



Notification Number: 2005/358/F

## **Draft Decree on the prohibition of phosphates in domestic textile detergents, laid down in implementation of Article L. 211-2(II)(4) of the Environment Code (Annex 1)**

Date received : 19/07/2005  
End of Standstill : 20/10/2005  
Issue of comments by : Commission, Portugal

### Message

Message 002

Communication from the Commission - SG(2005) D/51628  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2005/0358/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata -  
Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora -  
Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien  
- Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud -  
Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200501628.EN)

#### **1. Structured Information Line**

MSG 002 IND 2005 0358 F EN 20-10-2005 19-07-2005 F NOTIF 20-10-2005

#### **2. Member State**

France

#### **3. Department Responsible**

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#### **3. Originating Department**

Ministère de l'écologie et du développement durable  
Direction de l'eau / MAGE / BLPDI  
20, avenue de Ségur  
75302 PARIS 07 SP



#### **4. Notification Number**

2005/0358/F - C00C

#### **5. Title**

Draft Decree on the prohibition of phosphates in domestic textile detergents, laid down in implementation of Article L. 211-2(II)(4) of the Environment Code (Annex 1)

#### **6. Products Concerned**

Detergents intended for the washing of linen by households and communities whose usage conditions are similar to those of households

#### **7. Notification Under Another Act**

d) Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents

#### **8. Main Content**

The draft Decree aims to prohibit from 1 July 2007, throughout France, the placing on the market, sale, import and use of detergents containing phosphates, intended for the washing of linen by households and communities whose usage conditions are similar to those of households.

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

The phosphates contained in detergents used in French households for washing linen play a significant part in the eutrophication of surface waters (10,000 tonnes per year). This draft Decree supplements the provisions implemented by France following its conviction on 23 September 2004 by the European Court of Justice for failing to apply Directive 91/271 concerning urban waste-water treatment.

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

a) The draft Decree comes within the framework of Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents, which will enter into force from 8 October 2005 (see Annex 2) and which authorises, in Article 14, Member States to adopt national regulations on the use of phosphates in detergents.

f) This draft aims to eliminate the phosphates contained in domestic textile washing powders in order to combat the eutrophication of aquatic environments (see in Annex 3 the report of Prof. Roland CARBIENER of May 1990 on washing powder compositions with or without phosphates and the protection of the aquatic environment).

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

No

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

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### 13. Confidentiality

No

### 14. Fiscal measures

No (the draft Decree does not lay down any fiscal measures)

### 15. Impact assessment

Phosphates have been widely used in the composition of detergents particularly for their water softening and anti-redeposition properties. In France, manufacturers have been progressively replacing them with zeoliths (clays) in household textile detergents since the 1990s, particularly following the signature of an agreement between the Secretariat of State responsible for the Environment and washing powder manufacturers. However, the phosphates contained in these detergents still total more than 20,000 tonnes per year (2003 data). A large proportion of these phosphates are still disposed of in the natural environment, especially in municipalities where purification is autonomous or in urban areas that have an old collection system and/or a purification station that does not perform phosphate removal treatment, or during periods of heavy rainfall. Consequently, only a reduction of phosphates at the source of emission will allow us to effectively combat the eutrophication of surface waters.

### 16. TBT and SPS aspects

TBT aspect

Yes (the draft Decree will be notified within the TBT framework)

SPS Aspect

No (the draft will not be notified within the SPS framework)

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European Commission

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