EEB and BEUC comments on preservatives used in EU Ecolabelled detergents

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Ref.: BEUC-L-2016-083 – 01/03/2016

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The EEB and BEUC strongly support calls from Member States to set strict requirements for preservatives that go beyond legislation according to the voluntary nature of the EU Ecolabel.

The EU Ecolabel Regulation clearly states the objective of substituting hazardous substances wherever it is technically possible. This also implies that the label must go beyond legislation and not every substance allowed in the EU Biocidal Products Regulation (BPR) has to be permitted in EU Ecolabelled detergents. It may be worth noting that one of the substances (Folpet) already approved by the BPR for use as in-can preservative (PT6) is officially classified as Carc2, suspected of causing cancer, it is very toxic to aquatic life and may cause an allergic skin reaction. This serves as a very good example that this approach is unsuitable for the EU Ecolabel and it would be unacceptable for the EEB and BEUC.

Preservatives are often used below a concentration of 0.010% w/w in the final product, making the request for derogations made by the European Biocidal Products Forum unjustified.

The EEB and BEUC share concerns from Austria and Denmark that the concentration limit of 0.010% will not have the needed regulatory effect to address the most problematic preservatives. As preservatives can be used below such concentration, the hazard statements will not apply in many cases. For that reason we strongly recommend that the concentration limit is set to zero (and support Denmark in their request to extend this to fragrances and colourants). As the number of available preservatives is rather law, derogation requests should be introduced on a case by case basis not for group of hazards. This would promote the use of those preservatives that are less dangerous.

The EEB and BEUC strongly call for stricter limitation of the most problematic preservatives with the total exclusion and no derogation of substances with health classifications (CMR Cat1 and Cat2, H317, H334) and high toxicity to aquatic life with long lasting effects (H410). We support a total exclusion of *MI* and *CMIT*, in addition to the list of excluded substances included in the current draft. No concentration limit should be set for such substances. We strongly recommend adding to the list of excluded substances *3-iodo-2-propynyl butylcarbamate*. This substance is classified as toxic if inhaled, causes damage to organs through prolonged or repeated exposure, is very toxic to aquatic life, is very toxic to aquatic life with long lasting effects, is harmful if swallowed, causes serious eye damage and may cause an allergic skin reaction.

The EEB and BEUC would like to draw the attention of the group to the hazard statement *EUH208: Contains <name of sensitising substance>. May produce an allergic reaction*. This has not been dealt with in the technical report. It is important to avoid that an ecolabelled product has to bear this information due to a preservative (or any other substance belonging to another functional group).

The Good Environmental Choice label (labelling hundreds of products) in Sweden has since long shown that also more strict criteria can be set for preservatives (see requirements in the Annex).

Annex. Requirements for preservatives of the Good Environmental Choice (currently under revision)

5.1 Preservatives may only be added to preserve a product during its storage period.

5.2 Preservatives must be readily biodegradable according to OECD 301 or an equivalent test.

5.3 Preservatives must not be very toxic to aquatic life (i.e. LC50 and EC50 should be > 1 mg/L).

5.4 Preservatives must have a bioconcentration factor (BCF) of less than 100 according to OECD 305. If no BCF data is available, log KOW< 3 according to OECD 107 or 117. Exceptions may be made if any of the following requirements are met: a) the preservative must not be harmful to aquatic life (i.e. LC50 and EC50 should be > 100 mg/L).
b) it can be shown that the preservative is quickly broken down into substances whose BCF or log KOW satisfies the requirements.

5.5 Preservatives must be permitted under the cosmetics regulation (EC) No 1223/2009. The concentration of preservatives must not exceed the limits specified in the cosmetics regulation for products that are left on the skin. Individual preservatives must not exceed a concentration of 0,50% by weight.

5.6 Preservatives must not show specific target organ toxicity after repeated exposure according to the following classifications:
H372, Causes damage to organs through prolonged or repeated exposure
H373, May cause damage to organs through prolonged or repeated exposure

5.7 Preservatives must not be sensitising according to the following classifications:
H317, May cause an allergic skin reaction
H334, May cause allergy or asthma symptoms or breathing difficulties if inhaled or be associated with data that indicates sensitisation

5.8 Preservatives must not be acutely toxic according to the following classifications:
H300, Fatal if swallowed
H310, Fatal in contact with skin
H330, Fatal if inhaled
H301, Toxic if swallowed
H311, Toxic in contact with skin
H331, Toxic if inhaled

5.9 Preservatives must not show specific target organ toxicity after single exposure according to the following classifications:
H370, Causes damage to organs