
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Detergents Regulations 2010 (“the 2010 Regulations”) to reflect the changes made by EU Regulation 259/2012 (“Regulation 259/2012”) of the European Parliament and of the Council amending Regulation (EC) No 648/2004 (“Regulation 648/2004”) as regards the use of phosphates and other phosphorus compounds in consumer laundry detergents and consumer automatic dishwasher detergents (OJ No L94, 30.3.2012, p.16).

Regulation 9 of the 2010 Regulations (which made it an offence to place on the market a detergent intended for use in domestic laundry if the weight of phosphorous in inorganic phosphate contained in the detergent was greater than 0.4% of the weight of the detergent) was due to come into force on 1st January 2015, but has been revoked by these Regulations. Instead, regulation 2(3) inserts a new offence of placing a consumer laundry detergent on the market which is in contravention of Article 4a (inserted by Regulation 259/2012) which limits the total content of phosphorus to 0.5 grams in the recommended quantity of the consumer laundry detergent to be used in the washing process.

Regulation 3 inserts a new regulation 31 requiring the Secretary of State to review the operation and effect of the 2010 Regulations as they apply to England, and publish a report within five years beginning with 30th June 2013 and within every five years after that. Following a review the Secretary of State must consider, in relation to England, whether the Regulations should remain as they are, or be revoked or be amended. A further instrument would be needed to revoke the Regulations or to amend them.

Regulation 4 amends Schedule 2 to the 2010 Regulations to show which enforcement authorities in the United Kingdom are responsible for enforcement of Article 4a and Annex VIa of Regulation 648/2004.

A full impact assessment has not been produced for this instrument as no impact on the private, voluntary or a public sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Detergents (Amendment) Regulations 2013.