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98/480/EC: Commission Recommendation of 22 July 1998 concerning good environmental practice for household laundry detergents (notified under document number C(1998) 2163)

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COMMISSION RECOMMENDATION of 22 July 1998 concerning good environmental practice for household laundry detergents (notified under document number C(1998) 2163) (98/480/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 155, second indent, thereof,

Whereas detergents and cleaning products are already subject to certain Community provisions concerning the manufacture, proper handling, usage and labelling, in particular with reference to Council Directive 73/404/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to detergents (1), as last amended by Directive 86/94/EEC (2), and Commission Recommendation 89/542/EEC of 13 September 1989 for the labelling of detergents and cleaning products (3);

Whereas Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (4), as last amended by Directive 96/65/EC (5), shall apply to detergents classified as dangerous within the meaning of Article 3 of the abovementioned Directive;

Whereas the actions envisaged in this recommendation are without prejudice to the requirements set out in European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (6);

Whereas separate Community requirements apply to cosmetic products, which are not covered by this recommendation;

Whereas the ecological criteria for the award of the Community eco-label to laundry detergents established by Commission Decision 95/365/EC (7) are different from the present recommendation, so manufacturers should give due consideration to applying for the European Community eco-label in addition to complying with this recommendation;

Whereas the Commission has established guidelines for the effective use of environmental agreements in a communication to the Council and the European Parliament (8); whereas the Council and the European Parliament, in their resolutions of 17 July 1997 and of 7 October 1997 on environmental agreements, have recognised that such agreements may be a valuable instrument to make optimum use of industry's own responsibility (9);

Whereas the Commission considers that, in order to enhance the effectiveness and to guarantee the transparency and credibility of this industry commitment recognised by the Commission through a Commission recommendation, all the interested parties are to be consulted on the recommendation and in particular on its implementation and the results achieved;

Whereas the reduction of washing temperatures would decrease energy consumption and thus decrease CO<sub>2</sub> emissions;

Whereas reducing the consumption of detergents and their packaging is likely to lower the general environmental impact related to detergents;

Whereas the reduction of the poorly biodegradable ingredients in detergents will reduce the effects of detergents on the environment;

Whereas industry elaborated a code of conduct in order to improve the

information available to consumers to ensure proper usage and in particular the dosing of detergents by more detailed labelling, educational advertising and other programmes aimed at increasing consumer awareness, to save resources and to bring about a direct positive impact on water quality and on the environment in general;

Whereas there are, within each Member State, national associations which represent the great majority of the undertakings in the detergents and cleaning products industry in that Member State, each of which is a member of the AISE (Association internationale de la savonnerie, de la détergence et des produits d'entretien) and which have committed themselves to implement this Commission recommendation;

Whereas the AISE, which represents over 90 % of the detergent and cleaning product industries in the Community, has committed itself to ensure compliance with this recommendation in cooperation with the national associations;

Whereas non-AISE members who are selling, marketing or producing household laundry detergents within the European Community and the European Economic Area may also participate in this undertaking;

Whereas the results achieved under this recommendation should be communicated to the European Parliament, to the Council and to the public, in line with the Commission communication on environmental agreements;

Whereas the implementation of this Commission recommendation should be assured on the one hand by the undertaking to the Commission by the AISE to ensure compliance with the provisions of this recommendation and on the other hand by the national associations who will cooperate with the authorities of the Member States in order to ensure the implementation of these provisions;

Whereas this recommendation should be implemented as soon as possible in order to reduce the environmental impact related to the use of household detergents;

Whereas further efforts by producers and consumers will be necessary to achieve sustainable development,

HEREBY RECOMMENDS:

#### Article 1

For the purpose of this recommendation 'household laundry detergents' means products sold to the general public which are intended for washing domestic laundry.

#### Article 2

The total amount of energy used per wash cycle for the product group as defined in Article 1 should be reduced by 5 % by the year 2002 compared with 1996.

#### Article 3

The consumption per capita in the European Community of the product group as defined in Article 1 should be reduced by 10 % by the year 2002 compared with 1996.

#### Article 4

The consumption per capita of the primary and secondary packaging of the product group as defined in Article 1 should be reduced by 10 % by the year 2002 compared with 1996.

#### Article 5

The content of all poorly biodegradable organic ingredients, as defined in the Annex should be decreased by 10 % for the product group as defined in Article 1 by the year 2002 compared with 1996.

#### Article 6

Without prejudice to Council Directive 84/450/EEC (10) concerning misleading advertising, consumers should be provided with information designed to encourage the correct use of household laundry detergents.

#### Article 7

In order to monitor the progress of this recommendation, statistics will be collected in the Member States. The collected statistics should be reported to the Commission and respectively to the national authorities. The information and

the data to be collected as well as the process for data collection and verification are defined in the Annex.

The national associations of the AISE and the AISE itself will provide for an outside organisation to collect and process statistics.

#### Article 8

For the purpose of the implementation of this recommendation, the national authorities should cooperate with the national members of the AISE.

#### Article 9

Every two years, until the goals set by the recommendation are reached, the Commission will hold consultations with the Member States, the AISE and Consumer Committee (11) on the state of implementation of this recommendation. The Commission will inform the Council and the European Parliament accordingly and make the information publicly available.

Done at Brussels, 22 July 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

(1) OJ L 347, 17. 12. 1973, p. 51.

(2) OJ L 80, 25. 3. 1986, p. 51.

(3) OJ L 291, 10. 10. 1989, p. 55.

(4) OJ L 187, 16. 7. 1988, p. 14.

(5) OJ L 265, 18. 10. 1996, p. 15.

(6) OJ L 365, 31. 12. 1994, p. 10.

(7) OJ L 217, 13. 9. 1995, p. 14.

(8) COM(96) 561 final of 27 November 1996.

(9) OJ C 286, 22. 9. 1997, p. 254 and OJ C 321, 22. 10. 1997, p. 6.

(10) OJ L 250, 19. 9. 1984, p. 17, Directive as last amended by Directive 97/55/EC of the European Parliament and of the Council of 6 October 1997, OJ L 290, 23. 10. 1997, p. 18.

(11) OJ L 162, 13. 7. 1995, p. 37.

#### ANNEX

The AISE and its national member associations will collect all necessary data and monitor the implementation of this recommendation. For this purpose the national member associations of AISE may cooperate with the national authorities. The reference basis for the implementation of the aims of this recommendation is the year 1996.

The following data will be collected for each national market:

##### Product consumption

The companies will provide the total detergent consumption (in tonnes/year) of household laundry detergents (solid and liquid) for each calendar year.

Consumption means the tonnes of detergent sold on each national market.

##### Packaging consumption

The companies will provide the total consumption (in tonnes/year) of packaging associated with the abovementioned detergent consumption for each calendar year.

Consumption means the tonnes of packaging used on each national market.

##### Poorly biodegradable organic ingredients

The companies will provide the total consumption of poorly biodegradable organic ingredients (1) (in tonnes/year) associated with the abovementioned detergent consumption (solid and liquid) for each calendar year. Consumption means the tonnes of poorly biodegradable organics in detergents sold on each national market.

##### Energy consumption

The reduction of energy consumption per wash load will be defined on the basis of the change of temperature distribution of wash cycles. The AISE will set up appropriate and representative habit studies on a European basis in order to find the temperature profile for each Member State.

The statistics will be collected in Member States to be reported through the

AISE to the Commission every second year, except on energy consumption which will be provided only for 1996 and again in the year 2002. The first report with the data for the reference basis of 1996 will be presented to the Commission in September 1998.

The first progress report covering 1997 and 1998 will be presented to the Commission in September 1999. The reports to the Commission will include the data for each Member State and the average data for the EU.

The compliance with the aims of this recommendation will be judged by the weighted average data for the EU.

With the first report the AISE will present to the Commission a list of companies implementing the recommendation in each Member State.

The collection and verification of data will be executed by an independent body with suitable expertise. Confidentiality of the data of individual companies shall be guaranteed by the independent body.

(1) Poorly biodegradable organic ingredients are those which fail to biodegrade by more than 70 % in SCAS or Zahn Wellens biodegradability test as defined under C.12. and C.9 of Annex V to Directive 67/548/EEC (OJ 196, 16. 8. 1967, p. 1), as last amended by Directive 92/32/EEC (OJ L 154, 5. 6. 1992).