proposed by the Commission

(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,

Amendment

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

Amendment 140
Proposal for a regulation
Annex V – Part B – point 1 – point c a (new)

Text proposed by the Commission

Amendment

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

Amendment 141
Proposal for a regulation
Annex V – Part B – point 3

Text proposed by the Commission

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

Amendment

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

Amendment 142
Proposal for a regulation
Annex V – Part C

Text proposed by the Commission

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.*

Amendment

deleted

Amendment 143
Proposal for a regulation
Annex V – Part D – paragraph 1 – point b

Text proposed by the Commission

(b) the recommended quantities based on **medium/average** water hardness and different degrees of fabric soiling; and

Amendment

(b) the recommended quantities based on **medium** water hardness and different degrees of fabric soiling; and

Amendment 144
Proposal for a regulation
Annex V – Part D – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

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

Amendment 145
Proposal for a regulation
Annex VI – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

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

Amendment 146
Proposal for a regulation
Annex VI – paragraph 1 – point f

Text proposed by the Commission

Amendment

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

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

Amendment 147
Proposal for a regulation
Annex VI – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) the technical documentation and results of the conformity assessment procedure referred to in Article 7(2);

Amendment 148
Proposal for a regulation
Annex VI – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) where applicable, the results of the test carried out by the manufacturer in accordance with point 9 of Annex II and the third party verification statement of those tests;

Amendment 149
Proposal for a regulation
Annex VI – paragraph 1 – point f c (new)

Text proposed by the Commission

Amendment

(fc) where applicable, a link to the digital label referred to in Article 16(1).

Amendment 150
Proposal for a regulation
Annex VI – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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