

NEW EU LEGISLATION FOR DETERGENTS, APPLICABLE IN OCT 2005

The **new detergent regulation (No 648/2004)**, which was adopted by the European Parliament and the Council of 31 March 2004 and published in the Official Journal (8 April 2004), will enter into force on **8 Oct. 2005**. This Regulation consolidates the existing community legislation on biodegradability and labeling of detergents by bringing together the five Directives and the single Regulation current in this field.

While the fundamental policy in this area remains unchanged, this new proposal is intended to enhance environment and human health protection and to harmonize the rules concerning detergents within the Internal Market. However, the main focus of the Regulation remains the protection of the aquatic environment.

Under this Regulation, the definition of detergents is broadened and test methods for assessing the biodegradability of all types of detergent surfactants are now included. The Regulation also requires specific information to be provided on detergent packaging, relating to ingredients, instructions for use and special precautions, if required.

Detergent manufacturers will also be required to provide health care professionals, on request, with a datasheet containing a full list of ingredients for each detergent product placed on the market. This is intended to allow health care professionals to investigate whether a link exists between the development of an allergic response and exposure to a particular chemical substance.

Producers of detergents and surfactants for detergents should be aware of the shift of emphasis under the new Regulation. While under current legislation it falls to Member States' initiative to determine compliance, the new Regulation places responsibility on manufacturers to hold at the disposal of the Member States information relating to the biodegradability of the surfactants used in detergent products according to the tests prescribed in the Regulation.

The Detergent Regulation 648/2004 introduces a stricter series of tests for determining both the primary and the ultimate biodegradability of surfactants. While previous legislation only covers primary biodegradability and is only applicable to anionic and non-ionic surfactants, this Regulation includes the four surfactant families: anionic, non-ionic, cationic and amphoteric. The new Regulation clearly places the emphasis on the ultimate biodegradability of surfactants to address concerns related to the potential toxicity of persistent metabolites. Those detergents containing surfactants that do not fulfill the new requirements will not be permitted on the EU market. A derogation procedure is, however, included in the Regulation to allow for exceptional circumstances.

Thus, the regulation 648/2004 provides rules for (i) placing detergents on the market, (ii) granting derogation, (iii) information to be provided by manufacturers, (iv) labeling on the packaging of detergents for consumers and (v) provides test methods to be used to assess the biodegradability of surfactants used in detergents.

A technical guidance document is currently being developed by the EU commission DG-Enterprise.