DECISION
on establishing the minimum biodegradability degree of surfactants in detergents, maintenance products and cleaning products

(GD 527/2001)

THE GOVERNMENT OF ROMANIA
Pursuant to the provisions of Article 107 of the Constitution of Romania,

HAS ADOPTED THIS DECISION:

Article1
The provisions of this Decision lay down the minimum biodegradability degree of surfactants contained in detergents, maintenance products and cleaning products that are introduced on the market.

Article 2
For the purposes of this Decision, the definitions of terms and expressions used are listed in Annex no. 1.

Article 3
The introduction on the market of detergents, maintenance products and cleaning products containing cationic and/or ampholytic surfactants having a biodegradability degree lower than 90% is banned.

Article 4
The introduction of detergents, maintenance products and cleaning products on the market, if the biodegradability degree of their ionic and/or non-ionic surfactants, established through a single analysis, by using any methods laid down in Annex 2, is lower than 80%, is banned.

Article 5
The use of detergents, maintenance products and cleaning products containing surfactants whose biodegradability degree is that mentioned in Article 3 and 4, where the instructions are complied with, must not harm the human and animal health.

Article 6
(1) In case of disputes the biodegradability degree of ionic and/or non-ionic surfactants contained in detergents, maintenance products and cleaning products is established according to the reference method, that is, the dynamic method II from the national standard in force.
(2) Laboratories that carry out the determinations in cases of disputes should be laboratories authorised in the biodegradability field.

Article 7
The updating of the list of the methods of biodegradability degree determination, for technical progress taking over is approved by order of Minister of Industries and Resources and is published in the Romanian Official Journal, Part I.

Article 8

(1) Violations of the provisions of Articles 3 and 4 shall be considered contraventions, provided that they were not committed under such circumstances that, according to penal law, they shall be considered criminal offences and are punished according to Article 83 (3) (d) in Law No. 137/1995 on the environment protection, republished.
(2) Provisions of Law No. 32/1968 on establishing and punishing of offences, containing subsequent amendments and additions, except for Articles 25 - 27, are applicable to the offences mentioned in paragraph (1).

Article 9

The ascertaining of the offences and the enforcement of penalties shall be carried out by inspectors of the territorial authorities responsible for environment protection.

Article 10

Annexes 1 and 2 are an integral part of this Decision.

Article 11

This Decision shall come into force within 6 months after its publication in the Romanian Official Journal, Part I.

PRIME- MINISTER
ADRIAN NĂSTASE

Countersigned by:
Minister of Industry and Resources,
Dan Ioan Popescu
Minister of Water and Environment Protection,
Aurel Constantin Ilie
Minister of European Integration
Hildegard Carola Puwak

Bucharest, 31 May 2001.
No. 527.

Annex 1

DEFINITIONS
of certain terms and expressions for the purposes of this decision

a) *detergent* - a product whose chemical composition was specially created for the development of washing properties in a watery medium, having as principal constituents surface-active agents (named surfactants) and subsidiary constituents (stuffing materials, auxiliaries, conditioning substances and additives);

b) *surfactants* – chemical compound that presents surface activity and which when dissolved in a liquid, particularly in water, diminishes its superficial or interfacial tension through preferential absorption in contact with a liquid/vapour or another interface. This compound

contains in its molecule at least one group with affinity for intense polar surfaces, ensuring in most of the cases the dissolution in water and a non-polar group with a reduced affinity for water;

c) *anionic surfactant* – surfactant that can be determined as an active substance using methylene blue (MBAS) by means of the spectophotometeric method, according to SR ISO 7875-1:1996;

d) *non-ionic surfactant* – surfactant that can be determined as an active substance using bismuth (BIAS), by means of the analytical method with the Drangendorff reagent, according to SR ISO 7875-2:1996;

e) *cationic surfactant* – surfactant that ionises in watery solution, forming organic ions charged positively, to whom the surface activity is due;

f) *ampholytic surfactant* – surfactant that possesses two or more functional groups that, according to environment conditions, can be ionised in watery solution, conferring to the compound the character of a surfactant or of a cationic agent;

g) *biodegradability degree* – the percentage of removing surfactants that are part of the composition of a detergent, of maintenance products and cleaning products;

h) *introduction on the market* – the action of making available, for the first time, a product with a view to be distributed and/or used, against payment or free-of-charge;

i) *supplier* – producer or his legal representative;

j) *maintenance product and cleaning product* – according to the definitions from the Government Decision no. 745/1999 for the approval of Norms on labelling the detergents, maintenance products and cleaning products;

Annex 2

METHODS
of determining the biodegradability degree

- the static method I and the dynamic method II, from the national standard SR 9888: 2001 “Water Quality - determination of anionic and non-ionic surfactant biodegradability”;

- the OECD method, published in the Technical Report of the Organisation for Economic Cooperation and Development (OECD) of 11 June 1976 “Suggested methods for the determination of surfactant biodegradability used in synthetic detergents”;

- the German method, published in Bundesgesetzblatt 1977, part I, p. 244, regulation version that was modified on 18 June 1980 and published in Bundesgesetzblatt 1980, part I, p. 706;

- the French method, approved by the Decision from 28 December 1977, published in the Official Journal of the French Republic from 1978, and the experimental Norm T 73-260 June 1981, published by French Association of Standardisation (AFNOR), p. 514-515;

- the English method, under the name of “Porous Pot Test”, described in the Technical Report no. 70 from 1978 by the Water Research Centre (WRC).