

CONSULTATION ON OPTIONS FOR CONTROLS ON PHOSPHATES IN DOMESTIC LAUNDRY CLEANING PRODUCTS IN ENGLAND

Response by Wildlife and Countryside Link

Wildlife and Countryside Link (Link) brings together 40 voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practice and advocate environmentally sensitive land management, and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together, our members have the support of over 8 million people in the UK.

We welcome the publication of this consultation and strongly advocate the extension of controls to cover dishwasher detergents, and industrial and institutional use of phosphate, at the same time as controls are introduced on domestic laundry cleaning products. This response is supported by the following 12 member organisations;

- Anglers' Conservation Association
- Association of Rivers Trusts
- Buglife – The Invertebrate Conservation Trust
- Campaign to Protect Rural England
- Froglife
- Institute of Fisheries Management
- Pond Conservation
- Royal Society for the Protection of Birds (RSPB)
- Salmon & Trout Association
- Wildfowl & Wetlands Trust (WWT)
- The Wildlife Trusts
- WWF - UK

Q1 *What would be the extent of the cost to industry in the event that controls on phosphates in domestic laundry cleaning products were introduced?*

The preliminary Cost Effectiveness Analysis of the Water Framework Directive (WFD) says that controls on phosphates in domestic laundry cleaning products (DLCPs) are the most cost effective means of achieving reduction in phosphate in water.

The Cleaning Products Industry's market share of DLCPs with phosphate is low: 10-17%. The main market is already phosphate free. The WFD Impact Assessment says that it will cost £4m per annum for manufacturers to remove phosphate, which is very little, and may be exaggerated. The overall revenue of the DLCP industry is £3bn per annum with gross profits of £500 to £600m

The average annual benefit to the water industry of phosphate removal from DLCPs is estimated to be £7-13m. There will be a saving of at least £2m per annum in treatment costs. Removal at source is most cost effective measure (as shown in the Partial Impact

Assessment), and this is not even considering external environmental costs of treatment, i.e. transportation and processing of toxic ferric salts used for chemical dosing of sewage, and external environmental costs of phosphate pollution in rivers.

We consider that the costs to the industry are small, and are very clearly outweighed by the benefits of phosphate removal.

Q2 *How effective would voluntary controls be in reducing phosphate levels in surface water bodies?*

Voluntary controls will not produce a guaranteed or consistent reduction in phosphate in DLCP. Experience of this approach in other European countries has resulted in a failure to deliver. The Czech example has demonstrated the difficulties in maintaining a successful voluntary agreement with the detergent industry without legislative back-up. In the Czech case, the agreement was between government and the industry association, and the initial success was eroded because of increasing sales of phosphate detergents by non-members of the association. Similarly, it would be difficult to control imports or the emergence of other manufacturers/suppliers outside any agreements. The latter has been experienced in Slovenia, where there is a trend towards increasing use of phosphate detergents (although no voluntary agreement has been in place, the market was virtually phosphate free in 2000).

Voluntary approaches in other areas have also failed to deliver:

- Although it has helped change attitudes, the Voluntary Initiative on pesticides has failed to demonstrate that it has reduced pesticide levels in water or achieved a reduction in the biological impact of pesticide use. We remain supportive of a regulatory and fiscal approach to tackle this problem.
- Voluntary controls on time limited water licenses have not worked despite this expectation in the Water Act 2003. Industry has not complied.
- Good Environmental and Agricultural Condition has not delivered for the farmed environment. Many farmers have not implemented standards after decades and there is still a need for regulation

Q3 *Should a voluntary or a regulatory approach be taken to controlling phosphate levels in detergents, and why?*

A regulatory approach must be taken to ensure that phosphate is eliminated from DLCP. Voluntary controls will not produce guaranteed or consistent results, as evidenced above.

Q4 *If regulatory controls were introduced, what are your views on exempting smaller manufacturers?*

We oppose any exemption for smaller manufacturers as it may lead to their products still containing phosphate being abused, i.e. used where not intended, and may even increase their market share.

We consider that 6 years (a ban introduced in 2009 to be effective by 2015) is more than sufficient for businesses to adapt.

Q5 *If controls are not introduced on phosphate in laundry detergents, what other mechanisms should be considered to reduce phosphate levels in surface water bodies?*

Even when controls on phosphate in DLCP are introduced, there must still be considerable action by the water Industry and agriculture to manage phosphate in catchments, as part of an overall package of measures. This must include actions under the catchment sensitive farming programme and the use of water protection zones, as well as an increase in phosphate stripping at sewage treatment works with high phosphate effluent in sensitive catchments.

Q6 *What are your views on the feasibility of the extension of controls to cover dishwasher detergents and industrial and institutional use in future?*

We strongly advocate the extension of controls to cover dishwasher detergents and industrial and institutional use of phosphate, at the same time as controls are introduced on DLCP.

We consider it is very under-ambitious not to include dishwasher detergents - if Italy and Sweden can take this step why can the UK not? Alternatives to phosphate for dishwasher detergents are available so there is no reason not to ban phosphate now. Performance is not an issue for those who already use phosphate free options, such as Ecover.

The phosphorus from dishwasher detergents is at least as much or more than total phosphate from DLCP – 11% or 4610 tonnes per year, and should be tackled urgently to help meet the objectives of the WFD.

Regarding industrial and institutional cleaning products, we see no justification for these not to be subject to the same ban on phosphate as domestic cleaning products. If phosphate remains in some products, then there is always the possibility that they will be abused through domestic use. It would be much better to ban phosphate in all products, even if industrial and institutional ones are not the major contributor overall.

Q7 *How effective would controls be if they were applied at i) a regional level or ii) a national level*

A ban on phosphate in all cleaning products must be done nationally. It would be logistically unworkable to do it locally. There will be widespread benefits from the ban, and even in areas where phosphorus is not the limiting factor in terms of eutrophication (some coastal and estuarine waters), reductions in phosphate will still benefit aquatic life.