

**COM/2023/217 Proposal for a Regulation on detergents and surfactants
amending Regulation (EU) 2019/1020 and repealing Regulation (EC)
2019/1020 and repealing Regulation (EC) No 648/2004**

Consultation Response - SC Johnson

Impact of EU Act

1 Does it appear likely that the proposed EU act would have a significant negative impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist?

Yes

Tell us why :

Northern Ireland is a smaller market for most business within the EU. Dedicating separate SKUs for Northern Ireland (NI) and Great Britain (GB) will be challenging for businesses.

If the EU proposed Act is implemented, there will be operations and label impacts. The impact on labels will directly affect the possibility to continue to make available one SKU within the UK market, that is compliant for both regions. For example, both label impacts below may force businesses to discontinue a SKU in NI.

EU Act proposal considers that specific labelling requirements for allergens would apply only when the labelling thresholds under Regulation (EC) No 1272/2008 are not met.

EU Act proposal considers that labelling requirements for preservatives should, therefore, cover not only those preservatives intentionally added by the manufacturer in the detergent but also those that ensue from its constituent mixtures and which are often referred to as 'carry-over preservatives'.

In both cases above, if adopted and mandated in the EU, this will lead to divergence from GB detergent regulation hence impossible to continue to have shared SKU for the UK markets.

To ensure NI communities continue to have sufficient products options on the market and the communities have their choice brands of products on the shelf, where a change introduced by the EU ACT results in removal of or addition of information on the label, UK Businesses should be given the flexibility to apply the most stringent rule.

2 Does it appear likely that NOT APPLYING the proposed EU act would have a significant negative impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist?

No

Tell us why:

Given that the NI Protocol's arrangements, under which Northern Ireland but not the rest of the UK remains in the EU single market, products placed on the NI market, can benefit from having Not for EU on labels to ensure the product remains in the UK (GB +NI).

3 Are there any other matters regarding the proposed EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

Applying the new EU Act in NI will create GB versus EU divergence.

To place a single product in United Kingdom + Republic of Ireland markets will become challenging, causing distortion to supply chain models for most business. Given the smaller market in NI, challenges within the supply chain may result in products no longer being available to the NI communities.

Consequently, businesses will be forced to reevaluated if they can continue to supply products to the Republic of Ireland.

GB and EU Authorities could come to an agreement to have the same label for a product split clearly with the information for each jurisdiction.