



**2023/0124(COD)**

24.1.2024

# **OPINION**

of the Committee on the Internal Market and Consumer Protection

for the Committee on the Environment, Public Health and Food Safety

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))

Rapporteur for opinion: Maria da Graça Carvalho

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## EXPLANATORY STATEMENT

### Introduction

Detergents are a part of everyday life for all Union citizens. Given the weaknesses identified in the 2019 evaluation of the Detergents Regulation, and the fact that a coherent and stable regulatory framework is essential to accelerate the green and digital transitions, the Rapporteur welcomes the Commission's 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.

The rapporteur, considering the shared and exclusive competences of the IMCO Committee, tabled amendments focusing primarily in three different areas: CE Marking, Digital Product Passport and Digital Labelling.

The rapporteur has drafted this Opinion having regard to five major guiding principles: **consumer protection, reduction of administrative burden/bureaucracy, simplification of requirements, transparency and fostering innovation.**

### 1) CE Marking

The CE marking is a tool designed to demonstrate conformity with applicable rules. According to those rules, conformity assessments and declarations of compliance with EU legislation are responsibilities of the manufacturers, without prior examination by the competent authorities. Furthermore, the digital product passport will be the tool by which manufacturers demonstrate compliance with the requirements of this Regulation. Considering these facts, the rapporteur believes that the CE marking would not add value to the product and it would not protect consumers, leading instead to more bureaucracy, increasing the administrative burden and duplicating compliance procedures. Consequently, the rapporteur has proposed to delete it.

### 2) Digital Product Passport

The Commission's intention is to create a Digital Product Passport (DPP) for each batch. However, in order to ensure more efficiency and reduce the administrative burden, the rapporteur proposes instead that the DPP should be specific to each product model. Nevertheless, the rapporteur also proposes the possibility of a new product passport for a particular batch, namely if the product formulation or composition has changed.

The rapporteur further proposes that the DPP should coexist harmoniously, through synergies, with other product passports provided for in other legislation, by having a single digital product passport that combines the different elements required by the different pieces of Union legislation.

### 3) Digital Labelling

In order to protect consumers, the rapporteur proposes a hybrid labelling system, which includes a physical label and a digital label in order to increase readability and ensure simplification of the label. The physical label shall include information on dosage, health and safety information and information about the manufacturer, in a simpler and legible way, while the digital label shall include all the other relevant information. Instead of having overcrowded labels that are difficult to read, the rapporteur aims for an increased understanding, readability, accessibility, and improved effectiveness of the communication of safety and use information regarding end-users.

The rapporteur understands that both the digital label and the digital product passport shall be

accessed through the same data carrier.

## AMENDMENTS

The Committee on the Internal Market and Consumer Protection calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take the following into account:

### Amendment 1

#### Proposal for a regulation Recital 14

##### *Text proposed by the Commission*

(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.

##### *Amendment*

(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 2

#### Proposal for a regulation Recital 17

##### *Text proposed by the Commission*

(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

##### *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. ***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

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.

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 3**

#### **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 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 4**

#### **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 address and ***email address.***

**Amendment 5**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) Since distributors and importers are close to the marketplace and have an important role in ensuring product compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the detergent or surfactant concerned.

*Amendment*

(22) Since distributors and importers are close to the marketplace and have an important role in ensuring product compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the ***conformity of the*** detergent or surfactant concerned, ***subject to a reasoned request from a competent national authority that is clear and specifically related to a detergent that a distributor has made available on the market.***

**Amendment 6**

**Proposal for a regulation**  
**Recital 24**

*Text proposed by the Commission*

(24) ***The CE marking, indicating the***

*Amendment*

***deleted***

*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 Council<sup>36</sup> 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.*

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<sup>36</sup> *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 7**

### **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

#### *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.



necessary to establish labelling requirements for detergents and surfactants.

It is therefore necessary to establish labelling requirements for detergents and surfactants.

## **Amendment 8**

### **Proposal for a regulation Recital 30**

#### *Text proposed by the Commission*

(30) Information on the correct amount of detergent that consumers need to use when undertaking cleaning activities, namely, dosage information, should be included on the label of consumer laundry and consumer automatic dishwasher detergents in order to prevent the *potential* over-use of detergents thus reducing the total amount of detergent and surfactant entering the environment.

#### *Amendment*

(30) Information on the correct amount of detergent that consumers need to use when undertaking cleaning activities, namely, dosage information, should be included on the label of consumer laundry and consumer automatic dishwasher detergents in order to prevent the over-use of detergents thus reducing the total amount of detergent and surfactant entering the environment.

## **Amendment 9**

### **Proposal for a regulation Recital 30 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***(30 a) To ensure that the language used on packaging can be easily understood by end-users, Member States could use the same requirements as laid down in Article 13 of Regulation (EU) No 1169/2011 on provision of food information to consumers.***

## **Amendment 10**

### **Proposal for a regulation Recital 31**

#### *Text proposed by the Commission*

#### *Amendment*

(31) Digital labelling could improve the

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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.

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, **especially SMEs, by creating a simpler framework**, 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, **while ensuring that elements regarding health and safety remain in the physical label.**

## Amendment 11

### Proposal for a regulation Recital 31 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 12

### Proposal for a regulation Recital 32

*Text proposed by the Commission*

*Amendment*

(32) To avoid imposing an unnecessary administrative burden for economic operators **and since, in most cases, the**

(32) To avoid imposing an unnecessary administrative burden for economic operators, **especially for small and**

*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.*

*medium-sized enterprises, the simplification of the labelling requirements under this Regulation would be beneficial for the industry and end-users.*

## Amendment 13

### 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. ***Different levels of digitalization in the Member States should also be taken into account.*** For this reason, the specific information to be provided **on** a digital label should reflect the current state of the digitalisation of the society and the particular situation of detergents users. ***Digital labels should always have one additional option for end users with insufficient digital skills, such as an AI voice assistant reading out the label.*** In addition, all the labelling information concerning the protection of health and the environment, ***including on the existence of allergens,*** 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 14

### 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) 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, ***manufacturers should be responsible for providing the leaflet or sticker with the labelling information while the retailer should be responsible for handing out this leaflet to the consumer or for affixing the sticker on the refilled bottle.***

## **Amendment 15**

### **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 in maximum two buttons or clicks***, and that mandatory labelling information requested under this Regulation is separated from other information.

## **Amendment 16**

### **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

*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, in particular as regards refilled detergents, *where all the information may be provided in a digital label.*

## Amendment 17

### Proposal for a regulation Recital 39 a (new)

*Text proposed by the Commission*

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.

*Amendment*

*(39 a) To avoid costs to companies and the public that are disproportionate to the wider benefits, the product passport should, as a default, be specific to the product model which includes a combination of the product name along with the unique formula of the detergent. Where 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 18

### Proposal for a regulation Recital 43

*Text proposed by the Commission*

(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.

*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.  
*Furthermore, the requirements for the technical design of the product passport*

*for detergents and surfactants should be compatible with separate technical design criteria foreseen in other EU legislation.*

## **Amendment 19**

### **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 20**

### **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 21**

### **Proposal for a regulation**

#### **Recital 62**

*Text proposed by the Commission*

(62) This Regulation introduces the possibility of providing **all or** part of the mandatory labelling requirements only in digital **labels in certain situations** and requires the creation of a digital product passport for detergents and surfactants. It is, therefore, necessary to provide for sufficient time for economic operators to comply with their obligations under this Regulation, for Member States to set up the administrative infrastructure necessary for its application and for the Commission to prepare the implementation of the product passport's technical requirements. Consequently, the application of this Regulation should be deferred to a date where those preparations can reasonably be finalised.

*Amendment*

(62) This Regulation introduces the possibility of providing part of the mandatory labelling requirements only in digital **label** and requires the creation of a digital product passport for detergents and surfactants. It is, therefore, necessary to provide for sufficient time for economic operators to comply with their obligations under this Regulation, for Member States to set up the administrative infrastructure necessary for its application and for the Commission to prepare the implementation of the product passport's technical requirements. Consequently, the application of this Regulation should be deferred to a date where those preparations can reasonably be finalised.

**Amendment 22**

**Proposal for a regulation**  
**Recital 62 a (new)**

*Text proposed by the Commission*

*Amendment*

***(62 a) In order to ensure coherence between digital labelling and the digital product passport, economic operators that provide digital labelling should only use a single data carrier to access the digital label and the digital product passport, thereby facilitating simple use by the end-user.***

**Amendment 23**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 13**

*Text proposed by the Commission*

*Amendment*

(13) ‘making available on the market’

(13) ‘making available on the market’

means any supply for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;

means any supply *of a detergent or a surfactant* for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge

## Amendment 24

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 14

##### *Text proposed by the Commission*

(14) ‘placing on the market’ means the first making available on the Union market;

##### *Amendment*

(14) ‘placing on the market’ means the first making available *of a detergent or a surfactant* on the Union market;

## Amendment 25

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 16

##### *Text proposed by the Commission*

(16) ‘authorised representative’ means any natural or legal persons established within the Union that have received a written mandate from a manufacturer to act on their behalf in relation to specified tasks;

##### *Amendment*

(16) ‘authorised representative’ means any natural or legal persons established within the Union that have received a written mandate from a manufacturer to act on their behalf in relation to specified tasks *with regard to the manufacturer’s obligations under this Regulation;*

## Amendment 26

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 19

##### *Text proposed by the Commission*

(19) ‘economic operator’ means the manufacturer, the authorised representative, the importer *or* the distributor;

##### *Amendment*

(19) ‘economic operator’ means the manufacturer, the authorised representative, the importer, the distributor, *or any other natural or legal person who is subject to obligations in relation to the manufacture of products, making them*



*available on the market or putting them into service in accordance with the relevant Union harmonisation legislation and this Regulation;*

## **Amendment 27**

### **Proposal for a regulation Article 2 – paragraph 1 – point 20**

*Text proposed by the Commission*

(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;

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

## **Amendment 28**

### **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 29**

### **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

*Amendment*

*deleted*

*detergent is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing;*

### **Amendment 30**

#### **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 a measure as defined in Article 3, point 16, of Regulation (EU) 2019/1020;

### **Amendment 31**

#### **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 32**

#### **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 33**

#### **Proposal for a regulation Article 2 – paragraph 1 – point 34 a (new)**

*Text proposed by the Commission*

*Amendment*

***(34 a) ‘model’ means a specific type of detergent or surfactant, which includes a combination of the product name along with the unique formula, in accordance with the Unique Formula Identifier (UFI), according to Annex VIII to Regulation (EC) No 1272/2008, irrespective of whether a UFI code is required under that regulation.***

#### **Amendment 34**

##### **Proposal for a regulation**

##### **Article 7 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Manufacturers shall draw up the technical documentation referred to in Annex IV and carry out the conformity assessment procedure referred to in that Annex.

***Before placing a detergent or surfactant on the market, manufacturers shall carry out an internal risk analysis and*** draw up the technical documentation referred to in Annex IV and carry out the conformity assessment procedure referred to in that Annex.

#### **Amendment 35**

##### **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 36**

##### **Proposal for a regulation**

##### **Article 7 – paragraph 3**

*Text proposed by the Commission*

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.

*Amendment*

3. Manufacturers shall **draw up and keep up to date** 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 37**

#### **Proposal for a regulation Article 7 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

When deemed appropriate with regard to the performance of, or the risks presented by, a detergent or surfactant, manufacturers shall carry out sample testing of **such** detergents or surfactants, investigate, and, **if necessary, keep a** register of complaints, of non-conforming detergents or surfactants and recalls of such detergent or surfactants, and shall keep distributors informed of any such monitoring.

*Amendment*

When deemed appropriate **and proportionate** with regard to the performance of, or the risks presented by, a detergent or surfactant, manufacturers shall carry out sample testing of detergents or surfactants, investigate, and **keep an internal** register of complaints, of non-conforming detergents or surfactants and recalls of such detergent or surfactants **or other corrective measures to bring the detergent or surfactant into conformity**, and shall keep distributors informed of any such monitoring. **The register shall be available to competent national authorities upon request. The internal register of complaints shall only store those personal data that are necessary for the manufacturer to investigate the complaint about an alleged dangerous detergents or surfactants. Such data shall only be kept as long as is necessary for the purposes of the investigation and in any event no longer than five years after the data have been entered.**

### **Amendment 38**

## Proposal for a regulation

### Article 7 – paragraph 4 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***Manufacturers shall investigate complaints submitted, and information received on accidents, that concern the safety of products they made available on the market and which have been alleged to be dangerous by the complainant, and shall keep an internal register of those complaints as well as of product recalls and any corrective measures taken to bring the detergent or surfactant into conformity.***

## Amendment 39

### 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 40

### Proposal for a regulation

#### Article 7 – paragraph 7

*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 ***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

7. Manufacturers that consider or have reason to believe that a detergent or surfactant which they have placed on the market ***after the entry into force of this Regulation*** is not in conformity with this Regulation shall, ***without undue delay*** take the corrective ***action*** necessary to bring that detergent or surfactant into conformity, to ***immediately*** withdraw it or to recall it, as appropriate. Furthermore,

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.

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 *action* taken.

## Amendment 41

### Proposal for a regulation

#### Article 7 – paragraph 7 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 42

### Proposal for a regulation

#### Article 7 – paragraph 8

*Text proposed by the Commission*

*Amendment*

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

8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation, in electronic form **and, if requested, in paper format**, necessary to demonstrate the conformity of the detergent or surfactant with this Regulation, in **the official language or languages of a Member State**

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.

*from* which *the* authority *originates*. *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 43**

##### **Proposal for a regulation**

##### **Article 7 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

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

#### **Amendment 44**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1 a.** *The appointment shall be valid only when accepted in writing by the authorised representative.*

#### **Amendment 45**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Where the manufacturer is not

2. Where the manufacturer is not

established in the Union, the detergent or surfactant may only be placed on the Union market if the manufacturer designates, by a written mandate, an authorised representative.

established in the Union, the detergent or surfactant may only be placed on the Union market if the manufacturer designates, by a written mandate, an authorised representative, ***prior to making their products available on the Union market.***

## **Amendment 46**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

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

## **Amendment 47**

### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

The mandate shall allow the authorised representative to do ***at least*** the following:

The mandate shall allow the authorised representative to do the following:

## **Amendment 48**

### **Proposal for a regulation**

#### **Article 8 – paragraph 3 – subparagraph 2 – point c**

*Text proposed by the Commission*

*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;

(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 an***



*official EU language that can be easily understood by that authority;*

#### **Amendment 49**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 3 – subparagraph 2 – point d**

*Text proposed by the Commission*

(d) cooperate with the competent national authorities, at their request, on any action taken to eliminate the risks posed by a detergent or surfactant covered by the authorised representative's mandate.

*Amendment*

(d) cooperate with the competent national authorities, at their request, on any action taken ***with regard to non-compliance of a detergent or surfactant or*** to eliminate the risks posed by a detergent or surfactant covered by the authorised representative's mandate;

#### **Amendment 50**

##### **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 without undue delay inform the market surveillance authority of the Member State in which the manufacturer is established;***

#### **Amendment 51**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 3 – subparagraph 2 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(e a) perform other tasks if foreseen in the written mandate;***

#### **Amendment 52**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 2 – point e b (new)**

*Text proposed by the Commission*

*Amendment*

*(e b) where the authorised representative considers or has reason to believe that a detergent or a surfactant is dangerous, inform the manufacturer thereof;*

**Amendment 53**

**Proposal for a regulation**

**Article 8 – paragraph 3 – subparagraph 2 – point e c (new)**

*Text proposed by the Commission*

*Amendment*

*(e c) where the authorised representative changes, procedures shall be put in place to ensure an effective transfer of the mandate that allows the incoming authorised representative to carry out the tasks of the mandate.*

**Amendment 54**

**Proposal for a regulation**

**Article 8 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*4 a. Authorised representatives shall have the appropriate means to be able to fulfil their tasks.*

**Amendment 55**

**Proposal for a regulation**

**Article 9 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the detergent bears the CE*

*deleted*

*marking referred to in Article 14;*

## **Amendment 56**

### **Proposal for a regulation Article 9 – paragraph 3**

*Text proposed by the Commission*

3. Where an importer considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the importer shall not place the detergent or surfactant on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or to the environment, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

*Amendment*

3. Where an importer considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the importer shall not place the detergent or surfactant on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or to the environment, the importer shall ***without undue delay*** inform the manufacturer and the market surveillance authorities to that effect.

## **Amendment 57**

### **Proposal for a regulation Article 9 – paragraph 4**

*Text proposed by the Commission*

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***.

*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. ***That information shall be placed on the product or, where that is not possible, on its packaging or in a document accompanying the product.*** The contact details shall be ***clear, understandable and legible***.

## **Amendment 58**

### **Proposal for a regulation Article 9 – paragraph 7**

*Text proposed by the Commission*

7. When deemed appropriate with regard to the performance of a detergent or surfactant or the risks presented by them, importers shall carry out sample testing of such detergents and surfactants, investigate, and, ***if necessary, keep a*** register of complaints, of non-conforming detergents and surfactants and recalls of such detergents and surfactants, and shall keep distributors informed of any such monitoring.

*Amendment*

7. When deemed appropriate with regard to the performance of a detergent or surfactant or the risks presented by them, importers shall carry out sample testing of such detergents and surfactants, investigate, and ***keep an internal*** register of complaints, of non-conforming detergents and surfactants and recalls of such detergents and surfactants, and shall keep distributors informed of any such monitoring. ***Such a register shall be made available to the competent national authorities upon request and within 20 working days of any such request.***

**Amendment 59**

**Proposal for a regulation**

**Article 9 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***7 a. Importers shall investigate complaints submitted, and information received on accidents, that concern the safety of detergents or surfactants they made available on the market, and file in the register referred to in Article 9 (7a new)), such complaints, as well as any other corrective measures taken to bring the detergent into conformity. Importers shall keep the concerned economic actors informed in a timely manner.***

**Amendment 60**

**Proposal for a regulation**

**Article 9 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

***7 b. The register of complaints shall only store those personal data that are***

*necessary for the importer to investigate the complaint about an alleged dangerous detergent or surfactant. Such data shall only be kept for as long as is necessary for the purposes of the investigation and in any event no longer than five years after the data have been entered.*

## **Amendment 61**

### **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*

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 ***without undue delay*** take the corrective ***action*** necessary to bring that detergent or surfactant into conformity, to ***immediately*** 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 ***action*** taken.

## **Amendment 62**

### **Proposal for a regulation Article 9 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***8 a. Importers shall, upon request from market surveillance authorities, share relevant information with relevant***

*economic operators, including distributors, and authorised representatives, in the supply chain concerned in a timely manner as regards any conformity issue or risk to the health or the environment that they have identified, and of any corrective action, recall or withdrawal.*

## Amendment 63

### 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, upon 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 64

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

*Text proposed by the Commission*

*Amendment*

***10 a. Importers shall verify whether the communication channels referred to in Article 7(8a) are publicly available to consumers, thereby allowing them to submit complaints and concerns about potential non-conformity of products.***

*Where such channels are not available, importers shall provide for them, taking into account accessibility needs for persons with disabilities.*

## **Amendment 65**

### **Proposal for a regulation Article 10 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

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

*deleted*

## **Amendment 66**

### **Proposal for a regulation Article 10 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Where a distributor considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the distributor shall not make the detergent or surfactant available on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or the environment, the distributor shall inform the manufacturer and, where relevant, the authorised representative or the importer to that effect as well as the market surveillance authorities.

3. Where a distributor considers or has reason to believe that a detergent or surfactant is not in conformity with this Regulation, the distributor shall not make the detergent or surfactant available on the market until it has been brought into conformity. Furthermore, where the detergent or surfactant presents a risk to health or the environment, the distributor shall ***without undue delay*** inform the manufacturer and, where relevant, the authorised representative or the importer to that effect as well as the market surveillance authorities.

## **Amendment 67**

### **Proposal for a regulation Article 10 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. Distributors that consider or have

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.

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 **action** necessary to bring that detergent or surfactant into conformity, to withdraw it or to recall it, as appropriate, are **immediately** 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 68

### 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 69



**Proposal for a regulation**  
**Article 11 – paragraph 1**

*Text proposed by the Commission*

An *importer or distributor* shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer under Article 7 where that *importer or distributor* places a detergent or surfactant on the market under his or her name or trademark or modifies a detergent or surfactant already placed on the market in such a way that compliance with this Regulation may be affected.

*Amendment*

An *economic operator other than a manufacturer* shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer under Article 7 where that *economic operator* places a detergent or surfactant on the market under his or her name or trademark or modifies a detergent or surfactant already placed on the market in such a way that compliance with this Regulation may be affected.

**Amendment 70**

**Proposal for a regulation**  
**Article 14**

*Text proposed by the Commission*

**Article 14**

***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.***

*Amendment*

*deleted*

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 71

### Proposal for a regulation Article 15 – paragraph 2

*Text proposed by the Commission*

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.

*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 *and* the data carrier through which the digital *part of the* label is accessible to the end-user.

## Amendment 72

### 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 *where relevant*, or other element allowing their identification

## Amendment 73

### 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 *and, where relevant, the authorised representative'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 74**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 3 – subparagraph 1 – point e**

*Text proposed by the Commission*

(e) instructions for use **and** special precautions, where necessary and relevant.

*Amendment*

(e) instructions for use, **and health, and safety** special precautions, where necessary and relevant.

#### **Amendment 75**

##### **Proposal for a regulation**

##### **Article 16 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

Where detergents or surfactants are made available on the market, they shall be accompanied by the label elements **set out in Article 15(3) and, where applicable, Article 15(4)** in the following form:

*Amendment*

Where detergents or surfactants are made available on the market, they shall be accompanied by the label elements in the following form:

#### **Amendment 76**

##### **Proposal for a regulation**

##### **Article 16 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

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

*Amendment*

(a) a physical label **with the elements set out in Article 15(3) points (a), (b), (c) and (e) and, where applicable, the dosage information, as set out in Article 15(4), as well as the criteria foreseen in Annex V Part A (4), on allergenic fragrances, where a warning shall be placed using the common ingredient name; and**

#### **Amendment 77**

**Proposal for a regulation**

**Article 16 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

(b) *on a digital label and duplicated on a physical label.*

*Amendment*

(b) a digital label *with all the elements set out in Article 15 and other relevant information, such as safe disposal ways and best practices.*

**Amendment 78**

**Proposal for a regulation**

**Article 16 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*All information contained in the physical label as outlined in point (a) of the first subparagraph shall be duplicated on the digital label.*

**Amendment 79**

**Proposal for a regulation**

**Article 16 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*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.*

*deleted*

**Amendment 80**

**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 81**

**Proposal for a regulation**  
**Article 17 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) all label elements referred to in Article 15(3) ***and, where applicable,*** Article 15(4) shall be provided in one place and separated from other information;

**Amendment 82**

**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 83**

**Proposal for a regulation**  
**Article 17 – paragraph 1 – point c**

*Amendment*

2. Where detergents are made available on the market directly to ***the*** end-user in a refill format, ***a leaflet or sticker containing the physical label information referred to in Article 16(1a) shall be provided to the end-user.***

*Amendment*

(a) all label elements referred to in Article 15(3) ***in accordance with Article 16(1)***, shall be provided in one place and separated from other information;

*Amendment*

(b) the information on the digital label shall be searchable, ***by the various technological means;***

*Text proposed by the Commission*

(c) the information on the digital label shall be accessible to all users in the Union;

*Amendment*

(c) the information on the digital label shall be ***easily and directly*** accessible to all users in the Union;

**Amendment 84**

**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 ***language and 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 85**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point h**

*Text proposed by the Commission*

(h) the digital label shall remain available for a period of 10 years from the moment the detergent or surfactant is placed on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created it, or for a longer period as required under other Union legislation covering the information that it contains;

*Amendment*

(h) the digital label shall remain available ***until the expiry date of the detergent or surfactant, or, if the detergent or surfactant does not have an expiry date, for a*** for a period of 10 years from the moment the detergent or surfactant is placed on the market, also in cases of an insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created it, or for a longer period as required under other Union legislation covering the information that it contains;

**Amendment 86**

**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 87**

**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 present, **in a visible form**, 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 88**

**Proposal for a regulation**  
**Article 17 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the **refill station**.

*Amendment*

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the **leaflet or sticker**.

**Amendment 89**

**Proposal for a regulation**  
**Article 17 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

The data carrier shall be clearly visible to the end-user before any purchase and to

*Amendment*

The data carrier shall be clearly visible, **legible, accessible and easily**

market surveillance authorities, including, where applicable, in cases where the detergent or surfactant is made available through distance sales.

**understandable** 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 90

### 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. **Regarding the information present on the digital label,** economic operators **shall** provide **on their** data carrier shall be accompanied by the statement ‘**Please scan for** more information’ or by a similar statement, **or a pictogram**.

## Amendment 91

### 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, **arising from the Regulation (EU) No 2016/679**.

## Amendment 92

### 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 93

### Proposal for a regulation Article 17 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5 a.** *To access the digital label and the Digital Product Passport a single data carrier shall be used.*

## Amendment 94

### 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 the UPI changes, or where appropriate,* to a specific batch of the detergent or surfactant, *namely changes are made to the list of ingredients;*

## Amendment 95

### Proposal for a regulation Article 18 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(b a)** *it shall contain the results of the conformity assessment procedure, carry out by the manufacturer;*

## Amendment 96

### Proposal for a regulation Article 18 – paragraph 2 – point c

*Text proposed by the Commission*

(c) it shall contain at least the information included in Annex VI;

*Amendment*

(c) it shall contain at least the information included in Annex VI ***taking into account the need to protect confidential business information and trade secrets in accordance with Directive (EU) 2016/943 and ensuring information is shared in a secure way;***

**Amendment 97**

**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 98**

**Proposal for a regulation  
Article 18 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) it shall be available in the language or languages required by the Member State where the detergent or surfactant is placed or made available on the market;

*Amendment*

(e) it shall be available in the language or ***a maximum of three*** languages required by the Member State where the detergent or surfactant is placed or made available on the market;

**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 end-users, market surveillance authorities, customs authorities, the Commission, other economic operators ***and other relevant***

*stakeholders such as civil society organisations, researchers and trade unions;*

## **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 2**

*Text proposed by the Commission*

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the *refill station*.

*Amendment*

In addition to the requirement in the first subparagraph, where detergents and surfactants are made available on the market in a refill format, the data carrier shall be present on the *leaflet or sticker*.

## **Amendment 103**

**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 104**

**Proposal for a regulation**  
**Article 18 – paragraph 4**

*Text proposed by the Commission*

4. ***Where economic operators provide a digital label,*** a single data carrier shall be used to access the ***product passport*** and the digital ***label.***

*Amendment*

4. A single data carrier shall be used to access the ***digital label*** and the digital ***product passport in accordance with Article 17(5a).***

**Amendment 105**

**Proposal for a regulation**  
**Article 18 – paragraph 6**

*Text proposed by the Commission*

6. Where other Union legislation applying to detergents and surfactants requires a product passport, a single product passport shall be created for detergents and surfactants, containing the information set out in paragraph 2 as well as any other information required for the product passport by that other Union legislation.

*Amendment*

6. Where other Union legislation applying to detergents and surfactants requires a product passport, a single product passport shall be created for detergents and surfactants, containing the information set out in paragraph 2 as well as any other information required for the product passport by that other Union legislation. ***The technical design and operation of such a single product passport shall fulfil the requirements foreseen in Article 19 of this Regulation and shall be compatible with separate technical design criteria foreseen in other***

**Regulation.**

**Amendment 106**

**Proposal for a regulation**

**Article 18 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8 a. The product passport shall be one of the primary means for the competent national authorities to facilitate the verification of compliance of the detergent or surfactant with the provisions of this Regulation.**

**Amendment 107**

**Proposal for a regulation**

**Article 19 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(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;

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

**Amendment 108**

**Proposal for a regulation**

**Article 19 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) product passports shall be designed and operated so that they are user-friendly;**

**Amendment 109**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – point c**

*Text proposed by the Commission*

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

*Amendment*

(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 110**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – point d**

*Text proposed by the Commission*

(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;

*Amendment*

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

**Amendment 111**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. Before placing a detergent or surfactant on the market, economic operators shall upload, in the registry established under Article 12(1) of Regulation (EU) .../... on Ecodesign for Sustainable Products the unique product identifier and the unique operator identifier for the detergent or surfactant.

*Amendment*

1. Before placing a detergent or surfactant on the market, **and following the adoption of implementing acts in accordance with Article 18(9)**, economic operators shall upload, in the registry established under Article 12(1) of Regulation (EU) .../... on Ecodesign for Sustainable Products the unique product identifier and the unique operator identifier for the detergent or surfactant.

**Amendment 112**

**Proposal for a regulation**  
**Article 22 – paragraph 1**

*Text proposed by the Commission*

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.

*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, **safety** or the environment, they shall carry out an evaluation in relation to the detergent or surfactant concerned covering all requirements **relevant to the risk and** laid down in this Regulation. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

**Amendment 113**

**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*

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 **prescribed by the market surveillance authorities and** commensurate with the nature of the risk referred to in paragraph 1.

**Amendment 114**

**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*

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 ***prescribed by the market surveillance authorities and*** which is commensurate with the nature of that risk.

**Amendment 115**

**Proposal for a regulation**

**Article 25 – paragraph 1 – point a**

*Text proposed by the Commission*

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

*Amendment*

*deleted*

**Amendment 116**

**Proposal for a regulation**

**Article 25 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(e a) any other administrative obligation foreseen in the Regulation is not fulfilled.***

**Amendment 117**

**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, dissuasive **and should take into account the size of the enterprise and its experience on the market**. Member States shall, without delay, notify the Commission of those measures and of any subsequent amendment affecting them.

**Amendment 118**

**Proposal for a regulation  
Article 34 – paragraph 1**

*Text proposed by the Commission*

Member States shall not impede the making available on the market of detergents and surfactants which are placed on the market before [OP: please insert the date = **30** months from the date of entry into force of this Regulation] in conformity with Regulation (EC) No 648/2004 as applicable on ... [OP: please insert the date = one day before **30** months from the date of entry into force of this Regulation]

*Amendment*

Member States shall not impede the making available on the market of detergents and surfactants which are placed on the market before [OP: please insert the date = **42** months from the date of entry into force of this Regulation] in conformity with Regulation (EC) No 648/2004 as applicable on ... [OP: please insert the date = one day before **42** months from the date of entry into force of this Regulation]

**Amendment 119**

**Proposal for a regulation  
Article 34 – paragraph 2**

*Text proposed by the Commission*

Detergents and surfactants which, are placed on the market after [OP: please insert the date of application = one day before **30** months from the date of entry into force of this Regulation] and which at the moment of their placing on the market

*Amendment*

Detergents and surfactants which, are placed on the market after [OP: please insert the date of application = one day before **42** months from the date of entry into force of this Regulation] and which at the moment of their placing on the market

comply with Regulation (EC) No 648/2004 as applicable on [OP: please insert the date of application = one day before **30** months from the date of entry into force of this Regulation], may be made available on the market until [OP: please insert the date = 36 months from the date of entry into force of this Regulation].

comply with Regulation (EC) No 648/2004 as applicable on [OP: please insert the date of application = one day before **42** months from the date of entry into force of this Regulation], may be made available on the market until [OP: please insert the date = 36 months from the date of entry into force of this Regulation].

## Amendment 120

### 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 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, ***or the recommended dosage instructions expressed in number of units (e.g. capsules, caps) corresponding to a standard washing machine load, adjusting the standard dosage where necessary for soft, medium and hard water hardness,***

## Amendment 121

### 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, namely tablets or capsules***, 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 122**

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

*Text proposed by the Commission*

*Amendment*

***(f a) the conformity assessment carried out by the manufacturer.***

**ANNEX: ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

<b>Entity and/or person</b>
A.I.S.E. - Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien
EurEau - European Federation of National Associations of Water Services
CESIO – European Committee of Organic Surfactants and their Intermediates
EuroCommerce
American Chamber of Commerce to the European Union
Cefic- European Chemical Industry Council
Independent Retail Europe (formerly UGAL - Union of Groups of Independent Retailers of Europe)
Association of Manufacturers and Formulators of Enzyme Products – AMFEP
AISDPCL - Associação dos Industriais de Sabões, Detergentes e Produtos de Conservação e Limpeza (A.I.S.E. associate)
Energizer

The list above is drawn up under the exclusive responsibility of the rapporteur.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004
<b>References</b>	COM(2023)0217 – C9-0154/2023 – 2023/0124(COD)
<b>Committee responsible</b> Date announced in plenary	ENVI 1.6.2023
<b>Opinion by</b> Date announced in plenary	IMCO 1.6.2023
<b>Associated committees - date announced in plenary</b>	5.10.2023
<b>Rapporteur for the opinion</b> Date appointed	Maria da Graça Carvalho 5.9.2023
<b>Discussed in committee</b>	13.11.2023      4.12.2023
<b>Date adopted</b>	24.1.2024
<b>Result of final vote</b>	+:                    40 -:                    1 0:                    0
<b>Members present for the final vote</b>	Alex Agius Saliba, Andrus Ansip, Pablo Arias Echeverría, Laura Ballarín Cereza, Alessandra Basso, Brando Benifei, Biljana Borzan, Vlad-Marius Botoș, Markus Buchheit, Anna Cavazzini, Dita Charanzová, Deirdre Clune, David Cormand, Alexandra Geese, Sandro Gozi, Maria Grapini, Svenja Hahn, Eugen Jurzyca, Włodzimierz Karpiński, Arba Kokalari, Marcel Kolaja, Kateřina Konečná, Andrey Kovatchev, Maria-Manuel Leitão-Marques, Antonius Manders, Beata Mazurek, Leszek Miller, Miroslav Radačovský, René Repasi, Christel Schaldemose, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Róza Thun und Hohenstein, Tom Vandenkendelaere, Kim Van Sparrentak
<b>Substitutes present for the final vote</b>	Maria da Graça Carvalho, Salvatore De Meo, Carlo Fidanza, Ivars Ijabs, Stelios Kouloglou

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ECR	Carlo Fidanza, Eugen Jurzyca, Beata Mazurek
ID	Alessandra Basso
NI	Miroslav Radačovský
PPE	Pablo Arias Echeverría, Maria da Graça Carvalho, Deirdre Clune, Salvatore De Meo, Włodzimierz Karpiński, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Tom Vandenkendelaere
Renew	Andrus Ansip, Vlad-Marius Botoș, Dita Charanzová, Sandro Gozi, Svenja Hahn, Ivars Ijabs, Róza Thun und Hohenstein
S&D	Alex Agius Saliba, Laura Ballarín Cereza, Brando Benifei, Biljana Borzan, Maria Grapini, Maria-Manuel Leitão-Marques, Leszek Miller, René Repasi, Christel Schaldemose
The Left	Kateřina Konečná, Stelios Kouloglou
Verts/ALE	Anna Cavazzini, David Cormand, Alexandra Geese, Marcel Kolaja, Kim Van Sparrentak

1	-
ID	Markus Buchheit

0	0

**Key to symbols:**

+ : in favour

- : against

0 : abstention