

EUROPEAN TRADE PARTNER INFORMATION

Hassle-free compliance

Managing the implications of the new Detergent Regulation

The new Detergent Regulation - officially known as "Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents" - will impact all consumer and professional detergent products. This regulation will enter into force on 8 October 2005 which means that suppliers and traders of detergent products need to start preparing for compliance now.

We have prepared this information sheet to help you more easily understand the implications of the regulation and how best to manage them.

What are the main aspects of the 'Detergent Regulation'

1. BIODEGRADABILITY OF SURFACTANTS

All surfactants used in detergents must meet the criteria for ultimate biodegradability. Manufacturers of Industrial and Institutional products may ask for exceptions from this requirement only for certain limited situations.

JohnsonDiversey position:

The vast majority of the surfactants in JohnsonDiversey detergents already meet these stringent standards. This is also true for the Unilever and SC Johnson products that we supply. Only for very few specific applications, when no reasonable alternative is available will JohnsonDiversey consider to seek exemption from this requirement.

Consequences for our distributor partners

JohnsonDiversey will ensure that all our products will comply with this requirement as of 8 October.

Please also see "Who is responsible for compliance?"





2. LISTING OF CERTAIN INGREDIENTS/ INGREDIENT CATEGORIES

This requirement already exists in the form of a voluntary ingredient declaration i.e. the “ingredient box”. Under the new Regulation manufacturers will be legally required to provide this declaration. In addition, the requirement is extended to more ingredient classes and specifically to preservation agents and potential allergenic perfume components.

NOTE: The longer list of stated ingredients may lead some customers to think that the safety profile of the product has changed. It is important to realize that this is not the case: there is simply more transparency about the ingredients being used.

JohnsonDiversey position

For all relevant JohnsonDiversey products we will communicate this information via the Material Safety Data Sheet (MSDS). We supply this MSDS with our product.

All relevant Unilever and SC Johnson branded products will ultimately contain this information on the product label.

Although the regulation specifies that consumers need to also have access to web information about formulations & ingredients of detergents, this does not

apply for detergents that are put on the market for professional use. Since JohnsonDiversey only supplies Unilever and SC Johnson products for professional use, there will be no additional website.

Consequences for our distributor partners

We will ensure that all JohnsonDiversey products are delivered with an updated and compliant MSDS as of 8 October. The new Regulation requires our distributor partners to ensure that all customers buying detergents receive this information. In the case of JohnsonDiversey branded products this means that our MSDS's need to be supplied together with our products.


Some JohnsonDiversey products may still have an ingredient box on the label after 8 October. This is temporary and the information on the label is superseded by the information on the MSDS. This approach is compliant with the new Regulation.

In principle there is no additional distributor action required in the case of Unilever and SC Johnson branded products since, in most cases, the relevant information will be contained on the label. In the case of classified products where by law MSDS's are to be provided with the product, our distributor partners are required to ensure that these are supplied to customers together with our product.

Please also see “Who is responsible for compliance?”



**“who is responsible
for compliance?”**



3. AVAILABILITY OF AN INGREDIENT DATASHEET FOR MEDICAL PERSONNEL

Upon request the manufacturer shall make available without delay and free of charge an ingredient data sheet to any medical personnel as defined in the Regulation. In such, a data sheet all ingredients are listed in order of decreasing weight % and sub-divided in prescribed percentage ranges. Such requests can only be made from the manufacturer listed on the product label.

JohnsonDiversey position

We already provide our name, address and telephone number on JohnsonDiversey product labels and will continue to do so.

Unilever and SC Johnson branded products also provide contact details on the label.

Please note that air care products are not affected by these regulations.

Consequences for our distributor partners

None

Who is responsible for compliance?

The burden of compliance with this regulation lies with the manufacturer, in other words with the natural or legal person responsible for placing a detergent on the market. JohnsonDiversey is and takes full responsibility for compliance of JohnsonDiversey, Unilever and SC Johnson products that we supply to our distributors.

Consequences for our distributor partners

1. A distributor who does not change the characteristics, labeling or packaging of a detergent is not considered a manufacturer, except where he acts as an importer.
2. Detergent distributors are responsible for ensuring that the necessary information is made available to his customer. This information requirement already exists for all products that are classified as dangerous: distributors are legally required to pass on the MSDS to his customer. As a result of the new Detergents Regulation this legal requirement is extended to non-classified products where the ingredient box is not on the label but on the MSDS only.
3. Distributors will in most cases have the responsibility for compliance with the Detergents Regulation for those products brought to market by themselves, like private label products.



“detergent regulation effective 8th October?”

Feedback:

We would welcome your feedback on the content and relevance of this information bulletin via

Tradepartners@johnsondiverse.com

When does this Regulation enter into effect?

The Detergent Regulation enters into force on 8 October 2005. This means that from 8 October onwards detergent products placed on the market by manufacturers need to comply with this Regulation.

Placed on the market is to be taken as manufactured before the 8 October 2005.

The longer term agenda

There is no doubt that regulations aimed at protecting human health, the environment and customer choice will increasingly affect our market place. An example is the new EU Chemicals Policy called REACH which is currently under discussion. JohnsonDiversey fundamentally subscribes to these principles and we feel well positioned to meet these challenges in a professional way that supports the business interests of our customers.

We encourage our distributor partners to consider how this legislation might affect them in the longer term. We would be delighted to be of assistance both on a strategic and more operational level and see how we can make life easier for you.

More information

As an industry sector, represented by A.I.S.E., we have prepared a communication to help our customers more easily understand the information that is provided with chemical products.

You can find this brochure on our website

www.johnsondiverse.com

JohnsonDiversey takes an active role ...

- to operate in line with the values of the company to be the environmental and sustainability leader at least in line but often ahead of legislation
- to be an active partner for the regulatory bodies to advise them about the practicalities and operational consequences of regulations
- to be the best partner for our trade partners by
 - offering timely information,
 - finding ways to minimize operational disruptions
 - offer the most professional and responsive support
- to be the best partner for our end-user customers by
 - offering timely information
 - jointly seeking new and innovative ways to achieve the desired results with lower environmental impact
 - providing assistance to our customer's environmental policies and actions

Legal disclaimer:

All information contained in this information sheet is compiled from the most professional sources from within JohnsonDiversey as well as externally.

However by definition it can never be complete or accurate for individual situations and JohnsonDiversey is not responsible for any reliance on the information sheet. Please refer to the regulations to assess your specific situation.