

COMMISSION DECISION

of *[date]*

establishing the ~~ecological~~ **EU Ecolabel** criteria for ~~the award of the EU Ecolabel for~~
hand dishwashing detergents

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel¹, and in particular Article 8(2) thereof,

After consulting the European Union Eco-labelling Board,

Whereas:

- (1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to those products with a reduced environmental impact during their entire life cycle.
- (2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established ~~according to~~ **for each** product ~~groups~~ **group**.
- (3) Commission Decision 2011/382/EU², as amended by Commission Decision 2014/313/EU³, has established the ecological criteria and the related assessment and verification requirements for hand dishwashing detergents, which are valid until 31 December 2016.

¹ [Regulation \(EC\) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel \(OJ L 27, 30.1.2010, p. 1-19\).](#)

~~² [OJ L 169, 29.6.2011, p. 40-51. Commission Decision of 28 May 2014 amending Decisions 2011/263/EU, 2011/264/EU, 2011/382/EU, 2011/383/EU, 2012/720/EU and 2012/721/EU in order to take account of developments in the classification of substances \(OJ L 169, 29.6.2011, p. 40-51\).](#)~~

~~³ [OJ L 164, 3.6.2014, p. 74-82. Commission Decision of 28 May 2014 amending Decisions 2011/263/EU, 2011/264/EU, 2011/382/EU, 2011/383/EU, 2012/720/EU and 2012/721/EU in order to take account of developments in the classification of substances \(OJ L 164, 3.6.2014, p. 74-82\).](#)~~

- (4) In order to better reflect the state of the art of the market for this product group and take into account the innovation that has taken place during the intervening period, it is considered appropriate to establish a revised set of ecological criteria.
- (5) The revised criteria, as well as the related assessment and verification requirements, should be valid for five~~six~~ years from the date of adoption of this Decision, taking into account the innovation cycle for this product group. These criteria aim at promoting products that have a reduced impact on aquatic ecosystems, contain a limited amount of hazardous substances, are effective, and minimise waste production by reducing packaging.
- (6) Decision 2011/382/EU should be ~~replaced for reasons of clarity~~repealed.
- (7) A transitional period should be allowed for producers whose products have been awarded the Ecolabel for hand dishwashing detergents on the basis of the criteria set out in Decision 2011/382/EU, so that they have sufficient time to adapt their products to comply with the revised criteria and requirements. ~~Producers should also be allowed to submit applications based on the criteria set out in Decision 2011/382/EU or on the criteria set out in this Decision until the lapse of validity of that Decision.~~
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'hand dishwashing detergents' shall comprise any detergent ~~intended to be used to wash by hand glassware, crockery and kitchen utensils including cutlery, pots, pans and ovenware, and~~ falling under the scope of Regulation (EC) No 648/2004⁴ of the European Parliament and of the Council on detergents which is marketed and designed to be used to wash by hand items such as glassware, crockery and kitchen utensils including cutlery, pots, pans and ovenware.

The product group shall ~~cover~~comprise products for both private and professional use. The products shall be a mixture of chemical substances and ~~must~~shall not contain micro-organisms that have been deliberately added by the manufacturer.

Article 2

For the purpose of this Decision, the following definitions shall apply:

- (1) 'ingoing substances' means substances intentionally added, by-products and impurities from raw materials in the final product formulation (including water-soluble foil, if applicable).

⁴ Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (OJ L 104, 8.4.2004, p. 1-35-).

(2) 'primary packaging' means:

- for single doses in a wrapper that is intended to be removed before use: the individual dose wrapping and the packaging conceived so as to constitute the smallest sales unit of distribution to the final user or consumer at the point of purchase, including label where applicable;

- for all other types of products: packaging conceived so as to constitute the smallest sales unit of distribution to the final user or consumer at the point of purchase ~~in direct contact with the content~~, including label where applicable.

~~(3) 'microplastics' means plastic micro beads used as a scrub/abrasive material in detergent and cleaning products.~~

Article 3

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a hand dishwashing detergent shall fall within the product group 'hand dishwashing detergents', as defined in Article 1 of this Decision and shall comply with the criteria as well as the related assessment and verification requirements set out in the Annex.

Article 4

The criteria for the product group 'hand dishwashing detergents' and the related assessment and verification requirements shall be valid for ~~five~~^{six} years from the date of adoption of this Decision.

Article 5

For administrative purposes the code number assigned to the product group 'hand dishwashing detergents' shall be '019'.

Article 6

Decision 2011/382/EU is repealed.

Article 7

1. By derogation from Article 6, applications for the EU Ecolabel for products falling within the product group 'hand dishwashing detergents' submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2011/382/EU.

2. Applications for the EU Ecolabel for products falling within the product group 'hand dishwashing detergents' submitted within two months from the date of adoption of this Decision may be based either on the criteria set out in Decision 2011/382/EU or on the criteria set out in this Decision.

Those applications shall be evaluated in accordance with the criteria on which they are based.

3. EU Ecolabel licenses awarded in accordance with the criteria set out in Decision 2011/382/EU may be used for ~~+2~~8 months from the date of adoption of this Decision.

Article 8

This Decision is addressed to the Member States.

Done at Brussels,[]

For the Commission
Karmenu VELLA
Member of the Commission

ANNEX

EU ECOLABEL CRITERIA ~~AND ASSESSMENT AND VERIFICATION~~ ~~REQUIREMENTS~~

FRAMEWORK

Criteria for awarding the EU Ecolabel to ‘hand dishwashing detergents’

CRITERIA

~~Criteria for awarding the EU Ecolabel to ‘hand dishwashing detergents’:~~

1. Toxicity to aquatic organisms
2. Biodegradability
3. Sustainable sourcing of palm oil, palm kernel oil and their derivatives
4. Excluded and restricted substances
5. Packaging
- ~~6. Corrosive properties~~
- ~~7.6. Fitness for use~~
- ~~8.7. User information~~
- ~~9.8. Information appearing on the EU Ecolabel~~

ASSESSMENT AND VERIFICATION

a) Requirements

The specific assessment and verification requirements are indicated within each criterion.

Where the applicant is required to provide declarations, documentation, analyses, test reports, or other evidence to show compliance with the criteria, these may originate from the applicant and/or their supplier(s), as appropriate.

Competent Bodies shall preferentially recognise attestations which are issued by bodies accredited according to the relevant harmonised standard for testing and calibration laboratories and verifications by bodies that are accredited according to the relevant harmonised standard for bodies certifying products, processes and services. Accreditation

must be carried out according to the provisions of the Regulation 765/2008⁵ of the European Parliament and of the Council.

Where appropriate, test methods other than those indicated for each criterion may be used if the ~~Competent Body~~competent body assessing the application accepts their equivalence.

Where appropriate, competent bodies may require supporting documentation and may carry out independent verifications.

As pre-requisite, the product ~~must~~shall meet all ~~respective~~applicable legal requirements of the country ~~(or countries)~~ in which the product is intended to be placed on the market. The applicant shall declare the product's compliance with this requirement.

~~Appendix I makes reference to the~~ The "Detergent Ingredient Database" list (DID list) ~~which), available on the EU Ecolabel website,~~ contains the most widely used ingoing substances in detergents and cosmetics formulations. It shall be used for deriving the data for the calculations of the Critical Dilution Volume (CDV) and for the assessment of the biodegradability of the ingoing substances. For substances not present on the DID list, guidance is given on how to calculate or extrapolate the relevant data. ~~The latest version of the DID list is available from the EU Ecolabel website or via the websites of the individual competent bodies.~~

The following information shall be provided to the competent body:

~~(i)~~ (i) The list of all ingoing substances indicating trade name, ~~(if existing),~~ chemical name, CAS no., DID no., the ingoing quantity, the function and the form present in the final product formulation ~~(including foil)~~ at or above the following concentrations:

- preservatives, fragrances and colouring agents - regardless of concentration,
- other ingoing substances - 0,010% weight by weight;

All ingoing substances present in the form of nanomaterials shall be clearly indicated in the list with the word 'nano' written in brackets.

For each ingoing substance listed, the ~~safety data sheet~~SDS in accordance with Regulation (EC) No 1907/2006⁶ of the European Parliament and of the Council shall be provided. Where an SDS is not available for a single substance because it is part of mixture, the applicant shall provide the SDS of the mixture.

~~(ii) If a supplier prefers not to disclose the ingoing substances included in a mixture to the applicant, the information can be sent directly to the Competent Body by the supplier;~~

~~(iii) In exceptional cases, if the ingoing substances included in a mixture are unknown, the applicant can supply the information requested in (i) for the mixture.~~

⁵ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008 p.30)

⁶ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1)

b) Measurement thresholds

Compliance with the ecological criteria is required for all ingoing substances as specified in Table 1.

Table 1 Threshold levels applicable to ingoing substances by criterion for hand dishwashing detergents (weight by weight)

| Criterion name | | <u>surfactants</u> <u>Surfactants</u> | <u>preservative</u> <u>sPreservativ</u> <u>es</u> | <u>colouringCo</u> <u>louring</u> <u>agents</u> | <u>fragrancesF</u> <u>ragrances</u> | <u>otherOther</u> <u>(e.g.</u> <u>enzymes)</u> |
|--|--|--|---|---|--|--|
| Toxicity to aquatic organisms | | ≥ 0,010 | no limit* | no limit* | no limit* | ≥ 0,010 |
| Biodegradability | Surfactants | ≥ 0,010 | *N/A | *N/A | *N/A | *N/A |
| | Organics | ≥ 0,010 | no limit* | no limit* | no limit* | ≥ 0,010 |
| Sustainable sourcing of palm oil | | ≥ 0,010 | *N/A | *N/A | *N/A | ≥ 0,010* |
| Excluded or limited substances and mixtures | Specified excluded and limited subst. | no limit* | no limit* | no limit* | no limit* | no limit* |
| | Hazardous subst. | ≥0,010 | ≥0,010 | ≥0,010 | ≥0,010 | ≥0,010 |
| | SVHCs | no limit* | no limit* | no limit* | no limit* | no limit* |
| | Fragrances | *N/A | *N/A | *N/A | no limit* | *N/A |
| | Preserva-tives | *N/A | no limit* | *N/A | *N/A | *N/A |
| | <u>ColourantsC</u> <u>olouring</u> <u>agents</u> | *N/A | *N/A | no limit* | *N/A | *N/A |
| | Enzymes | *N/A | *N/A | *N/A | *N/A | <u>no limit*</u> ≥ 0,010 |

* "no limit" means: regardless of the concentration, all substances intentionally added, by-products and impurities from raw materials (analytical limit of detection)

REFERENCE DOSAGE

The following dosage is taken as the reference dosage for the calculations aiming at documenting compliance with the EU Ecolabel criteria and for testing of cleaning ability:

DosageHighest dosage recommended by the manufacturer for ~~one~~ 1 litre of washing water for cleaning normally soiled dishes (indicated in g/l washing water or ml/l washing water).

Criterion 1 - Toxicity to aquatic organisms

The critical dilution volume ($CDV_{chronic}$) of the product must not exceed the following limits for the reference dosage:

| Product type | Limit CDV (l/l washing water) |
|-----------------------------|----------------------------------|
| Hand dishwashing detergents | 2 300 500 |

Assessment and verification: the applicant shall provide the calculation of the $CDV_{chronic}$ of the product. A spreadsheet for calculating of the $CDV_{chronic}$ value is available on the EU Ecolabel website.

The $CDV_{chronic}$ is calculated for all ingoing substances (i) in the product using the following equation:

$$CDV_{chronic} = \sum CDV(i) = 1000 \cdot \sum dosage(i) \cdot \frac{DF(i)}{TF_{chronic}(i)}$$

Where:

dosage(i): weight (g) of the substance ~~or mixture~~ i in the reference dose;

DF(i): degradation factor for the substance ~~or mixture~~ i

~~TF~~ $TF_{chronic}(i)$: chronic toxicity factor for the substance ~~or mixture~~ i

The values of DF(i) and ~~TF~~ $TF_{chronic}(i)$ shall be as given in the DID list Part A. If an ingoing substance is not included in the DID list Part A, the applicant shall estimate the values following the approach described in the DID list Part B and attaching the associated documentation (~~for more information see Appendix I~~).

Criterion 2 - Biodegradability

(a) Biodegradability of surfactants

All surfactants shall be readily degradable (aerobically).

All surfactants classified as hazardous to the aquatic environment according to Regulation (EC) No 1272/2008 of the European Parliament and of the Council¹ shall be in addition anaerobically biodegradable.

¹ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

(b) Biodegradability of organic compounds

The content of organic substances in the product that are aerobically non-biodegradable (not readily biodegradable, aNBO) or anaerobically non-biodegradable (anNBO) shall not exceed the following limits for the reference dosage:

| Product type | aNBO <u>(g/l washing water)</u> | anNBO <u>(l/l washing water)</u> |
|-----------------------------|--|---|
| | g/dosage recommended by the manufacturer for 1 litre of dishwashing water | |
| Hand dishwashing detergents | 0, 05 <u>03</u> | 0, 15 <u>08</u> |

Assessment and verification: the applicant shall provide documentation for the degradability of surfactants, as well as the calculation of aNBO and anNBO for the product. A spreadsheet for calculating aNBO and anNBO values is available on the EU Ecolabel website.

For both the degradability of surfactants and the aNBO and anNBO values for organic compounds, reference shall be ~~done~~made to the most updated DID list.

For ingoing substances which are not included in the DID list Part A, the relevant information from literature or other sources, or appropriate test results, showing that they are aerobically and anaerobically biodegradable shall be provided, as described in the Appendix ~~I, which is~~1 available on the EU Ecolabel website.

In the absence of documentation in accordance with the above requirements, an ingoing substance other than a surfactant may be exempted from the requirement for anaerobic degradability if one of the following three alternatives is fulfilled:

1. Readily degradable and has low adsorption ($A < 25 \%$);
2. Readily degradable and has high desorption ($D > 75 \%$);
3. Readily degradable and non-bioaccumulating.

Testing for adsorption/desorption may be conducted in accordance with OECD guidelines 106.

Criterion 3 - Sustainable sourcing of palm oil, palm kernel oil and their derivatives

Ingoing substances used in the products which are derived from palm oil or palm kernel oil shall be sourced from plantations that at least meet the ~~criteria~~requirements of a certification scheme for sustainable ~~management~~production that ~~have been developed by multi-stakeholder organisations that have a broad membership~~addresses environmental impacts, including ~~NGOs, industry~~on soil, biodiversity and ~~government~~organic carbon stocks.

Assessment and verification: the applicant shall provide third-party ~~certifications~~certification that the palm oil and palm kernel oil used in the manufacturing of the ~~product~~ingoing substances originates from sustainably managed plantations.

Certifications accepted shall include RSPO¹ (by identity preserved, segregated or mass balance) or any equivalent or stricter sustainable production scheme based on multi-stakeholder ~~sustainable management criteria~~. organizations that have a broad membership, including NGOs, industry and government.

For chemical derivatives of palm oil and palm kernel oil, it is acceptable to demonstrate sustainability through book and claim systems such as GreenPalm or equivalent by providing the ACOP² declared amounts of redeemed GreenPalm during the most recent annual trading period.

Criterion 4 - Excluded and restricted substances

(a) Specified excluded and restricted ~~ingoing~~ substances

(i) Excluded substances

~~Substances indicated in Table 2 shall not be included in the product formulation:~~

~~Table 2 List of The~~ substances

~~(ii) Restricted substances~~

~~Substances listed indicated~~ below shall not be included in the product formulation ~~above the specified mass regardless of~~ concentration:

- Alkyl phenol ethoxylates (APEOs) and other alkyl phenol derivatives
- Atranol
- Chloroatranol
- Diethylenetriaminepentaacetic acid (DTPA)
- Ethylenediaminetetraacetic acid (EDTA) and its salts
- Formaldehyde and its releasers (e.g. 2-bromo-2-nitropropane-1,3-diol, 5-bromo-5-nitro-1,3-dioxane, sodium hydroxyl methyl glycinate, diazolidyl urea) with the exception of impurities of formaldehyde in non-ionic surfactants up to a concentration of 0,01% weight by weight in the ingoing substance
- Hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC)
- Microplastics
- Nanosilver
- Nitromusks and polycyclic musks

¹ Roundtable for sustainable palm oil

² Annual Communications Of Progress

- Phosphates
- Per-fluorinated alkylates
- Quaternary ammonium salts not readily biodegradable
- Reactive chlorine compounds
- Triclosan

~~-2-bromo-2-nitropropane-1,3-diol~~

~~-5-bromo-5-nitro-1,3-dioxane~~

~~-sodium hydroxyl-methyl-glycinate~~

~~-diazolinidyl-urea~~

~~-Fragrance substances subject to the declaration requirement provided in Regulation (EC) No 648/2004[†] shall not be present in quantities $\geq 0,010\%$ (≥ 100 ppm) per substance.~~

Assessment and verification: the applicant shall provide a signed declaration of compliance supported by declarations from suppliers, if appropriate, confirming that the listed substances have not been included in the product formulation, ~~either~~ regardless of ~~mass~~ concentration ~~(substances listed in (i)) or above specified concentration (substances listed in (ii)),~~

(ii) Restricted substances

The substances listed below shall not be included in the product formulation above the concentrations indicated:

- 2-methyl-2H-isothiazol-3-one: 0,0050 % weight by weight

- 1,2-Benzisothiazol-2(2H)-one: 0,0050 % weight by weight

- 5-chloro-2-methyl-4-isothiazolin-3-one/2- methyl-4-isothiazolin-3-one: 0,0015 % weight by weight

- the total phosphorus (P) content calculated as elemental P shall be limited to 0,08 gP/l washing water

[†] ~~Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (OJ L 104 du 8.4.2004, p. 1)~~

- fragrance substances subject to the declaration requirement provided in Regulation (EC) No 648/2004¹ shall not be present in quantities $\geq 0,010$ % weight by weight per substance

Assessment and verification: the applicant shall provide:

- a signed declaration of compliance supported by declarations from suppliers, if appropriate, confirming that the total amount of elemental P is equal to or lower than the set limits. The declaration shall be supported by the calculations of the product's total P-content.

- a signed declaration of compliance supported by declarations or documentation from suppliers, if appropriate, confirming that the fragrance substances subject to the declaration requirement provided in Detergent Regulation (EC) No 684/2004 are not present above the set limits.

- if isothiazolinones are used, a signed declaration of compliance supported by declarations from suppliers, if appropriate, confirming that the content of isothiazolinones used is equal to or lower than the set limits.

(b) Hazardous substances

(i) Final product

The final product shall not be classified and labelled as being acutely toxic, a specific target organ toxicant, a respiratory or skin sensitiser, carcinogenic, mutagenic or toxic for reproduction, or hazardous to the environment, as defined in Annex I of ~~in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council~~².

(ii) Ingoing substances

The product shall not contain ingoing substances meeting the criteria for classification as toxic, hazardous to the environment, respiratory or skin sensitizers, carcinogenic, mutagenic or toxic for reproduction in accordance with Annex I of Regulation (EC) No 1272/2008 and as interpreted according to the hazard statements listed in Table 2~~Table 3~~.

Any ingoing substance present at a concentration above 0,010% w/wweight by weight in the product shall meet this requirement. Where stricter, the generic or specific concentration limits determined in accordance with Article 10 of Regulation (EC) No 1272/2008 shall prevail to the cut-off limit value of 0,010% w/wweight by weight.

Table 23 Restricted hazard classifications and their categorisation

| |
|-----------------------|
| Acute toxicity |
|-----------------------|

¹ Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (OJ L 104 du 8.4.2004, p. 1)

² Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

| Category 1 and 2 | Category 3 |
|---|---|
| H300 Fatal if swallowed | H301 Toxic if swallowed |
| H310 Fatal in contact with skin | H311 Toxic in contact with skin |
| H330 Fatal if inhaled | H331 Toxic if inhaled |
| H304 May be fatal if swallowed and enters airways | EUH070 Toxic by eye contact |
| Specific target organ toxicity | |
| Category 1 | Category 2 |
| H370 Causes damage to organs | H371 May cause damage to organs |
| H372 Causes damage to organs through prolonged or repeated exposure | H373 May cause damage to organs through prolonged or repeated exposure |
| Respiratory and skin sensitisation | |
| Category 1A | Category 1B |
| H317: May cause allergic skin reaction | H317: May cause allergic skin reaction |
| H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled | H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled |
| Carcinogenic, mutagenic or toxic for reproduction | |
| Category 1A and 1B | Category 2 |
| H340 May cause genetic defects | H341 Suspected of causing genetic defects |
| H350 May cause cancer | H351 Suspected of causing cancer |
| H350i May cause cancer by inhalation | |
| H360F May damage fertility | H361f Suspected of damaging fertility |
| H360D May damage the unborn child | H361d Suspected of damaging the unborn child |
| H360FD May damage fertility. May damage the unborn child | H361fd Suspected of damaging fertility. Suspected of damaging the unborn child |
| H360Fd May damage fertility. Suspected of damaging the unborn child | H362 May cause harm to breast fed children |
| H360Df May damage the unborn child. | |

| | |
|---|--|
| Suspected of damaging fertility | |
| Hazardous to the aquatic environment | |
| Category 1 and 2 | Category 3 and 4 |
| H400 Very toxic to aquatic life | H412 Harmful to aquatic life with long-lasting effects |
| H410 Very toxic to aquatic life with long-lasting effects | H413 May cause long-lasting effects to aquatic life |
| H411 Toxic to aquatic life with long-lasting effects | |
| Hazardous to the ozone layer | |
| H420 Hazardous to the ozone layer | |

The most recent classification rules adopted by the Union shall take precedence over the listed hazard classifications in accordance with Article 15 of Regulation (EC) No 1272/2008. ~~The hazard statements generally refer to substances. However, if information on substances cannot be obtained, the classification rules for mixtures shall apply.~~

~~Ingoing substances which change their properties upon processing (e.g. become no longer bioavailable or undergo chemical modification) so that the hazards no longer apply and that any unreacted residual content of the hazardous substances is less than 0,010% w/w are exempted from this criterion 4(b).~~

This criterion does not apply to ingoing substances covered by Article 2(7)(b) of the Regulation (EC) No 1907/2006 which sets out criteria for exempting substances within Annex V from the registration, downstream user and evaluation requirements. In order to determine if this exclusion applies, the applicant shall screen any ingoing substance present at a concentration above 0,010% ~~w/w~~weight by weight.

Substances and mixtures included in ~~Table 3~~Table 4 are exempted from ~~the~~this requirement ~~of this criterion~~.

Table 34 Derogated substances

| Substance | Hazard statement |
|---|---|
| Surfactants in total concentrations <25% in the final product | H400: Very toxic to aquatic life |
| | H412: Harmful to aquatic life with long-lasting effects |
| <u>Subtilisin</u> | <u>H400: Very toxic to aquatic life</u> |

| | |
|--|---|
| | H400: Very toxic to aquatic life H411: Toxic to aquatic life with long-lasting effects |
| Enzymes(*) | H317: May cause allergic skin reaction H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled |
| NTA as an impurity in MGDA and GLDA (**) | H351: Suspected of causing cancer |
| Fragrances | H412: Harmful to aquatic life with long lasting effects |
| Preservatives | [Consultation is ongoing] |

(*) Including stabilisers and other auxiliary substances in the preparations

(**) In concentrations lower than 0,2 % in the raw material as long as the total concentration in the final product is lower than 0,10 %.

Assessment and verification: the applicant shall demonstrate compliance with this criterion 4(b) for the final product and for any ingoing substance present at concentrations a concentration greater than 0,010 % in weight by weight in the final product. AThe applicant shall provide a signed declaration of compliance shall be provided by the applicant supported, where appropriate, by the declarations from their supplier(s) suppliers, if appropriate, or SDS confirming that none of these substances meets the criteria for classification with one or more of hazard statements listed in Table 2 Table 3 in the form(s) and physical state(s) they are present in the final product. Material safety data sheet for the final product shall also be provided.

The following technical information related to the form(s) and physical state(s) of the ingoing substances as present in the product shall be provided to support the declaration of non-classification:

(i) For substances that have not been registered under Regulation (EC) No 1907/2006 and/or which do not yet have a harmonised CLP classification: Information meeting the requirements listed in Annex VII to that Regulation;

(ii) For substances that have been registered under Regulation (EC) No 1907/2006 and which do not meet the requirements for CLP classification: Information based on the REACH registration dossier confirming the non-classified status of the substance;

(iii) For substances that have a harmonised classification or are self-classified: safety data sheets where available. If these are not available or the substance is self-classified then information shall be provided relevant to the substances hazard classification according to Annex II to Regulation (EC) No 1907/2006;

(iv) In the case of mixtures: safety data sheets where available. If these are not available then calculation of the mixture classification shall be provided according to the rules under

~~Regulation (EC) No 1272/2008 together with information relevant to the mixtures hazard classification according to Annex II to Regulation (EC) No 1907/2006.~~

For substances listed in Annexes IV and V to Regulation (EC) No 1907/2006, which are exempted from registration obligations under point (a) and (b) of Article 2(7) of that Regulation, a declaration to this effect by the applicant shall suffice to comply ~~with criterion 4(b).~~

~~A~~The applicant shall provide a signed declaration ~~of compliance supported by declarations from suppliers, if appropriate, or SDS confirming~~ the presence of ingoing substances that fulfil the derogation conditions ~~shall be provided by the applicant, supported, where appropriate, by declarations from their supplier(s). Where required for the derogation, the applicant shall confirm the concentrations of these substances in the final product.~~

(c) Substances of very high concern (SVHCs)

The final product shall not contain any ingoing substances that have been identified according to the procedure described in Article 59(1) of Regulation (EU) No 1907/2006-REACH, which establishes the candidate list for substances of very high concern.

Assessment and verification: the applicant shall provide a signed declaration of compliance, supported by declarations from their suppliers, as if appropriate, ~~on or SDS confirming the~~ non-presence of all the candidate list substances.

Reference to the latest list of substances of very high concern shall be made on the date of application.

(d) Fragrances

Any ingoing substance added to the product as a fragrance shall be manufactured and handled following the code of practice of the International Fragrance Association (IFRA) available at <http://www.ifraorg.org>. The recommendations of the IFRA Standards concerning prohibition, restricted use and specified purity criteria for substances shall be followed by the manufacturer.

Assessment and verification: the ~~applicant, their~~ supplier or fragrance manufacturer, as appropriate, shall provide a signed declaration of compliance.

(e) Preservatives

(i) The product may only include preservatives in order to preserve the product, and in the appropriate dosage for this purpose alone. This does not refer to surfactants, which may also have biocidal properties.

(ii) The product may contain preservatives provided that they are not bio-accumulating. A preservative is considered to be not bio-accumulating if $BCF < 100$ or $\log K_{ow} < 3,0$. If both BCF and $\log K_{ow}$ values are available, the highest measured BCF value shall be used.

(iii) It is prohibited to claim or suggest on the packaging or by any other communication that the product has an antimicrobial or disinfecting effect.

Assessment and verification: the applicant ~~or their suppliers, as appropriate,~~ shall provide a signed declaration of compliance, together supported by declarations from suppliers, if appropriate, along with ~~copies of the safety data sheets~~ SDS of any preservative added, and information on its BCF and/or log K_{ow} values. The applicant shall also provide ~~also~~ artwork of the packaging.

(f) Colouring agents

Colouring agents in the product shall not be bio-accumulating.

A colouring agent is considered not bio-accumulating if $BCF < 100$ or $\log K_{ow} < 3,0$. If both BCF and $\log K_{ow}$ values are available, the highest measured BCF value shall be used. In the case of colouring agents approved for use in food, it is not necessary to submit documentation of bio-accumulation potential.

Assessment and verification: the applicant ~~or their suppliers, as appropriate,~~ shall provide a signed declaration of compliance, together supported by declarations from suppliers, if appropriate, along with ~~copies of the safety data sheets~~ SDS of any ~~colorant~~ colouring agent added ~~together with~~ and information on its BCF and/or $\log K_{ow}$ value, or documentation to ensure that the colouring agent is approved for use in food.

(g) Enzymes

Only enzyme encapsulates (in solid form) and enzyme liquids/slurries shall be used.

Assessment and verification: the applicant shall provide a signed declaration of compliance supported by ~~copies of declarations from suppliers, if appropriate, along with the safety data sheets of SDS of~~ any enzyme added.

(g) Corrosive properties

The product shall not be classified as a 'Corrosive' (C) mixture with H314, or as a 'Skin corrosion, categories 1A, 1B, 1C' mixture in accordance with CLP Regulation.

Assessment and verification: The applicant shall provide the exact concentrations of all ingoing substances used in the product, either as part of the formulation or as part of any mixture included in the formulation, that are classified as 'Corrosive' (C) with H314 in accordance with CLP Regulation to the competent body, along with the product SDS.

Criterion 5 – Packaging

(a) Weight/utility ratio (WUR)

The weight/utility ratio (WUR) of the product shall be calculated for the primary packaging only and shall not exceed ~~0,25 g/l washing solution~~ the following values for the reference dosage:

~~Plastic/paper/cardboard~~

| <u>Product type</u> | <u>WUR</u> (g/l washing water) |
|-----------------------------------|-----------------------------------|
| <u>Hand dishwashing detergent</u> | <u>0,6</u> |

Primary packaging containing more than 80 % of recycled materials is exempted from this requirement.

Assessment and verification: the applicant shall provide the calculation of the WUR of the product. If the product is sold in different packaging (i.e. with different volumes), the calculation shall be submitted for each packaging size for which the EU Ecolabel shall be awarded. ~~In the case of trigger sprays and the allocation of weight to the primary packaging, this shall be on the basis of pan-European sales data for the product, indicating unit sales of each.~~

The WUR is calculated as follows:

~~$$WUR = \sum ((W_i + U_i) / (D_i * R_i))$$~~

$$WUR = \sum ((W_i + U_i) / (D_i * R_i))$$

Where:

W_i: weight (g) of the primary packaging (i),

U_i: weight (g) of non-recycled packaging in the primary packaging (i). U_i = W_i unless the applicant can document otherwise,

D_i: number of reference doses contained in the primary packaging (i),

R_i: number of times that the primary packaging (i) can be refilled and used for the same purpose. R_i = 1 (packaging is not reused for the same purpose) unless the applicant can document a higher number product is sold as part of a lot containing refills and the EU Ecolabel shall be awarded to the lot.

The applicant shall provide a signed declaration ~~for~~ of compliance confirming the content of recycled material, along with relevant documentation. Packaging is regarded as recycled if the raw material used to make the packaging has been collected from packaging manufacturers at the distribution stage or at the consumer stage. Where the raw material is industrial waste from the material manufacturer's own production process, then the material will not be regarded as recycled.

(b) Design for recycling

Plastic packaging shall be designed to facilitate effective recycling by avoiding potential contaminants and incompatible materials that are known to impede separation or reprocessing or to reduce the quality of recyclate. The label or sleeve, closure and, where applicable, barrier coatings shall not comprise, either singularly or in combination the materials and components listed in ~~Table 5-Table 4~~. Pumps are exempted from this requirement.

Table 45 Materials and components excluded from packaging elements

| Packaging element | Excluded materials and components* |
|-------------------|--|
| Label or sleeve | <ul style="list-style-type: none"> - PS label or sleeve in combination material used with a PET, PP or HDPE bottle - PVC label or sleeve in combination with a PET, PP or HDPE bottle - PETG label or sleeve in combination with a PET bottle - Sleeves made of different polymer than the bottle - Any other plastic materials for sleeves/labels used with PET bottle with a density > 1 - Any other plastic materials for sleeves/labels used with PP or HDPE bottle with a density < 1 - Labels or sleeves that are metallised or are welded to a packaging body (in mould labelling) |
| Closure | <ul style="list-style-type: none"> - PS closure in combination a with a PET, HDPE or PP bottle - PVC closure in combination with a PET, PP or HDPE bottle - PETG closures and/or closure material with density of above 1 g/cm³ in combination with a PET bottle - Closures made of metal, glass, EVA - Closures made of silicone. Exempted are silicone closures with a density < 1 g/cm³ in combination with a PET bottle and silicone closures with a density > 1g/cm³ in combination with PEHD or PP bottle - Metallic foils or seals which remain fixed to the bottle or its closure after the product has been opened |
| Barrier coatings | Polyamide, EVOH , functional polyolefins, metallised and light blocking barriers |

* EVA – Ethylene Vinyl Acetate, ~~EVOH – Ethylene vinyl alcohol~~, HDPE – High-density polyethylene, PET – Polyethylene terephthalate, PETG – Polyethylene terephthalate glycol-modified, PP – Polypropylene, PS – Polystyrene, PVC – Polyvinylchloride

Assessment and verification: the applicant shall ~~submit~~provide a signed declaration of compliance specifying the material composition of the packaging including the container, label or sleeve, adhesives, closure and barrier coating, as appropriate, ~~and a sample of along with photos or technical drawings of the~~ primary packaging.

Criterion 6: Corrosive properties

~~The product shall not be classified as a 'Corrosive' (C) mixture with H314, or as a 'Skin corrosion, categories 1A, 1B, 1C' mixture in accordance with CLP Regulation.~~

(c) Design for dosing

A convenient dosing system (e.g. caps, capsules/tablets, spray actuators, high viscosity drops) shall be made available to the users as part of the packaging.

Assessment and verification: the applicant shall provide ~~the exact concentrations of all ingoing substances used in the product, either as part of the formulation or as part of any mixture included in~~ a signed declaration of compliance with a description of the dosing system and its use, along with photos or technical drawings of the ~~formulation, that are classified as 'Corrosive' (C) with H314 in accordance with CLP Regulation to the competent body. Declaration should be supported by the material safety data sheets,~~ primary packaging.

Criterion 7 - Fitness for use

~~Tests shall be carried out to ensure that the~~The product ~~has~~shall have a satisfactory wash performance at the lowest temperature and dosage recommended by the manufacturer for the water hardness according to the ~~"Framework for testing the performance of~~test for hand dishwashing ~~detergents²detergents"~~ available at:

http://ec.europa.eu/environment/ecolabel/documents/performance_test.pdf

~~If no dosage instructions are provided, the same dosage is used as for the test product.~~

~~The test shall be preferentially performed by a laboratory complying with the relevant harmonized standards for testing and calibration laboratories.~~

~~The generic reference detergent shall be the one prescribed in IKW performance test 'Recommendation for the quality assessment of the cleaning performance of hand dishwashing detergents' (SÖFW Journal, 128, 5, pp. 11-15, 2002) with the adaptation that the dosage applied in the performance test is set at 2.5 millilitres of the reference detergent per 5 litres of water.~~

~~The cleaning ability and cleaning capacity must be equivalent to or better than that of the generic reference detergent.~~

Assessment and verification: the applicant shall provide documentation ~~confirming~~demonstrating that the product has been tested under the conditions specified in the framework conditions. ~~The report must include all the points listed in the "~~and that the results passed the minimum wash performance required. The applicant shall also provide

documentation" ~~section of the 'Framework for testing the performance of hand dishwashing detergents'~~

~~Information should be provided on the demonstrating~~ compliance ~~within~~with the laboratory requirements included in the relevant harmonized standards for testing and calibration laboratories, if appropriate.

An equivalent test performance may be used if equivalence has been assessed and accepted by the competent body.

Criterion 8 - User information

The ~~detergent~~product shall be accompanied by instructions for proper use so as to maximise product performance and minimise waste, reduce water pollution and use of resources. These instructions shall be legible or include graphical representation or icons and include information on ~~(if appropriate):~~:

(a) List of ingredients

In addition to the ingredients listed in accordance with Regulation (EC) No 648/2004, all ingredients present in the form of nanomaterials. The name of such ingredients shall be followed by the word "nano" in brackets.

(b) Dosing instructions

The applicant shall ~~take suitable steps to help consumers respect the recommended dosage, making~~make available ~~the dosing instructions and if possible~~ a convenient dosage system (e.g. caps). ~~Dosing instruction, capsules/tablets, spray actuations, high viscosity drops) as required in Criterion 5(c).~~

Dosage instructions shall include ~~information on the recommended dosage in g or ml and a second or alternative metric may be given in brackets (e.g. capsules, squirts, or other if the packaging has a dosage system). Recommended dosage for a standard load~~ for at least two levels of soiling ~~shall be included. Information on~~and, if applicable, the impact of the water hardness on the dosing ~~and~~.

If applicable, indications of the most prevalent water hardness in the area where the product is intended to be marketed or where this information can be found shall be provided.

(bc) Resource saving measures

~~The applicant~~An indication on the primary packaging shall ~~recommend washing at~~encourage users to use the lowest appropriate temperature the product claims effectiveness, ~~which shall not be higher than 30C~~, and ~~washing with full loads~~the lowest appropriate amount of water.

(ed) Packaging disposal information

The primary packaging shall include information on the reuse, recycling and ~~or~~ correct disposal of packaging.

(de) Environmental information

The following text should appear on the primary packaging: "All detergents have an effect on the environment. For maximum effectiveness always use the correct dose and, the lowest recommended temperature. This will minimize both energy and water consumption and reduce water pollution".

Assessment and verification: the applicant shall provide a signed declaration of compliance ~~together along~~ with a sample of the product ~~packaging, including the~~ label.

Criterion 9 - Information appearing on the EU Ecolabel

The logo should be visible and legible. The EU Ecolabel registration/licence number ~~must shall~~ appear on the product and it ~~must shall~~ be legible and clearly visible. ~~Optional label with~~

~~The applicant may choose to include an optional~~ text box ~~shall contain on the label that contains~~ the following text:

- Harm to aquatic life is limited
- Amount of hazardous substances is restricted
- Tested for washcleaning performance

Assessment and verification: the applicant shall provide a signed declaration of compliance along with a sample of the product label or an artwork of the packaging where the EU Ecolabel is placed, together with a signed declaration of compliance.

Appendix I

Detergents Ingredients Database (DID) list

The DID list (Part A) is a list containing information of the aquatic toxicity and biodegradability of ingredients typically used in detergent formulations. The list includes information on the toxicity and biodegradability of a range of substances used in washing and cleaning products. The list is not comprehensive, but guidance is given in Part B of the DID list concerning the determination of the relevant calculation parameters for substances not present on the DID list (e.g. the Toxicity Factor (TF) and degradation factor (DF), which are used for calculation of the critical dilution volume). The list is a generic source of information and substances present on the DID list are not automatically approved for use in EU Ecolabel products.

Part A and Part B of the DID list can be found on the EU Ecolabel website at:

http://ec.europa.eu/environment/ecolabel/documents/did_list/didlist_part_a_en.pdf

http://ec.europa.eu/environment/ecolabel/documents/did_list/didlist_part_b_en.pdf

For substances with no data regarding aquatic toxicity and degradability, structure analogies with similar substances may be used to assess the TF and DF. Such structure analogies shall be approved by the competent body granting the EU Ecolabel license. Alternatively, a worst case approach shall be applied, using the parameters below:

Worst case approach:

| Ingoing substance | Acute toxicity | | | Chronic toxicity | | | Degradation | | |
|-------------------|----------------|-----------------------|-----------------------|------------------|---------------------------|-------------------------|-------------|---------|-----------|
| | LC50/EC50 | SF _(acute) | TF _(acute) | NOEC* | SF _(chronic) * | TF _(chronic) | DF | Aerobic | Anaerobic |
| "Name" | 1 mg/l | 10,000 | 0.0001 | | | 0.0001 | 1 | P | N |

* If no acceptable chronic toxicity data are found, these columns are empty. In this case, TF_(chronic) is defined as equal to TF_(acute).

Documentation of ready biodegradability

The test methods for ready biodegradability provided for in Regulation (EC) No 1272/2008 shall be used.

Documentation of anaerobic biodegradability

The reference test for anaerobic degradability shall be EN ISO 11734, ECETOC No 28 (June 1988), OECD 311 or an equivalent test method, with the requirement of 60% ultimate degradability under anaerobic conditions. Test methods simulating the conditions in a relevant anaerobic environment may also be used to document that 60% ultimate degradability has been attained under anaerobic conditions.

Extrapolation for substances not listed in the DID list

Where the ingoing substances are not listed in the DID list, the following approach may be used to provide the necessary documentation of anaerobic biodegradability:

- (1) ~~Apply reasonable extrapolation. Use test results obtained with one raw material to extrapolate the ultimate anaerobic degradability of structurally related surfactants. Where anaerobic biodegradability has been confirmed for a surfactant (or a group of homologues) according to the DID list, it can be assumed that a similar type of surfactant is also anaerobically biodegradable (e.g., C12-15 A 1-3 EO sulphate [DID No 8] is anaerobically biodegradable, and a similar anaerobic biodegradability may also be assumed for C12-15 A 6 EO sulphate). Where anaerobic biodegradability has been confirmed for a surfactant by use of an appropriate test method, it can be assumed that a similar type of surfactant is also anaerobically biodegradable (e.g., literature data confirming the anaerobic biodegradability of surfactants belonging to the group alkyl ester ammonium salts may be used as documentation for a similar anaerobic biodegradability of other quaternary ammonium salts containing ester linkages in the alkyl chain(s)).~~
- (2) ~~Perform screening test for anaerobic degradability. If new testing is necessary, perform a screening test by use of EN ISO 11734, ECETOC No 28 (June 1988), OECD 311 or an equivalent method.~~
- (3) ~~Perform low dosage degradability test. If new testing is necessary, and in the case of experimental problems in the screening test (e.g. inhibition due to toxicity of test substance), repeat testing by using a low dosage of surfactant and monitor degradation by ¹⁴C measurements or chemical analyses. Testing at low dosages may be performed by use of OECD 308 (August 2000) or an equivalent method.~~