



## **European Agreement on the Restriction of the Use of certain Detergents in Washing and Cleaning Products<sup>\*</sup>**

Strasbourg, 16.IX.1968

---

The Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland,

Considering that the Parties to the Brussels Treaty of 17th March 1948, as amended on 23rd October 1954, resolved to strengthen the social ties by which they are united and to make every effort in common, both by direct consultation and in specialised Agencies, to raise the standard of living of their peoples and promote the harmonious development of social services in their respective countries;

Considering that the social activities governed by the Brussels Treaty and carried on, until 1959, under the auspices of the Brussels Treaty Organisation and the Western European Union are now conducted within the framework of the Council of Europe, in accordance with the decision taken on 21st October 1959 by the Council of Western European Union and with Resolution (59) 23 adopted on 16th November 1959 by the Committee of Ministers of the Council of Europe;

Considering that the Swiss Confederation and the Kingdom of Denmark have participated since 6th May 1964 and 2nd April 1968 respectively in activities in the field of public health carried on under the aforesaid resolution;

Whereas the aim of the Council of Europe is to achieve greater unity between its members, so as to further economic and social progress by agreements and by common action in economic, social, cultural, scientific, legal and administrative matters;

Whereas the said governments have striven to encourage progress as far as may be practicable not only in social matters but in the related field of public health, and have undertaken to harmonise their national legislations in pursuance of the action mentioned in the foregoing paragraph;

Whereas it is becoming increasingly necessary to secure harmonisation of the laws on the control of fresh water pollution;

Being convinced that appropriate measures are essential not only from the standpoint of human needs but also to ensure the protection of nature in general, the paramount objectives being to protect effectively:

---

(\*) Text amended pursuant to the provisions of the Protocol amending the European Agreement on the Restriction of the Use of certain Detergents in Washing and Cleaning Products (ETS No. 115) as from its entry into force, on 1 November 1984.

- a the supply of water for the population, for industry, for agriculture and for other business occupations;
- b the natural aquatic fauna and flora, and in particular so far as they contribute to human well-being;
- c the unhindered enjoyment of places devoted to leisure and sport;

Observing that the general household and industrial use of certain types of detergents might cause considerable prejudice to these interests;

Feeling, therefore, that some restriction must be put on the use of such products,

Have agreed as follows:

**Article 1**<sup>1</sup>

This Agreement applies to any washing and cleaning product (detergent) the composition of which has been specially devised with a view to developing its detergent properties and which may be made up of surfactants, adjuvants, intensifying agents, fillers, additives and other auxiliary constituents.

**Article 2**<sup>1</sup>

The use of products of the kind referred to in Article 1 shall not, under conditions of normal use, adversely affect man and the environment.

**Article 3**<sup>1</sup>

- 1 The Contracting Parties undertake to adopt measures as effective as possible in the light of the available techniques, including legislation if it is necessary, to ensure that in their respective territories:
  - a no products of the kind referred to in Article 1 are put on the market unless the anionic and non-ionic surfactants which they contain are at least 80% susceptible to biological degradation as determined by the best practical techniques, such as the OECD reference method or any other method providing equivalent results;
  - b the same objectives be achieved when considered appropriate with regard to cationic and ampholytic surfactants;
  - c appropriate measurement and control procedures are implemented to guarantee compliance with the provisions of sub-paragraphs a and b of this paragraph.
- 2 The Contracting Parties may exempt the following surfactants, in the absence of suitable substitutes, from the requirements of paragraph 1:
  - a low-foaming alkene oxide additives on such substances as alcohols, alkylphenols, glycols, polyols, fatty acids, amides or amines, used in dish-washing products;
  - b surfactants mentioned under sub-paragraph a of this paragraph, and alkali-resistant terminally blocked alkyl and alkyl-aryl polyglycol ethers, used in cleaning agents for the food, beverage and metal working industries.

---

(1) Text amended pursuant to the provisions of the Protocol to the Agreement (ETS No. 115).

**Article 3bis**<sup>1</sup>

The Contracting Parties undertake to intensify their research leading to a better understanding and assessment of the biological degradability of surfactants and to encourage, where necessary, the research for phosphate substitutes.

**Article 3ter**<sup>1</sup>

The Contracting Parties shall, every five years, or more frequently if one of the Parties should so request, hold multilateral consultations within the Council of Europe to examine the application of this Agreement, and the advisability of revising it or extending any of its provisions. These consultations shall take place at meetings convened by the Secretary General of the Council of Europe. The Contracting Parties shall communicate the name of their representative to the Secretary General of the Council of Europe at least two months before the meetings.

**Article 4**

- 1 This Agreement shall be open to signature by member States of the Council of Europe which take part in the activities in the field of public health referred to in Resolution (59) 23 mentioned in the Preamble hereto. They may become Parties to it by either:
  - a signature without reservation in respect of ratification or acceptance, or
  - b signature with reservation in respect of ratification or acceptance, followed by ratification or acceptance.
- 2 Instruments of ratification or acceptance shall be deposited with the Secretary General of the Council of Europe.

**Article 5**

- 1 This Agreement shall enter into force one month after the date on which three member States of the Council shall have become Parties to the Agreement, in accordance with the provisions of Article 4.
- 2 As regards any member States who shall subsequently sign the Agreement without reservation in respect of ratification or acceptance or who shall ratify or accept it, the Agreement shall enter into force one month after the date of such signature or after the date of deposit of the instrument of ratification or acceptance.

**Article 6**

- 1 After the entry into force of this Agreement,
  - a any member State of the Council of Europe which does not take part in the activities in the field of public health referred to in Resolution (59) 23 mentioned in the Preamble to this Agreement, may accede thereto;

---

(1) Text amended pursuant to the provisions of the Protocol to the Agreement (ETS No. 115).

- b the Committee of Ministers of the Council of Europe may invite any State not a member of the Council to accede to this Agreement provided that the resolution containing such invitation receives the unanimous agreement by member States of the Council of Europe which take part in the activities in the field of public health referred to in Resolution (59) 23 mentioned in the Preamble to this Agreement.
- 2 Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect one month after the date of its deposit.

#### **Article 7**

- 1 Any Contracting Party may at the time of signature or when depositing its instrument of ratification, acceptance or accession, specify the territory or territories to which this Agreement shall apply.
- 2 Any Contracting Party may, when depositing its instrument of ratification, acceptance or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend this Agreement to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorised to give undertakings.
- 3 Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn according to the procedure laid down in Article 8 of this Agreement.

#### **Article 8**

- 1 This Agreement shall remain in force indefinitely.
- 2 Any Contracting Party may, in so far as it is concerned, denounce this Agreement by means of a notification addressed to the Secretary General of the Council of Europe.
- 3 Such denunciation shall take effect six months after the date of receipt by the Secretary General of such notification.

#### **Article 9**

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Agreement, of:

- a any signature without reservation in respect of ratification or acceptance;
- b any signature with reservation in respect of ratification or acceptance;
- c the deposit of any instrument of ratification, acceptance or accession;
- d any date of entry into force of this Agreement in accordance with Article 5 thereof;
- e any declaration received in pursuance of the provisions of paragraphs 2 and 3 of Article 7;
- f any notification received in pursuance of the provisions of Article 8 and the date on which denunciation takes effect.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

Done at Strasbourg, this 16th day of September 1968, in the English and French languages, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.