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COUNCIL DIRECTIVE

of 22 November 1973

on the approximation of the laws of the Member States relating to detergents

(73/404/EEC)

(OJ L 347, 17.12.1973, p. 51)

Amended by:

	Official Journal		
	No	page	date
►**M1** Council Directive of 31 March 1982 (82/242/EEC)	L 109	1	22.4.1982
►**M2** Council Directive of 10 March 1986 (86/94/EEC)	L 80	51	25.3.1986
►**M3** Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003

Corrected by:

►**C1** Corrigendum, OJ L 195, 18.7.1974, p. 35 (73/404/EEC)

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COUNCIL DIRECTIVE

of 22 November 1973

on the approximation of the laws of the Member States relating to detergents

(73/404/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof; (SIC! thereof,)

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ([1]); (SIC! ([2]) Parliament,)

Having regard to the Opinion of the Economic and Social Committee ([3]); (SIC! ([4]) Committee,)

Whereas the laws in force in the Member States for ensuring the biodegradability of surfactants differ from one Member State to another, which results in a hindrance to trade;

Whereas the increasing use of detergents is one of the causes of pollution of the natural environment in general and the pollution of waters in particular;

Whereas one of the pollutant effects of detergents on waters, namely the formation of foam in large quantities restricts contact between water and air, renders oxygenation difficult, causes inconvenience to navigation, impairs the photosynthesis necessary to the life of aquatic flora, exercises an unfavourable influence on the various stages of processes for the purification of waste waters, causes damage to waste water purification plants and constitutes an indirect microbiological risk due to the possible tranference (SIC! transference) of bacteria and viruses;

Whereas it is desirable to maintain an average level of biodegradability of detergents of 90% and whereas technology and industrial practicalities make this possible, and whereas it is desirable nevertheless to safeguard against uncertainties of test methods which could lead to rejection decisions having important economic consequences,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, detergent shall ►C1 mean any product the composition ◄ of which has been specially studied with a view to developing its detergent properties, and which is made up of essential constituents (surfactants) and, in general, additional constituents (adjuvants, intensifying agents, fillers additives and other auxiliary constituents).

Article 2

Member States shall prohibit the placing on the market and use of detergents where the average level of biodegradability of the surfactants contained therein is less than 90% for each of the following categories: anionic, cationic, non-ionic and ampholytic.

The use of surfactants with an average level of biodegradability of not less than 90% must not, under normal conditions of use, be harmful to human or animal health.

([1]) OJ No C 10, 5. 2. 1972, p. 29
([2]) OJ No C 10, 5. 2. 1972, p. 29.
([3]) OJ No C 89, 23. 8. 1972, p. 13.
([4]) OJ No C 89, 23. 8. 1972, p. 13.