

Minutes of the meeting with A.I.S.E. on the Revision of the Detergents Regulation

Participants :

A.I.S.E.

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- [REDACTED] Microbial Cleaning products
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Commission

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The meeting of 4 May 2022 was organised at the request of A.I.S.E. in view of the forthcoming Revision of the Detergents Regulation. The discussion revolved around three main topics the details of which can be found below and in the presentation Annexed to this document.

1) Microbial Cleaning Products (MBCPs)

A.I.S.E. is convinced that MBCPs are already covered by DetReg; no real changes to the Regulation are necessary; and guidance is an appropriate tool to deal with risk assessment. They also claim that all manufacturers of detergents are obliged to perform a risk assessment for any mixture they place on the market according to the General Product Safety Directive.

The Commission questioned whether guidance is sufficient to address the risks related to the use of MBCPs but would also be very interested in seeing the above mentioned risk assessments performed by the industry.

Following the Commission's remarks, A.I.S.E. made it clear that they would be in favour of a risk assessment process for microbes to be included in the revised Detergents Regulation.

2) Refill sale of detergents

A.I.S.E. believes that no specific requirements are needed in the Detergents Regulation for the refill sale of detergents and referred to their recently published guidance to address any outstanding issues. One point that, according to A.I.S.E, requires further attention is the responsibility of the person placing the detergent on the market in a refill format. In particular, A.I.S.E clarified that if the manufacturer is the one who chooses to place his product on the market in a refill format, then he should bear the full

responsibility for it. However, if the product is placed on the market in this format in violation of the agreement between the manufacturer and the retailer, then it should be the latter who assumes the relevant responsibility.

The Commission stated that, in its view, the requirements related to the practice of refill sales should be made clear in the legislation to ensure a level playing field among manufacturers and a harmonised approach as regards this practice across the EU especially in view of the sustainability and environmental benefits that it entails. Further, the Commission agreed with A.I.S.E. that the issue related to the responsibility of the person placing the detergent on the market in a refill format is very important and should be dealt with appropriately.

3) Phosphorus in professional products

Based on a survey and detailed research conducted by A.I.S.E. on the possibility to reduce the use of phosphorus in professional detergents it appears that though limitations on P content seem feasible, these would entail higher costs; require product reformulation; affect products that have already acquired authorisations under other pieces of EU legislation e.g. BPR and MDR (i.e. manufacturers would need to resubmit and acquire a new authorisation); and create significant challenges due to the wide variety and diversity of products used in the professional cleaning sector.

According to the same survey and A.I.S.E. research, substitution of phosphorus is not likely to bring many environmental benefits due to the low contribution of professional detergents to total emissions of P in the EU and the fact that the industry may need to resort to more toxic substitutes. Finally, substitution would significantly affect the performance of professional detergents and would likely have a higher environmental impact e.g. need for higher dosages, need to wash in higher temperatures, longer washing cycles consuming more energy, more toxic substitutes etc.

Finally, the Commission inquired about the use of PVOH in detergents laundry and dishwasher capsules and whether the tests currently used to demonstrate the biodegradability of surfactants under the Detergents Regulation, could, following a small adaption, be also be used to demonstrate the biodegradability of PVOH. A.I.S.E. replied that surfactants and polymers are two different materials and it is not appropriate to treat them in a similar way. Regarding the biodegradation of polymers, A.I.S.E. referred to the ongoing work of ECHA to define biodegradation requirements in natural conditions and environments.

Annex: AISE presentation and position papers