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EU ECOLABEL FOR DETERGENTS

Comments to the criteria proposed for vote on 25 November 2016

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Why it matters to consumers and the environment?

Detergents are important products for consumers. Today, around 5200 different detergent products (including all-purpose cleaners, laundry detergents and hand dishwashing detergents) can be found on the shelves across the EU bearing the EU Ecolabel logo. The label in this area is quite successful and higher penetration will help to increase its visibility. However, the revised criteria need to reflect the top 10-20% of the most environmentally performing products to ensure that the EU Ecolabel will truly help citizens to choose greener products with reduced impacts on health and the environment.

Summary

The European Commission (EC) and the EU Ecolabelling Board are revising the EU Ecolabel criteria for the Detergent Products Group Family which is comprised of: Laundry detergents (LD); Industrial and institutional laundry detergents (IILD); Detergents for dishwashers (DD); Industrial and institutional automatic dishwasher detergents (IIDD); Hand dishwashing detergents (HDD); Hard Surface Cleaners (HSC)¹.

This paper provides recommendations from BEUC and the EEB for the improvement of final criteria proposed for vote by Member States on 25 November. For a more detailed overview of the arguments supporting the comments, we would like to refer to the [paper submitted on 15 July 2016](#).

The EEB and BEUC welcome the improvements achieved in several areas such as:

- Exclusion of a list of hazardous substances including microplastics;
- Restriction of phosphates in LD, HSC, HDD and DD;
- Anaerobic biodegradability of surfactants hazardous to the environment;
- Restriction of preservatives and fragrances based on CLP hazards without any derogation.

We consider that the proposals should be improved in particular with regards to the ambition level of:

- The exclusion of micro-organisms from the scope;
- The reduction of the Critical Dilution Volume (CDV) limits;
- Ready-to-use (RTU) products should not be in the scope of the EU Ecolabel. If allowed, the CDV limits should be further reduced;
- The anaerobic biodegradability of all surfactants without exceptions;
- The proposed restriction of isothiazolinones is welcomed but stricter limits are necessary;
- Phosphates should also be excluded in IIDD and IILD. Phosphorus can be further restricted in all product groups;
- The packaging materials should not contain substances of very high concern;
- Regarding the certification system for sustainable sourcing of palm oil, palm kernel oil and their derivatives, BEUC and the EEB reject to vote on a criterion which refers to a framework whose content has not been developed yet and that has never been discussed within the EU Ecolabelling Board (EUEB). We do not support certification based on book and claim system. If this is accepted, claims on sustainable production of palm oil should not be allowed in the packaging as it is misleading.

¹ <http://susproc.jrc.ec.europa.eu/detergents/stakeholders.html>

1. Criteria validity

BEUC and the EEB consider that the criteria validity period is of high importance in the EU Ecolabel scheme. In our view, 4 years is a long enough period for better alternatives to come up on the market and scientific evidence-based studies to be published.

It should be ensured that any legal developments or new background information that can substantiate improvements on the ambition of the criteria set is addressed through the development of amendments during the validity period of the criteria. For instance, as the Nordic Swan for different detergent product groups should be revised in the coming years more information to adapt the CDV values may become available.

2. Scope and definitions

Ready-to-use (RTU) products shall not be included in the scope of HSC

BEUC and the EEB are still in favour of restricting RTU products from HSC, in alignment with the Blue Angel and the Austrian ecolabel scheme.

RTU products lead to higher environmental impacts due to more emissions to air (SO_x, NO_x and CO₂), given that the transport needed is much higher than for concentrated products.

If RTU products are allowed the CDV values need to be reduced further.

3. Toxicity to aquatic organisms: Critical Dilution Volume (CDV) values for IILD and for IIDD

BEUC and the EEB advocate for stricter CDV limits.

The CDV limits of the Blue Angel are stricter for Dishwashing Detergents and for Laundry Detergents.

According to the analysis in Table 14, it appears that the CDV for hand dishwashing detergents in average is decreased from 2500, if calculated with the data from the 2007 DID list, to 1000, if calculated with the 2014 DID list. This represent a potential for reduction of 60% and contrast with the 10% reduction that has been suggested in some of the product groups. With this in mind, we ask for a 60% reduction in the permitted CDV values for the different product groups to at least keep the same level of environmental protection as in the existing criteria.

In order to facilitate revisions in the future, the EEB and BEUC call upon the Commission and Competent Bodies to undertake measures to ensure that the Joint Research Center have access to the anonymised data of the formulations of all ecolabelled detergents.

4. Anaerobic Biodegradability of all surfactants without exceptions

BEUC and the EEB recognise the improvement that has been brought to this requirement.

However, we strongly recommend ensuring biodegradability under anaerobic and aerobic conditions for all surfactants, regardless of their classification. In the Blue Angel and the Nordic swan, surfactants which are not anaerobically degradable are not allowed.

There are enough such surfactants available in the market. Among the surfactants that are included in the DID-list database, 43 out of 97 are anaerobically biodegradable and have been tested; 46 are not tested, or test results are not yet published.

BEUC and the EEB believe that the real application of the precautionary principle would be ensuring that only surfactants which are anaerobically biodegradable can be used. It is of important to cover all surfactants by this requirement, in case they are not classified.

5. Biodegradability of organic compounds

BEUC and the EEB welcome the requirements on biodegradability (aerobic and non-aerobic) of organic compounds. However, the limits can be further reduced at least for Laundry Detergents as required by the Blue Angel.

6. Excluded and restricted substances criteria and derogations

Microplastics

The EEB and BEUC highly welcome the proposal made to exclude microplastics.

Micro-organisms based cleaning products (MBCPs) excluded until benefits are well-known

MBCPs should not be in the scope of the EU Ecolabel, given that there are no clear indications on the benefits that they bring to the products and that there is need for studying more in depth health, safety and environmental aspects.

The technical background document is not conclusive enough on the benefits of using microorganisms. Moreover, earlier versions of the Technical Report pointed out to potential safety concerns and the lack of in depth research on the hazards associated with unintentionally contaminating food with the microorganisms in the products.

The EU Ecolabel Regulation states that ecolabel criteria shall be determined considering *the net environmental balance between the environmental benefits and burdens, including health and safety aspects, at the various life stages of the products* (Article 3 (d)).

Last but not least, the use of micro-organisms will have an impact on the criteria proposed. However, this possibility has not been properly assessed during the criteria revision process and raises many questions on the overall ambition level if micro-organisms are allowed. In this regard, if micro-organisms are used, the amount of chemicals used in the formulation should be further restricted. Due to lack of data, lowering the thresholds for toxicity for aquatic organisms (CDV) is only proposed for the next revision.

The use of micro-organisms is neither considered to increase the ambition of the criterion on biodegradability. This is an unacceptable approach as there will not be any clear environmental benefit in allowing the use of micro-organisms.

If despite, the above considerations, it is decided to allow micro-organisms in cleaning products, it should **only be accepted for professional products** (not for consumer products) and fully align the criteria with the Nordic Swan:

- **Intrinsic resistance of micro-organisms** should not be exempted when determining susceptibility to the listed antibiotic classes. The Nordic Swan does not make this exemption.
- The product should not be used in places where **immunocompromised people** are present, as required by the Nordic Swan.
- It should be **proved that there is a benefit of using the products**.

Dishwashers Detergents: additional classification H314 on the end product

The EEB and BEUC welcome the introduction of this requirement for Hand Dishwashing Detergents. It should also apply to Dishwashing Detergents.

Derogations should not be accepted for surfactants classified H400

The EU Ecolabel should set strong requirements for surfactants that are hazardous to the aquatic environment. Since there are products in Nordic countries formulated without surfactants classified as H400, the EEB and BEUC do not support this derogation.

Preservatives

The EEB and BEUC are satisfied that there is no hazard proposed for derogation in this substances group.

Concerning **isothiazolinones**, the EEB and BEUC highly recommend its non-use. At least they should be completely banned in hand dishwashing detergents and hard surface cleaners as the exposure can be similar to that of rinse off cosmetics. However, we think that the current proposal to further restrict MIT if this is done in Annex V of the cosmetics regulation could be a compromise.

As BIT is not accepted in cosmetics due to that “*There is no information on what may be safe levels of exposure to benzisothiazolinone in cosmetic products from the point of view of sensitisation*”, we suggest that it should not be permitted in hand dishwashing detergents and hard surface cleaners. If it is accepted in the future in Annex V of the cosmetics regulation, it could be accepted in these product groups in the same concentrations as well.

Fragrances should be excluded from the EU Ecolabel

The EEB and BEUC are very satisfied that fragrances will not be permitted in hand dishwashing liquids for professional users. This exclusion should also be extended to Industrial and Institutional Laundry Detergents.

BEUC and the EEB appreciate that fragrances will be evaluated on a substance and not mixture basis and are very satisfied that fragrances have not been derogated for any hazards. Available data from existing license holders show that this is possible.

7. Phosphorus content should be further restricted

BEUC and the EEB welcome the restriction of phosphates in DD, HDD, HSC and LD. However, both organisations consider that phosphates should be banned as well in IILD and IIDD. Phosphorus content should be further limited.

8. Packaging

No substances of very high concern in packaging material

BEUC and the EEB consider that packaging should be addressed as an intrinsic part of the product given that it is required during its functional life to contain the mixture. This consideration was also reflected in the outcome of the task force on the EU Ecolabel and chemicals². Therefore, the exclusion of Substances of Very High Concern (SVHC), as referred to in Article 57 of Regulation (EC) No 1907/2006, shall also apply to the packaging material of the detergents.

In addition, BEUC and the EEB strongly encourage the JRC to clearly exclude PVC in the packaging material. PVC is known to be very harmful to human health and the environment at all the life stages: emissions of vinyl chloride monomer (VCM) during PVC production create volatile pollutants, and PVC has a very low recyclability potential.

9. Sustainable sourcing of palm oil, palm kernel oil and their derivatives, reservations expressed regarding the Book and Claim system

The final version of the criteria state that substances used in the products which are derived from palm oil or palm kernel oil shall be sourced from plantations that meet the environmental requirements in accordance with the "EU Ecolabel framework for the sustainable sourcing of palm oil, palm kernel oil and their derivatives".

The EEB and BEUC strongly reject such proposal. It is completely unacceptable as the framework has not been developed yet and it has never been presented and discussed with the EUEB. Member States are being asked to vote on requirements for which we completely ignore the ambition level and reliability.

The EEB and BEUC would like to reiterate their comments from earlier positions on palm oil. There are concerns that certification options currently available such as RSPO do not offer enough guarantees of sustainable production. In this regard we would like to require that only traceable palm oil, palm kernel oil and their derivatives are allowed. This includes sources from organic farming or "identity preserved" (IP) and "segregated" (S) palm oil. Mass balance could be accepted only as a compromise during a transitional period.

The use of the Book and Claim supply chain system has a very low level of traceability and does not provide sufficient guarantee that the palm oil is sustainable and that it is not destroying forests and potentially triggering conflicts in local communities.

If the Book and Claim system is accepted, at the very least, claims to consumers on sustainable sourcing of the palm oil should not be allowed in the EU Ecolabelled detergent as they are misleading.

END

² http://ec.europa.eu/environment/ecolabel/documents/Chemicals%20HTF_Approach%20paper.pdf