



Notification Number: 2000/78/F

## **Draft decree implementing article L 214-1 of the Consumer Code as regards bleach and bleach concentrates.**

Date received : 24/02/2000  
End of Standstill : 25/05/2000 ( **25/08/2000**)  
Issue of comments by : Commission, Italy  
Issue of detailed opinion by : Spain, United Kingdom

### Message

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SGS



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Message 002

Communication from the Commission - SG(2000) D/50440  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2000/78/F

(MSG: 200000440.EN)

**1. Structured Information Line**

MSG 002 IND 2000 0078 F EN 25-05-2000 24-02-2000 F NOTIF 25-05-2000

**2. Member State**

FRANCE

**3. Department Responsible**

Secrétariat Général du Comité Interministériel pour les Questions de Coopération Economique Européenne 2, boulevard Diderot - 75012 PARIS.

Délégation Interministérielle aux Normes - 22, rue Monge - 75005 PARIS.

**3. Originating Department**

Direction Générale de la Concurrence de la Consommation et de la Répression des Fraudes 59, boulevard Vincent Auriol 75703 PARIS CEDEX 13.

**4. Notification Number**

2000/0078/F

**5. Title**

Draft decree implementing article L 214-1 of the Consumer Code as regards bleach and bleach concentrates.

**6. Products Concerned**

Products marketed under a name which comprises the word 'Javel' (bleach) and which are either aqueous solutions of sodium hypochlorite, or preparations intended to be introduced into water in order to obtain aqueous solutions comprising active chlorine.

**7. Notification Under Another Act**

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**8. Main Content**

The draft decree replaces Decree 69-100 of 10 January 1969. Its scope is defined in articles 1 and 2. Its fundamental object is the regulation of bleach and bleach concentrates which, following dilution, enable a bleach



to be obtained which has a lower sodium hypochlorite content. It also relates to other preparations which, when placed in water, enable aqueous solutions to be obtained which have free chlorine contents that are comparable to those that can be obtained with the aid of bleaches.

For safety reasons, maximum contents of active chlorine and free sodium hydroxide in products intended to be delivered to the consumer are set, for bleaches and bleach concentrates, in article 5. Indeed, beyond the maximum weighted concentrations adopted (9.9 per cent active chlorine and 1.5 per cent free sodium hydroxide) the corrosive effects of the preparations in question reach dangerous levels which may turn out to be scarcely compatible with the level of safety generally expected of products for everyday domestic use that are known by a name which comprises the word 'Javel' (bleach).

Article 3 of the draft decree comprises indications for labelling, enabling product types to be identified and correctly used, which are identical to those that already feature in Decree 69-100 of 10 January 1969. Given that active chlorine contents for concentrated products diminish over time, a decrease not exceeding one sixth of the initial content, which already featured in the Decree of 1969, is also permitted by article 4 of the draft decree. Likewise, the prohibitions on misleading the consumer, set out in 1969, are taken up in article 7 of the draft decree.

Lastly, a mutual recognition clause, which is comparable in its wording to provisions that feature in the very latest regulatory texts, is set out in article 7 of the draft decree. This measure should enable bypassing of the restrictions on the exchange of goods in question that are manufactured in other countries belonging to the European Union or to the European Economic Area.

## **9. Brief Statement of Grounds**

It was necessary to amend certain provisions of the prior Decree of 1969 in order to take into account advances in understanding, notably as regards the assessment of acceptable dangers, and to take into consideration developments in the field of how product contents are expressed in terms of essential components.

In particular, maximum concentrations of active chlorine and free sodium hydroxide have been adopted in the draft decree in order to avoid a situation whereby products containing high levels of these substances would constitute a danger scarcely compatible with the level of safety generally expected of products currently used for domestic purposes and which are known by a name which comprises the word 'Javel' (bleach).

## **10. Reference Documents - Basic Texts**

- Chapters III to V of the Consumer Code, and in particular article L.214-1 thereof.
- Decree n° 69-100 of 10 January 1969 laying down public sector procedures for the implementation of the Law of 1st August 1905 on the suppression of fraud as regards trading in bleach and extracts of bleach.

## **11. Invocation of the Emergency Procedure**

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## **12. Grounds for the Emergency**

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## **13. Confidentiality**

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#### **14. Fiscal measures**

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Carlo Trojan  
General Secretary  
European Commission