On approval of the Technical regulations on detergents

In accordance with Article 14 of Law of Ukraine "On standards, technical regulations and conformity assessment procedures", the Cabinet of Ministers of Ukraine resolves to:

1. Approve the attached Technical regulations on detergents and Plan of measures for implementation of these regulations.

2. Make the Ministry of industrial policy responsible for application of the Technical regulations, approved by this Resolution, and for controlling compliance with requirements of these regulations.

Prime minister of Ukraine

Y. TIMOSHENKO

Ind. 21

APPROVED by Resolution of the Cabinet of Ministers of Ukraine
# 717 of 20 August 2008
THE TECHNICAL REGULATIONS on detergents

General provisions

1. These Technical regulations set forth principal requirements concerning detergents and surface-active substances contained in detergents (hereinafter – the detergents).

2. Terms used in these Technical regulations are defined as follows:

producer – natural person – entrepreneur or legal person, who is responsible for manufacturing, packaging and labeling of the detergent, in particular manufacturer, importer, packager or any other person that performs labeling of the detergent, alters its characteristics, labeling or packaging. An importer, who does not change characteristics, labeling or packaging of the detergent, is also regarded as producer;

primary biological decomposition capacity of a surface-active substance – a structural change (transformation) of the surface-active substance by microorganisms leading to the loss of its properties as a result of decomposition of the output substance;

complete biological decomposition capacity of a surface-active substance – the level of biological decomposition where a surface-active substance is completely transformed by microorganisms in the presence of oxygen, which results in it’s decomposing into carbonic acid gas, water, mineral salts containing any other elements present (mineralization) and creation of new microbic mesh components (biomass);

the detergent - any substances or preparation that contains soap and/or other surface-active substances intended for washing or cleaning. A detergent may be in the form of liquid, powder, paste, bar, tile, tablet, etc.;

cleaning – separating the contamination particles from the base and transforming them into a solution or dispersion;

surface-active substance - any organic substance and/or preparation which is used in the detergent, has surface-active characteristics and contain one or more hydrophilic groups and one or more hydrophobic groups of the nature and size that allows reduction in the level of the water surface tension, formation of mono-layers that spread over or adsorb in the layer between water and air, emulsion and/or micro-emulsion, and/or micelles, and also adsorb in the layer between water and hard surface;

washing – removal of various types of soil from fabrics;

preparation – a mix or a solution containing two or more substances;

industrial detergent - the detergent that is used in the industry for washing or cleaning;

substance – chemical element and its compounds in the natural state or such that are obtained as a result of any technological process, including any additives needed to ensure its stability, and any admixtures produced in the course of a technological process, but not including any solvents that may be separated, not affecting the stability of the substance or changing its composition.
Other terms are used as defined in Laws of Ukraine «On standards, technical regulations and conformity assessment procedures», «On standardization», «On conformity verification», «On accreditation of conformity assessment bodies» and «On protection of consumer rights».

3. Compliance with requirements set forth by these Technical regulations shall be mandatory for:

- producers of detergent;
- producer’s authorized representative – resident of Ukraine (hereinafter – the authorized representative);
- persons responsible for introducing the detergent into circulation, in the event where the producer or the authorized representative does not perform the activity in the territory of Ukraine;
- the central executive authority performing technical regulation functions in the chemical industry sector;
- the agency assessing the conformity of the detergent, appointed in accordance with Resolution of the Cabinet of Ministers of Ukraine of 24 January 2007 # 59 «On approval of the Procedure for appointing authorities for assessment of conformity of products, processes and services to technical regulations’ requirements” (Official gazette of Ukraine, 2007, # 6, p. 223).

4. Requirements of these Technical regulations shall apply to:

- detergents intended for washing or cleaning and introduced into circulation in the territory of Ukraine for use by consumers;
- auxiliary detergents intended for presoaking, rinsing or bleaching fabric articles;
- fabric softeners used in processes that are auxiliary to washing;
- substances for cleaning materials, articles, mechanisms, mechanical devices, vehicles and auxiliary equipment, tools, apparatus, etc. intended for household use;
- other preparations intended for use in the course of washing and cleaning.

**Requirements to detergents**

5. Principal requirements to detergents, the use of which may damage environment and consumer health, include:

- primary and complete biological decomposition ability of surface-active substances contained in the detergent;
- their mandatory labeling.

6. The level of capacity for complete biological decomposition of surface-active substances contained in the detergent must be no less than 60 (for carbon dioxide) or 70 percent (for total organic carbon content).
Tests for measuring complete biological decomposition capacity shall be administered using methods set forth by national standards.

A detergent that has passed a test for measuring complete biological decomposition capacity may be introduced into circulation without limitations.

In cases where this capacity is less than the required level, the tests for measuring the capacity for primary biological decomposition of surface-active substances contained in the detergent shall be carried out.

7. Capacity for biological decomposition of surface-active substances contained in the detergent shall be determined based on their residual content level in the biologically decomposed solution of the detergent.

The required capacity level may not be less than 80 percent.

Tests for measuring primary biological decomposition capacity shall be administered using methods set forth by national standards.

In cases where this level conforms to the required capacity, the producer of the detergent may file an inquiry concerning the possibility of its further use, based on the form approved by the central executive authority performing technical regulation functions in the chemical industry sector.

In cases where this level is less than 80 percent, the detergent may not be introduced into circulation.

**Labeling of the detergent**

8. A detergent is subject to labeling/marking by way of affixing to the outside surface of the packaging a label with clearly shown writing/letters, which can not be removed during the detergent’s entire usable period, indicating:

name and information on the intended use of the detergent;

trademark, name, location and telephone number of the producer of the detergent or its authorized representative;

information on the composition of the detergent;

addresses, including e-mail (if available), and telephone numbers where one can obtain technical descriptions of the substances contained in the detergent;

rules and conditions of use and special precaution measures, if necessary;

conformity verification information;

net weight;

date of manufacture;

usable period;
regulatory documents in compliance with which the detergent is manufactured;

bar code of the Product Coding Association of Ukraine.

Information specified in paragraphs two, three and five of this section must be also provided in the accompanying documents in the event of the wholesale supplies of the detergent.

9. Information regarding presence in the detergent of phosphates, phosphonates, anion, cation, amphoteric and non-ionic surface-active substances, bleaching agents based on oxygen and chlorine, ethilendiamintetra-acetic acid and its salts, nitril tri-acetic acid and its salts, phenols and halogenated phenols, paradichlorbenzol, aromatic, aliphatic and halogenated hydrocarbons, soap, zeolite, polycarboxylates, whose specific mass is more than 0.2 percent of the mass of the detergent, must be specified in the following intervals of specific weight:

less than 5 percent;
5 to 15 percent;
15 to 30 percent;
over 30 percent.

10. Information concerning presence in the detergent of component substances such as enzymes, disinfectants, optical bleaching agents, aromatizers or preservatives must be indicated regardless of specific mass of such substances.

11. The information specified in sections 9 and 10 of these Technical regulations must be specified for consumers in accompanying documents, label, in the text on the label or otherwise.

12. The technical description must include the list of substances contained in the detergent, in the following specific mass intervals:

over 10 percent;
1 to 10 percent;
0.1 to 1 percent;
less than 0.1 percent.

Admixtures that are created in the detergent during the technological process of its manufacturing shall not be regarded as substances.

A technical description must also specify the common chemical name for each substance or its name under the nomenclature of the International Union of Pure and Applied Chemistry/IUPAC, registration number under Chemical Abstracts Service Registry/CAS, name (if exists) under the International Nomenclature of Cosmetic Ingredients/INCI and the name assigned under the State pharmacopoeia of Ukraine and/or the European pharmacopoeia.

13. Labeling of detergent used in washing machines shall contain:
instruction concerning detergents quantities for different uses and for different levels of fabric impurity, expressed in milliliters or grams, and for different degrees of water hardness (soft, medium and hard) used in the washing machine;

information concerning number of washing cycles;

if there is a measuring scoop – marks for quantities of the detergent dispensed with such a scoop for different degrees of hardness of water used in the washing machine.

14. Labels on the packaging of liquid detergent shall not contain graphic images of food products, in particular fruits, which could mislead consumers with respect to the intended use of the detergent.

15. Labeling of the detergent shall be carried out in accordance with legislation on languages.

16. In cases where products are manufactured for export, if provisions of the relevant foreign trade contract set forth requirements other than those established by these Technical regulations, it will be allowed to follow the provisions of the contract provided that they are not in conflict with the legislation of Ukraine in the part that concerns requirements to the process of manufacturing, storing or transporting the detergent in the territory of Ukraine.

17. The national conformity mark, in accordance with its description and rules for application, approved by Resolution of the Cabinet of Ministers of Ukraine # 1599 of 29 November 2001 «On approval of the description and rules for application of the national conformity mark" (Official gazette of Ukraine, 2001, # 49, p. 2188), shall be affixed to the detergent that has passed the conformity assessment in accordance with these Technical regulations.

Testing of the surface-active substances

18. Testing of the surface-active substances shall be carried out by the accredited testing laboratories meeting the requirements of the state standard DSTU ISO/IEC 17025 "General requirements to the competence of testing and calibrating laboratories" and national standards in accordance with the list officially published by the State committee for standardization and consumer policy, with voluntary application of such requirements being a proof of the detergent’s conformity with requirements of these Technical regulations.

19. Producer of the detergent shall ensure keeping of documents that contain:

1) information on the results of the tests administered under these Technical regulations to determine the capacity:

for complete biological decomposition of the surface-active substances contained in the detergent;

for primary biological decomposition of the surface-active substances contained in the detergent, which have failed the tests determining the capacity for complete biological decomposition;

2) technical description of substances contained in the detergent.

20. Producer shall be responsible for complying with the established procedure for testing the detergent.
Conformity assessment procedure

21. To assess conformity of the detergent to the requirements of these Technical regulations, the producer or its authorized representative shall apply the conformity assessment procedure set forth by Resolution of the Cabinet of Ministers of Ukraine of 7 October 2003 # 1585 «On approval of the Technical regulations of conformity assessment modules and requirements concerning labeling with the national conformity mark, which are used in technical regulations" (Official gazette of Ukraine, 2003, # 41, p. 2175; 2007, # 1, p. 31).

To administer conformity assessment, based on the producer’s choice, either module Aa (modified module A) or module F (product examination), or more complex modules shall be used.

A procedure for performing conformity assessment and a plan for selective control shall be set by the regulatory document that regulates production of the detergent.

22. A producer or its authorized representative shall be required to develop technical documentation containing information concerning design, production and use of the detergent, its conformity to the requirements of these Technical regulations. Such technical documents shall be accompanied by the following:

a regulatory document under which the detergent is being produced;
results of the tests aimed to determine conformity of the detergent to the safety requirements;
descriptions and explanations concerning use of the detergent;
information concerning component substances used for production of the detergent (substance safety passport or other document verifying their origin);
a list of national standards in accordance with the list officially published by the State committee for standardization and consumer policy and description of decisions adopted to ensure compliance with requirements of these Technical regulations in cases where such standards were not applied;
results of the tests for conformity of the detergent to the requirements of national standards, carried out by the producer or by the accredited testing laboratory.

23. Based on the results of the conformity assessment, the producer or its authorized representative shall prepare a declaration conformity of the detergent to the requirements of these Technical regulations using the form presented in the annex, and shall affix the national conformity mark in accordance with the established procedure.

24. Producer or its authorized representative shall keep the technical documentation and declaration of conformity of the detergent to the requirements of these Technical regulations during 10 years following production of the last shipment of the detergent and shall produce them for examination in cases specified by legislation.

25. In cases where the producer is not a resident of Ukraine and has no authorized representative, the technical documentation and declaration of conformity of the detergent to the requirements of these Technical regulations shall be kept by the person responsible for putting the detergent into circulation.
DECLARATION
of conformity of the detergent to the requirements of the Technical Regulations

(full name of the producer / producer’s authorized representative – resident of Ukraine/
person responsible for putting the detergent into circulation,
represented by

(position title and full name of the authorized person)

hereby confirms that ____________________________,
(full name of the detergent)

which is being produced in compliance with

(name and designation of the documentation)

conforms to the Technical regulations on detergents, as well as to

(name and designation of the regulatory documents,
which, in case of their voluntary application, constitute a proof of conformity of the detergents
to the requirements of these Technical regulations)

and that the conformity assessment procedure has been carried out in compliance with these Technical regulations.

Certificate of conformity* ____________________________
(number of certificate of conformity, date of its registration,
Period of effectiveness, name and location of the conformity assessment authority)

The declaration is prepared on the basis of full responsibility of the producer / authorized representative – resident of Ukraine/person responsible for introducing the detergent into circulation.
(cross out irrelevant parts)

(position of the person who prepared the declaration) ____________________________ (signature) ____________________________
(initials and surname)

Place of seal ____________________________ 20__

* Applicable in cases where the producer uses a module under which a conformity assessment procedure is administered for the detergent by the designated authority.

Place for the mark of registration
of the declaration of conformity
## PLAN OF MEASURES
concerning implementation of the Technical regulations on detergents for 2008 - 2012

<table>
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<th>Measure</th>
<th>Agency responsible for implementation</th>
<th>Implementation period, years</th>
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<td>1. Designating authority responsible for implementation of the Technical regulations</td>
<td>Ministry of industrial policy</td>
<td>2008 - 2009</td>
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<tr>
<td>2. Setting up an advisory – methodological center for issues concerning implementation of the Technical regulations</td>
<td>- &quot; -</td>
<td>- &quot; -</td>
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<tr>
<td>3. Developing national standards relating to defining the methods for conducting tests of detergents in compliance with Regulation of the European Parliament and Council of Europe #648 of 31 March 2004</td>
<td>- &quot; -</td>
<td>- &quot; -</td>
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<tr>
<td>4. Developing and publishing in Official gazette a list of national standards which, if applied by enterprises voluntarily, would serve as a proof of conformity of detergents to the requirements of the Technical regulations. Preparing a plan of measures relating to standardization</td>
<td>State committee for standardization and consumer policy Ministry of industrial policy</td>
<td>Annually</td>
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<tr>
<td>6. Promoting application of the Technical regulations through mass media, seminars and conferences</td>
<td>Ministry of industrial policy State committee for standardization and consumer policy</td>
<td>- &quot; -</td>
</tr>
<tr>
<td>7. Implementing measures aimed to prepare enterprises for production of detergents in conformity with requirements of the Technical regulations</td>
<td>Ministry of industrial policy</td>
<td>2008 - 2011</td>
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<td>8. Voluntary application by enterprises of the Technical regulations and application of procedures for assessment of conformity of detergents to requirements of the Technical regulations</td>
<td>- &quot; -</td>
<td>2009 - 2011</td>
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APPROVED
by resolution of the Cabinet of Ministers of Ukraine # 717 of 20 August 2008
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<th>Phased development, update and implementation of national standards harmonized with international ones, in accordance with the program of standardization measures; revising and amending national standards in accordance with this program</th>
<th>State committee for standardization and consumer policy Ministry of industrial policy</th>
<th>Annually</th>
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<td>10. Designating authorities to assess conformity of detergents with requirements of the Technical regulations</td>
<td>Ministry of industrial policy State committee for standardization and consumer policy</td>
<td>2009 – 2011</td>
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<td>11. Preparing and submitting to the Cabinet of Ministers proposals concerning amendments to Technical regulations based on the results of its voluntary application by enterprises</td>
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<td>12. Administering control over enterprises’ mandatory application of, and compliance with requirements of the Technical regulations</td>
<td>Ministry of industrial policy</td>
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