

DETERGENTS REGULATION – COMPLEMENTARY RISK ASSESSMENT FOR SURFACTANTS (ANNEX IV)

Industry welcomes the provision in the Detergents Regulation to allow marketing, in exceptional cases, of surfactants failing the “ultimate biodegradability” requirements.

These surfactants are foreseen to be low volume products, particularly developed for industrial and institutional cleaning processes. They are generally used in aggressive conditions, for example in the food industry to achieve sterile equipment, and must have very stable chemical structures in order to survive the cleaning process. As a consequence, they may not degrade easily in a sewage treatment process and would not pass the stringent “ultimate biodegradability” requirements of the Detergents Regulation. They may, however, be essential in certain applications and have societal benefits; which have to be balanced against any possible environmental impact which may arise as a consequence of slow or partial biodegradation.

Annex IV lists the requirements for a complementary risk assessment for surfactants in detergents; which will allow decisions to be made regarding the continued use of such special surfactants. Although industry fully supports the principle of risk assessment for chemicals control, it is concerned that that the proposals in Annex IV are unclear, do not form a logical, step-wise sequence and would require a disproportionate amount of data to be generated at high expense for small volumes of products; often with little possibility of cost recovery in the market place. This would inhibit innovation and seriously disadvantage small and medium enterprises.

Industry believes it essential that Annex IV prescribes clear and proportionate requirements, according to a step-wise process, as follows:

- What is the surfactant? How is it used and why it is needed?
- Will the surfactant degrade in the very rigorous “ultimate biodegradability” tests if it’s given slightly more favourable conditions (pre-adapted inoculum)?
- Does the surfactant have the potential to degrade at all and to what degree is it removed (inherent biodegradability or activated sludge simulation tests)?
- If it is poorly removed, are the residues more or less toxic to the environment than the parent surfactant?
 - If residues are less toxic, carry out a risk assessment based on the environmental profile of the parent surfactant.
 - If more toxic, characterise the metabolites (a very difficult and expensive process) and carry out a risk assessment.

This proposal increases the information burden progressively depending on the observed level of biodegradability. Taken together with scientific expert judgement, as provided by Article 12, industry believes it will provide the desired high level of environmental protection.