



EUROPEAN
COMMISSION

Brussels, **XXX**
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COMMISSION REGULATION (EU) No .../..

of **XXX**

**amending, for the purposes of its adaptation to technical and scientific progress,
Regulation (EC) No 1272/2008 of the European Parliament and of the Council on
classification, labelling and packaging of substances and mixtures**

(Text with EEA relevance)

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**amending, for the purposes of its adaptation to technical and scientific progress,
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classification, labelling and packaging of substances and mixtures**

(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 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 1907/2006¹, and in particular Article 53(1) thereof,

Whereas:

- (1) Regulation (EC) No 1272/2008 harmonises the criteria for the classification and the rules on labelling and packaging for hazardous substances and mixtures. It sets an obligation for suppliers to label and package substances and mixtures classified as hazardous in accordance with that Regulation before placing it on the market. It provides for rules to avoid accidental exposure and poisoning of consumers, in particular children, to hazardous chemicals supplied to the general public.
- (2) Liquid consumer laundry detergents in soluble packaging for single use are placed on the market in the Member States, and the market share of this product is rising in the Union. The existing provisions for soluble packaging containing hazardous chemicals for single use do not provide sufficient protection. A uniform and more efficient approach to ensure better protection of the general public and especially children and other vulnerable groups while maintaining free circulation of chemical products contained in soluble packaging is therefore warranted.
- (3) A significant number of severe incidents of poisoning and eye damage involving infants have been reported by Poison Centres in several Member States in regard to liquid consumer laundry detergents in soluble packaging for single use, with a higher accident rate compared to consumer laundry detergents in other packaging systems.
- (4) Although information campaigns in some Member States have some shown positive effects, it is necessary to lower the attractiveness to children and to render access to this type of product more difficult. Supplemental information should be included and highlighted on the label of the outer packaging of liquid consumer laundry detergents in soluble packaging for single use.
- (5) To rapidly address the severe consequences related to incidents with these products, while taking account of the necessary minimum time needed by economic operators to adapt to the new rules, an adequate transitional period should be provided.

¹ OJ L 353, 31.12.2008, p.1.

- (6) Recourse to the urgency procedure under Article 54(4) of Regulation (EC) No 1272/2008 is warranted.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council²,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1272/2008 is amended as follows:

- (1) In the second subparagraph of Article 35(2), the following sentence is added:
'Where a liquid consumer laundry detergent, as defined in Article 2(1a) of Regulation (EC) No 648/2004 of the European Parliament and of the Council³, is contained in a soluble packaging for single use, it shall comply with the requirements of section 3.3 of Annex II.'
- (2) Annex II is amended as set out in the Annex to this Regulation.

Article 2

1. By way of derogation from the second paragraph of Article 3, substances classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 and placed on the market before 1 June 2015 shall not be required to be relabelled and repackaged in accordance with Regulation (EC) No 1272/2008, as amended by this Regulation, until 31 December 2015.
2. By way of derogation from the second paragraph of Article 3, mixtures classified, labelled and packaged in accordance with Directive 1999/45/EC of the European Parliament and of the Council⁴ or Regulation (EC) No 1272/2008 and placed on the market before 1 June 2015 shall not be required to be relabelled and repackaged in accordance with Regulation (EC) No 1272/2008, as amended by this Regulation, until 31 December 2015.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 June 2015.

² 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), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L396, 30.12.2006, p.1).

³ 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).

⁴ Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ L 200, 30.7.1999, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]