

observe the current A.I.S.E. Competition Law Compliance Guidelines (dated January 2020);

The Company has applied to A.I.S.E. to be recognised as being a participant of the Project and has as a result agreed to make the commitment set out in Section 4 of the Project Description attached as [Annex 2](#);

A.I.S.E. is satisfied that the Company manufactures and/or places on the market in Europe (EU, the United Kingdom, Iceland, Norway, Liechtenstein and Switzerland) liquid detergent capsules ("**the Products**") and as such meets the Eligibility Requirements of the Project set out in Section 3 of the Project Description attached as [Annex 2](#);

* *
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The Company **HEREBY COMMITS** ("**Commitment**") to the Project in respect of its liquid detergent capsules ("**Operations**") placed onto the European market (EU, the United Kingdom, Iceland, Norway, Liechtenstein and Switzerland) ("**Territory**").

The Project initially opened on 1 March 2015 allowing companies to commit to the Project. With this Commitment letter, the Company signs up - as of the Effective Date - to the current consolidated version of the Project laid down in [Annex 2](#).

I. DEFINITIONS

- 1.1 By "**liquid detergent capsules**" it shall be understood any liquid-containing detergent capsule in a water soluble wrapper. Are included (1) all-liquid detergent capsules in a soluble wrapper, and (2) detergent capsules in a soluble wrapper with both liquid detergent in any quantity contained in a compartment, and non-liquid detergent. Liquid detergent capsules packed individually in blisters are excluded from the scope of the Project.
- 1.2 By "**liquid**" it shall be understood a detergent product meeting the criteria set in the definition provided in the ECHA glossary of the CLP Regulation (EC) No 1272/2008 and quoted in footnote 2 on p. 3 of the Project Description featured in Annex 3.
- 1.3 All other defined terms are set out in the Project Description attached as [Annex 2](#).
- 1.4 The Annexes to this letter, including the Project Description, form an integral part of this Commitment undersigned by the Company.

II. COMPANY COMMITMENT

- 2.1 The Company shall for the duration of its Commitment to the Project:
 - (i) Strive to meet the objectives of the Project (see [Annex 2](#)) and refrain from any conduct that may be detrimental to the aims of the Project or that may bring the Project, fellow Project participants, A.I.S.E. or its members into disrepute;
 - (ii) Implement all elements set out in the Company's Commitment as described in Section 4 of the Project Description in [Annex 2](#) in respect of the Products listed in [Annex 1](#);

(iii) Comply with the timelines and reporting obligations set out in this Commitment;

(iv) Endeavour to always act in strict compliance with competition law, all relevant legislation and internationally recognised guidelines and standards with regard to health and safety, and more particularly Article 9 of Directive 1999/45/EC on the classification, packaging and labelling of dangerous preparations; Article 35(2) Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures; Article 15(1) of Regulation (EC) No 648/2004 on Detergents; and Directive 2001/95/EC on General Product Safety.

III. TIMELINES FOR COMPLIANCE WITH COMMITMENT

3.1 The Company commits to implement the Project without delay and in compliance with the timelines set out in Section 5 of the Project Description. For the sake of clarity, it is the Company's sole and individual responsibility to ensure timely compliance with all applicable EU rules governing its Products' packaging, including Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures.

IV. REPORTING OBLIGATION

4.1 The Company shall report to A.I.S.E. on the consumer communication activities carried out in the framework of the Project. Reporting shall also indicate the selection of Safe Use Icons used on-pack. Reporting should be completed within 12 (*twelve*) and 24 (*twenty-four*) months from the Effective Date. In addition, the Company shall report this information promptly to A.I.S.E. when placing Products on the market in a country of the Territory where it was not placing Products on the market at the Effective Date.

V. DURATION AND TERMINATION

5.1 This Commitment shall take effect on the Effective Date and remain in full force and effect until terminated either by:

(a) the Company at any time serving not less than 6 (*six*) months prior written notice upon A.I.S.E. of its decision to withdraw from the Project; or

(b) A.I.S.E. serving not less than 3 (*three*) months prior written notice upon the Company following the Company's failure to meet material requirements under the Project and/or this Commitment, provided, however, that A.I.S.E. must provide the Company with written notice to the Address Headquarters specifying the Company's material failure or material breach. If the Company fails to adequately remedy such failure and/or breach within 60 (*sixty*) business days from receipt of the written notice, the termination by A.I.S.E. for the respective failure or breach shall take immediate effect.

5.2 This Commitment and the rights, duties and responsibilities of the Company and A.I.S.E. under the Project shall continue in full force and effect during any notice period.

VI. LIMITATION OF LIABILITY

6.1 A.I.S.E. reserves the right to review the Project on a need basis to ensure a satisfactory level of efficiency,

credibility and usefulness of the Project.

6.2 A.I.S.E. shall not be held liable for any direct, indirect or consequential loss or damage incurred by the Company or any third party in connection with the Company's activities under this Commitment, including the Company's use or result of the use of A.I.S.E. materials, such as statements and logos.

VII. DISPUTE RESOLUTION AND GOVERNING LAW

7.1 In the event that the Company is dissatisfied with any decision of A.I.S.E. in relation to the Project, which may prejudice its interests, it may refer the matter to the A.I.S.E. Board which will render a decision, after considering the Company's written representations.

7.2 If the Company wishes to challenge the decision rendered by the Board or an A.I.S.E. decision to exclude the Company from further participating to the Project, the matter shall be submitted solely and exclusively to binding arbitration in accordance with the rules and procedure of the Belgian Center for Mediation and Arbitration (CEPANI).

7.3 The decision of the arbitrators shall be final and binding upon the parties and judgement upon award may be entered into and enforced by any court having jurisdiction thereof. It is further agreed between the parties that any hearing shall be held in Brussels, Belgium.

7.4 In construing and interpreting this Commitment letter, the arbitrators shall be bound by and shall apply the laws of Belgium. It is also further agreed that the arbitral tribunal shall be composed of 3 (*three*) arbitrators, and that the proceedings shall be conducted in the English language.

.....
sign on behalf of the Company

..... (Signature) Authorised to
(Date)

..... (Name)

..... (Position)

Contact person for the Project (please indicate name, function, contact details):

.....
.....
.....
.....

ANNEX 1

Company's Products in the Territory

#	Country	Has the following brands ¹ :	Product category (e.g. floor cleaner, ADW, etc)
1	Austria		
2	Belgium		
3	Bulgaria		
4	Croatia		
5	Cyprus		
6	Czech Republic		
7	Denmark		
8	Estonia		
9	Finland		
10	France		
11	Germany		
12	Greece		
13	Hungary		
14	Iceland		
15	Ireland		
16	Italy		
17	Latvia		
18	Liechtenstein		

¹ For practical reasons the Company may indicate only the brand names. However it is understood that the Commitment also applies to the variant products commercialized under the brand name.

19	Lithuania		
20	Luxemburg		
21	Malta		
22	Norway		
23	Poland		
24	Portugal		
25	Romania		
26	Slovak Republic		
27	Slovenia		
28	Spain		
29	Sweden		
30	Switzerland		
31	The Netherlands		
32	United Kingdom		

The Company will update the list promptly as relevant when changes occur and update A.I.S.E. accordingly.

ANNEX 2

Project Description – PSP 2020 consolidation



Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien
International Association for Soaps, Detergents and Maintenance Products

A.I.S.E. PRODUCT STEWARDSHIP PROGRAMME FOR LIQUID DETERGENT CAPSULES

PSP 2020 consolidation

Updated Project Description 2020
consolidating and replacing all previous versions and addenda

1) THE PROGRAMME

The “Product Stewardship Programme for Liquid Detergent Capsules” (hereinafter PSP) is a voluntary initiative of A.I.S.E., the International Association for Soaps, Detergents and Maintenance Products, in the domain of product safety.

A.I.S.E. and its member companies involved in the Liquid Detergent Capsules (hereinafter LDC) market in Europe regard the safety of consumers as a top priority. The PSP aims at securing safe use and storage of LDCs by consumers, to significantly reduce the incidence of accidental exposure to these products, in particular involving young children.

Herein, all the requirements set for the PSP that are currently in effect are consolidated. As such, the current consolidated project description (3 June 2020) replaces and obsoletes all previous project descriptions and addenda - i.e. “2012-PSP”, “2015-PSP”, “2017-PSP” as well as the “2019 addendum”.

The respective commitment letters of the signatories to the 2017-PSP (with the 2019 addendum) remain valid and in full force, as the consolidation of the project description does not alter any of the existing commitments. For signatories of the 2015-PSP who did not yet commit to the 2017-PSP the consolidation implies a review of the criteria, now making the 2017-PSP elements an integral (and no longer an optional) part of the PSP voluntary commitment.

2) BACKGROUND

At the beginning of the decade, Poison Control Centres (PCCs) across Europe started reporting accidental exposures to Liquid Laundry Detergent Capsules (LLDC) involving young children, mainly ingestions but also eye exposures.

In 2012, A.I.S.E. launched the voluntary “Liquid Laundry Detergent Capsules Product Stewardship Programme” (2012-PSP) with the aim to help significantly reduce incidents involving these products. This included packaging and labelling measures, as well as consumer education. Furthermore, a dedicated preventive communication campaign “Keep Caps from Kids” (www.keepcapsfromkids.eu) was developed, including an educational video targeted at parents and child carers.

In 2014, a research study was conducted by A.I.S.E. jointly with several European PCCs to better understand accident circumstances and root causes. This study showed that accidents were mostly related to the incorrect handling or storage of the products, and confirmed the relevance of the PSP measures. A similar study that was run subsequently by the European Commissions led to similar findings. Over the years following the implementation of the PSP, a significant decrease in the incident frequency relative to the product market size was indeed observed (between 35% and 70% in the monitored countries)

In December 2014 the European Commission published an amendment to CLP (i.e. the "Soluble Packaging Regulation" (EU) No 1297/2014), to include specific provisions for LLDC classified as hazardous under CLP. This amendment came into force on 1 June 2015. De facto, it made mandatory many aspects of the PSP, while also introducing additional requirements for the capsules.

Although non-laundry LDC and LLDC not classified as hazardous under CLP had not given rise to concerns, the industry nevertheless decided to take a precautionary approach. In 2015, the PSP was extended to cover all Liquid Detergent Capsules, including LDC not within scope of the amended CLP Regulation.

In 2017, to sustain the downward incident rates with hazardous LLDC, additional requirements were introduced as an optional addition for this product category, regarding the packaging (superior child impeding closures) and regarding an advertising code of conduct. Under the 2020 consolidation, these additional requirements are no longer optional and have become an integral element of the voluntary PSP commitment for all signatories who decide to subscribe to the Programme. Finally in 2019, the safe use patch for hazardous LLDC was improved, based on consumer research about the effectiveness of different pictorials.

3) SCOPE

3.1. Product scope

The Programme covers the following LDC, with various commitments:

- (1) Liquid Laundry Detergent Capsules (LLDC), where "laundry detergent" is defined according to the EU Detergent Regulation Article 2 point 2¹.
 - LLDC that are classified "hazardous" under the CLP Regulation (EC) No 1272/2008 (hereinafter "hazardous LLDC").
 - LLDC that are not classified "hazardous" under the CLP Regulation (EC) No 1272/2008 (hereinafter "non-hazardous LLDC").
- (2) Liquid Detergent Capsules (LDC) for uses other than laundry (e.g. automatic dishwashing, floor cleaners, etc.) (hereinafter "non-laundry LDC").

¹ 'Consumer laundry detergent' means a detergent for laundry placed on the market for use by non-professionals, including in public laundrettes.

'Detergent' means any substance or mixture containing soaps and/or other surfactants intended for washing and cleaning processes.[...] Other products to be considered as detergents are: 'Auxiliary washing mixture', intended for soaking (pre-washing), rinsing or bleaching clothes, household linen, etc.; 'Laundry fabric-softener', intended to modify the feel of fabrics in processes which are to complement the washing of fabrics; [...]

By LDC (Liquid Detergent Capsules) it shall be understood any liquid-containing detergent capsule in a water-soluble wrapper and meeting the criteria hereof. This includes:

- all-liquid detergent capsules in soluble film.
- detergent capsules in soluble film that contain both liquid detergent (in any quantity) and non-liquid detergent.

“Liquid” is meant to fit with the definition provided in Annex I.1.0 of the CLP Regulation, as detailed in the ECHA glossary of the CLP Regulation².

LDCs sold in individual units in blisters are excluded from the product scope.

3.2. Geographical scope

The PSP is open to any company manufacturing and/or placing LDC on the market in the EU, the United Kingdom, Iceland, Switzerland, Norway and Liechtenstein, regardless of whether these companies are member of A.I.S.E. and/or its National Association members.

4) THE COMMITMENT

Companies participating in the PSP commit to applying the requirements described hereof to the LDCs as defined under Section 3.1 above. A summary is provided in Annex 1.

4.1. Product and packaging requirements

4.1.1. For hazardous LLDC

4.1.1.1. Compliance with the CLP Regulation (EC) No 1272/2008

For LLDC classified as “hazardous” under the CLP Regulation, all requirements spelled out in the CLP Soluble Packaging Regulation (Regulation (EU) No 1297/2014) apply. For the product (capsule), this includes resistance to mechanical compression and to premature content release when in contact with water, and the use of an effective aversive agent. For the packaging, this includes a reduced visibility of the capsules through the packaging, and closures that are difficult for children to open. For the on-pack label, it requires prominent presence of the phrase P102 “Keep out of reach of children”.

4.1.1.2. Superior child-impeding closures

² Liquid means a substance or mixture which at 50 °C has a vapour pressure of not more than 300 kPa (3 bar), which is not completely gaseous at 20 °C and at a standard pressure of 101.3 kPa, and which has a melting point or initial melting point of 20 °C or less at a standard pressure of 101.3 kPa. A viscous substance or mixture for which a specific melting point cannot be determined shall be subjected to the ASTM D 4359- 90 test; or to the test for determining fluidity (penetrometer test) prescribed in section 2.3.4 of Annex A of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) http://ec.europa.eu/enterprise/sectors/chemicals/files/clp-ghs-glossary_en.pdf

The packaging directly containing the hazardous LLDC shall be equipped with a closure of superior child-impeding efficacy. This efficacy of the packaging and the closing system shall be evaluated in accordance with the protocol laid down in Annex 4 and the related criteria shall be successfully passed.

4.1.2. For all LDC except hazardous LLDC

4.1.2.1. Reduced visibility of capsules through the packaging

Participating companies shall implement one of the following measures to reduce the visibility of LDC through the packaging: opaque packaging, or obscure packaging, or any equivalent.

4.1.2.2. Resistance to children's grip

To address resistance and prevent LDC from bursting when gripped by children, companies shall ensure that LDCs resist a mechanical compression strength of at least 300 N under standard conditions. A.I.S.E.'s guidelines on the implementation of the Soluble Packaging Regulation, including how to measure compression resistance, shall form the basis to determine compliance with the voluntary requirements for LDC that are not hazardous LLDC.

4.2. Product Label

Participating companies shall include a prominent and readily visible safe use patch (also referred to as the "Yellow Patch") on all LDC packaging. A communication toolkit containing the on-pack patches is available online³. In addition, specific A.I.S.E. safe use icons (cf. Annex 2) may be used on the label.

The PSP safe use patches are always part of the voluntary commitment for PSP signatories. In addition, non-signatories of the PSP are allowed to freely use the relevant safe use patches on their artworks, under the condition that the below requirements are strictly and fully observed.

4.2.1. Safe Use Patch for Liquid laundry detergent capsules (LLDC) that are classified as "hazardous" under CLP

4.2.1.1. Safe Use Patch

The safe use patch shall include:

- (1) the A.I.S.E. photographic pictorial "keep out of reach of children",
- (2) the A.I.S.E. "ingestion" safe use icon,
- (3) the A.I.S.E. "close the box" or "close the bag" safe use icons, in case the company does not provide on pack its own, brand-specific communication on how to close / open the pack.
- (4) the "©A.I.S.E." statement,
- (5) the URL www.keepcapsfromkids.eu.

The patch shall have a yellow background (recommended reference: CMYK 100%) and a red border. The colour of the icons shall be as per the A.I.S.E. safe use icons guidelines. If necessary, a dark colour may replace black. The minimum size for the safe use icons is 20 x 20 mm. The minimum size for the

³ <http://www.aise.eu/library/other-communication-toolkits/liquid-laundry-detergent-capsules-communication-toolkit.aspx>

accompanying text is 10 points (reference font: Futura Condensed). The “keep out of reach of children” pictorial may be in full colour or in a reduced colour scheme.

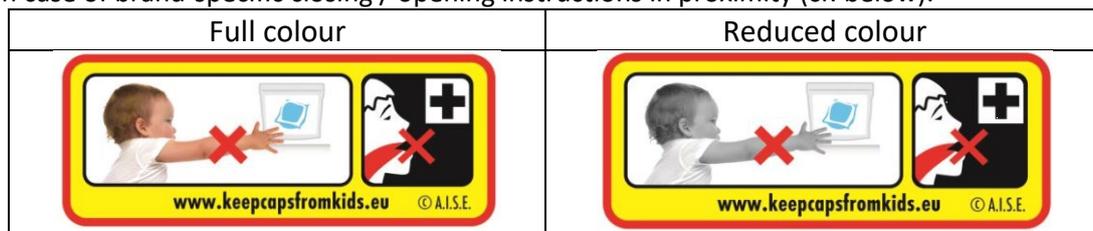
Professional graphical files of the patches below are available from:

<https://www.aise.eu/library/other-communication-toolkits/liquid-laundry-detergent-capsules-communication-toolkit.aspx>

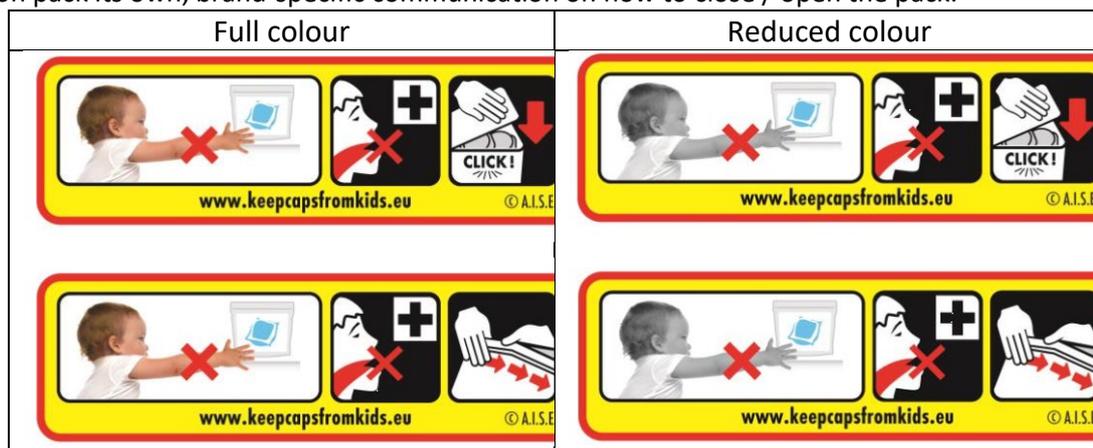
The recommended positioning of the patch on packaging is on Top or Front of the pack. Excluded: underneath the pack.

The pictorials to be used and layout are as follows:

- 1) in case of brand-specific closing / opening instructions in proximity (cf. below):



- 2) with generic closing instructions inside the yellow patch in case the company does not provide on pack its own, brand-specific communication on how to close / open the pack.



It is to be noted that that in addition to the pictorial communication in the Safe Use Patch, the phrase P102 “Keep out of reach children” shall be prominently included in the CLP box on the label - as required by the Soluble Packaging Regulation under CLP.

4.2.1.2. Re-closing instructions

Re-closing instructions shall be provided as follows:

- In case the company provides on pack its own, brand-specific communication on how to close / open the pack, the brand’s personalized communication should not be in a yellow background but should be positioned in proximity to the Safe Use Patch.
- If no product-specific closing / opening instructions are provided on pack, the Safe Use Patch shall include the A.I.S.E. icon “close the pack” (cf. above).

4.2.2. Safe Use Patch for other liquid detergent capsules (LDC) i.e. non-laundry LDC or LLDC that are not classified as hazardous under CLP

The safe use patch shall include:

- (1) the icon “keep out of reach of children”, accompanied by the A.I.S.E. sentence: ‘**Keep away from children**’ (recommended) or the P102 sentence ‘**Keep out of reach of children**’ (allowed),
- (2) the appropriate icon “close the pack”, accompanied by the sentence: ‘**Close the lid properly**’ (for tubs) or ‘**Close the bag properly**’ (for stand up pouches),
- (3) the title “**HANDLE AND STORE SAFELY**” (preferably in capital letters),
- (4) the “©A.I.S.E.” statement,
- (5) the URL www.cleanright.eu.

The patch shall have a yellow background (recommended reference: CMYK 100%) and a red border. Colour of the icons – same as in A.I.S.E. safe use icons guidelines (if necessary, a dark colour may replace black). The minimum size for the safe use icons is 20 x 20 mm. The minimum size for the accompanying text is 10 points (reference font: Futura Condensed). The minimum text size for the title is 13 points (reference font: Futura Bold).

The recommended positioning of the patch on packaging is on Top or Front of the pack. Excluded: underneath the pack. In any event, the patch should be readily visible by consumers.

The title and the text accompanying the icons shall be adequately translated (as provided by A.I.S.E. - www.aise.eu/end_user_info). For multilingual versions of this patch the minimum size requirements continue to apply for all languages. *Exceptions can be made for packs containing more than 3 languages and for packs containing too little on-pack space. In order to ensure visibility of icons and accompanying sentences on packs, companies may exceptionally use “silent” icons or a “title only” patch, or a “silent” patch, provided the size of the icons is bigger than 20 x 20 mm. Examples are provided, but should only be used in exceptional cases, as the text version is strongly preferred and recommended.*

The layout is as follows:

PREFERRED OPTION	WITH TITLE ONLY	SILENT

4.3. Off-Pack Consumer Information & Communication

Participating companies shall promote the safe use of their LDC products through consumer communication. This includes commitments for advertising and brand communication in traditional media, brand web sites, and social media activities.

It is recommended that packaging shall be always featured in its real form including the safe use guidance elements on all advertisements. Consistency with the “Yellow Patch” (i.e. safe use icon in yellow background) is recommended as best practice.

Agreed translations are provided in Annex 3.

4.3.1. Brand Advertising (except websites)

The below requirements are always part of the voluntary commitment for LLDC products classified as hazardous under CLP. For other LDC products, their implementation as part of the overall voluntary commitment is optional - but replacing “www.keepcapsfromkids.eu” by “www.cleanright.eu”.

- **TV COMMERCIALS: requirement at the end of the commercial**
 - Oral voice over featuring the following sentence: “**Always keep away from children**” or “**Always keep [BRAND NAME] away from children**” or “**Keep out of reach of children**”. The text of the voice over may optionally also appear on the screen.
 - Visual with a zoom in, zoom back-to-pack (or “pop-up”) of the A.I.S.E. “Keep away from children” safe use icon (cf. Annex 2). The icon shall appear in a sufficiently large (visible) size and shall then move to where it actually stands on the pack/artwork; its colour shall be the same as used on pack. The duration shall coincide with the voice over and be visible for a long enough time to be understandable by consumers.
 - “©A.I.S.E.” and “LEARN MORE www.keepcapsfromkids.eu” shall be featured in a written and readable way.
- **PRINT ADS, BILLBOARDS, ETC.**
 - “Keep away from children” safe use icon (cf. Annex 2), or yellow patch as outlined in Section 4.2 above) shall be displayed as a stand-alone advice in a corner of the ad. It shall be sufficiently large and visible; its colour shall be the same as used on pack.
 - This needs to be accompanied by the following written sentence: “**Always keep away from children**” or “**Always keep [BRAND NAME] away from children**” or the P102 sentence “**Keep out of reach of children**”.
 - “©A.I.S.E.” and “LEARN MORE www.keepcapsfromkids.eu” shall be displayed in a visible and readable way.
 - The minimum size of the icon is 20mm x 20mm based on an A4 print ad format and shall be proportional in case of smaller/bigger formats, always taking into consideration the fact that it is key that should be readable/visible by consumers.
- **RADIO COMMERCIALS**
 - Oral voice over shall be added at the end of the radio commercial, saying the following sentence: “**Always keep away from children**” or “**Always keep [BRAND NAME] away from children**” or the P102 sentence “**Keep out of reach of children**”.
 - “©A.I.S.E.” or “www.cleanright.eu” or “ www.keepcapsfromkids.eu” are not to be included in the radio commercial.

4.3.2. Brand Websites Communication

4.3.2.1. The “landing page” of brand websites of hazardous LLDC products shall include:

1) one of the following visual elements:

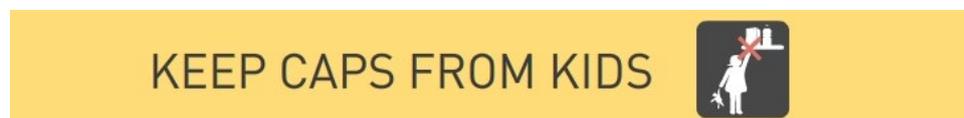
- EITHER the Yellow Safe-Use Patch (photographic version, full colour, with the relevant generic “close the pack” icon);



- OR (for companies who signed up to “Keep Caps From Kids”) the Keep Caps From Kids⁴ main visual (recommended);



- OR (for companies who signed up to “Keep Caps From Kids”) the Keep Caps From Kids⁴ web banner (several design options available - below is not prescriptive).



- 2) a functioning link to www.keepcapsfromkids.eu - irrespective of whether the yellow patch or “Keep Caps From Kids” visual is displayed - and irrespective of whether the company has signed up to “Keep Caps From Kids”.

4.3.2.2. The “landing page” of brand websites of other LDC products shall include:

⁴ Accessible by being partner to the A.I.S.E. Keep Caps from Kids project.

- 1) the Yellow Safe-Use Patch (based on the A.I.S.E. Keep out of reach of children safe use icon) including the title and full text;
- 2) a functioning link to www.cleanright.eu.

4.3.2.3. On an inner page, it is strongly recommended that brand websites of LDC products (both hazardous LLDC and other LDC) include the relevant A.I.S.E. safe use icons including text (see Annex 2) + a functioning link to www.cleanright.eu.

4.3.3. Communication Toolkit

A.I.S.E. has developed a communication toolkit containing a 5 second video/tag on, and animated web banners. A.I.S.E. has also developed the pan-European and multi-stakeholders Keep Caps From Kids project⁵, campaign and website (www.keeppcapsfromkids.eu); this campaign is especially targeting safe use of LLDC products. These activities are part of a broader consumer engagement programme, which A.I.S.E. is undertaking via the portal “cleanright.eu”.

Participating companies are allowed, on a voluntary basis, to customise and include the industry leaflet and insert it in the pack or distribute it on shelves, via direct marketing, care lines etc.

Participating companies are allowed, on a voluntary basis, to customise and include the industry safety messages on social media.

4.3.4. Industry Consumer Communication Campaign

A.I.S.E., in cooperation with the signatories of the PSP, will regularly assess the need to organise industry consumer communication activities in support of the PSP.

4.4. Advertising Code of Conduct

Companies commit to not advertise hazardous LLDC or do promotions on these products in media (television and others) primarily targeted to children below 5 years of age. For existing signatories, this is applicable for all new advertising contracts put in place as of 2018. For any new signatories to the PSP 2020 consolidated version, this shall apply to new advertising contracts for hazardous LLDC signed after the date of the company's commitment to the PSP project.

4.5. Reporting to A.I.S.E.

Companies shall report to A.I.S.E. on the consumer communication activities carried out in the framework of the PSP. Reporting shall also indicate the selection of Safe Use Icons used on-pack. Reporting shall be completed 12 and 24 months following subscription to the PSP. It shall also take place when a signatory newly places LDC on the market.

5) TIMING

All requirements shall be implemented by the signatories without delay and within the following timelines:

⁵ <https://www.aise.eu/our-activities/product-stewardship-programmes/liquid-detergent-capsules/keep-caps-from-kids---consumer-education-campaign-092017.aspx>

5.1. Product and packaging requirements

The company shall start to implement the product and packaging requirements specified under Section 4.1 above within 18 (eighteen) months from the Effective Date (as defined in the Commitment letter) and complete the transition within 1 (one) year after the 18 (eighteen) months have elapsed.

For the sake of clarity, it is the company's sole and individual responsibility to ensure timely compliance with all applicable EU rules governing its products' packaging, including Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures.

5.2. On-pack communication requirements (Product Label)

The company shall implement the requirements set in Section 4.2 above as soon as possible.

For existing signatories, the artwork changes related to the amended safe use patch for hazardous LLDC shall be implemented latest by 31 December 2020.

5.3. Off-pack communication requirements

The company shall implement the requirements set in Section 4.3 above as soon as possible and at the latest within 3 (*three*) months from the Effective Date (as defined in the Commitment letter).

The same timeline shall apply where the company chooses to comply with the off-pack communication requirements of Section 4.3 in respect of other LDC.

The requirement set in Section 4.4 (Advertising Code of Conduct) shall apply to every new advertising contract on hazardous LLDC signed after the Effective Date.

6) LEGAL REQUIREMENTS

This Programme does not replace the legal requirements that companies are obliged to meet with regard to safety and human health - in particular the provisions set in Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures; Regulation (EC) No 1297/2014 on soluble packaging; Directive 2001/95/EC on General Product Safety; Regulation (EC) No 648/2004 on Detergents.

This programme is a voluntary initiative in the field of health and safety to be carried out in compliance with competition law. Compliance with competition rules is an individual company responsibility throughout the implementation of this Programme.

7) REVIEW OF THE CRITERIA

A.I.S.E. reserves the right to review the PSP criteria on a need basis to ensure a satisfactory level of efficiency, credibility and usefulness, and to reflect such changes on the signatories' commitment.

For further information, please contact A.I.S.E.:

Dr. Susanne Zänker, Director General

ANNEX 1: SUMMARY OF PSP COMMITMENTS

		HAZARDOUS LLDC	OTHER LDC (non-laundry LDC and non-hazardous LLDC)
PRODUCT / PACKAGING			
	Capsules	No additional commitments beyond what is required under the CLP Soluble Film Regulation (i.e. aversive agent and capsule integrity requirements).	Resistance to compression of at least 300N
	Packaging	Superior child impeding closures, confirmed by passing the A.I.S.E. test protocol. (in addition the requirements of the CLP Soluble Film Regulation)	Reduced visibility of the capsules through the packaging.
PRODUCT LABEL			
	On-pack label	“Yellow Patch” - photographic version; re-closing instructions (product specific or generic icon) (and P102 sentence in CLP box as required by CLP)	“Yellow patch” - icons version
OFF-PACK COMMUNICATION			
Traditional media	TV advertising, Advertorial, Print ads or Billboards	USE OF INDUSTRY SAFETY MESSAGE on all brand ads + written reference to www.keepcapsfromkids.eu ADVERTISING CODE OF CONDUCT: not in media targeted to children <5 years	
Online media	Brand websites	Landing page: either the yellow patch (photographic), or the main campaign visual or web banner from keep caps from kids; and a link to http://www.keepcapsfromkids.eu Inner pages: strong recommendation to include the relevant safe use icons + link to www.cleanright.eu	Landing page: yellow patch (icon-based); and a link to www.cleanright.eu Inner pages: strong recommendation to include the relevant safe use icons + link to www.cleanright.eu

ANNEX 2: A.I.S.E SAFE USE ICONS OF RELEVANCE FOR LDC

A.I.S.E. has developed various voluntary safe use icons for use by industry. These are available from www.aise.eu/end_user_info. A number of them are specifically relevant for this product category, in particular the ones presented below:

Safety / hazards:



Keep away from children.



Keep away from eyes. If product gets into eyes rinse thoroughly with water.



Do not ingest. If product is ingested then seek medical advice

Closing instructions:



Close the lid properly.



Close the bag properly.

Safe use:



Do not pierce, break or cut.



Use with dry hands.

ANNEX 3: TRANSLATIONS**OFFICIAL TRANSLATION FOR P 102 SENTENCE**

English:	Keep out of reach of children (P102- CLP sentence)
Bulgarian	Да се съхранява извън обсега на деца.
Croatian	Čuvati izvan dohvata djece.
Czech	Uchovávejte mimo dosah dětí.
Danish	Opbevares utilgængeligt for børn.
Dutch	Buiten het bereik van kinderen houden.
Estonian	Hoida lastele kättesaamatus kohas.
Finnish	Säilytä lasten ulottumattomissa.
French	Tenir hors de portée des enfants.
German	Darf nicht in die Hände von Kindern gelangen.
Greek	Μακριά από παιδιά.
Hungarian	Gyermekektől elzárva tartandó.
Icelandic*	
Irish	Coimeád as aimsiú leanaí.
Italian	Tenere fuori dalla portata dei bambini.
Latvian	Sargāt no bērniem.
Lithuanian	Laikyti vaikams neprieinamoje vietoje.
Maltese	Żommu 'l bogħod minn fejn jistgħu jilħquh it- tfal.
Montenegrin*	
Norwegian*	
Polish	Chronić przed dziećmi.
Portuguese	Manter fora do alcance das crianças.
Romanian	A nu se lăsa la îndemâna copiilor.
Russian*	
Serbian*	
Slovakian	Uchovávať mimo dosahu detí.
Slovenian	Hraniti zunaj dosega otrok.
Spanish	Mantener fuera del alcance de los niños.
Swedish	Förvaras oåtkomligt för barn
Turkish*	

**Translations of the P102 sentence are not provided in the CLP text as these countries are outside of EU 27 geographical scope. The A.I.S.E. text (cf www.aise.eu/end_user_info) can be used in such circumstances/countries.*

AGREED A.I.S.E. TRANSLATION FOR THE INDUSTRY SAFETY MESSAGE

English:	Always keep away from children
Bulgarian	Винаги дръжте далеч от деца.
Croatian	Uvijek držite podalje od djece.
Czech	Vždy uchovávejte mimo dosah dětí.
Danish	Bør altid opbevares utilgængeligt for børn
Dutch	Altijd buiten bereik van kinderen bewaren.
English	Always keep away from children.
Estonian	Hoida alati lastele kättesaamatus kohas.
Finnish	Pidä aina poissa lasten ulottuvilta.
French	Toujours conserver hors de portée des enfants.
German	Stets außer Reichweite von Kindern aufbewahren.
Greek	Να φυλάσσεται πάντα μακριά από παιδιά.
Hungarian	Gyermekektől mindig távol tartandó.
Icelandic	Geymið ávallt þar sem börn ná ekki til.
Italian	Conservare sempre fuori dalla portata dei bambini.
Latvian	Vienmēr glabāt bērniem nepieejāmā vietā.
Lithuanian	Visada laikykite vaikams nepasiekiamoje vietoje.
Maltese	Dejjem żomm 'il bogħod mit-tfal.
Montenegrin	Uvijek držati van domašaja djece.
Norwegian	Hold alltid utilgjengelig for barn.
Polish	Przechowywać zawsze poza zasięgiem dzieci.
Portuguese	Manter sempre fora do alcance das crianças.
Romanian	Nu lăsați niciodată la îndemâna copiilor.
Russian	Всегда храните в недоступном для детей месте.
Serbian	Uvek držati van domašaja dece.
Slovakian	Vždy uchovávajúte mimo dosahu detí.
Slovenian	Vedno hranite nedosegljivo otrokom.
Spanish	Mantener siempre fuera del alcance de los niños.
Swedish	Förvaras alltid oåtkomligt för barn.
Turkish	Daima çocuklardan uzak tutun.

AGREED A.I.S.E. TRANSLATION FOR THE INDUSTRY SAFETY MESSAGE
(continued)

English	Always keep [BRAND NAME] away from children.
Bulgarian	Винаги дръжте [BRAND NAME] далеч от деца.
Croatian	[BRAND NAME] uvijek držite podalje od djece.
Czech	[BRAND NAME] vždy uchovávejte mimo dosah dětí.
Danish	Opbevar altid [BRAND NAME] utilgængeligt for børn.
Dutch	[BRAND NAME] altijd buiten bereik van kinderen bewaren.
English	Always keep [BRAND NAME] away from children.
Estonian	Hoida [BRAND NAME] lastele kättesaamatus kohas.
Finnish	Pidä [BRAND NAME] aina poissa lasten ulottuvilta.
French	Toujours conserver [BRAND NAME] hors de portée des enfants.
German	[BRAND NAME] stets außer Reichweite von Kindern aufbewahren.
Greek	Να φυλάσσετε πάντα το [BRAND NAME] μακριά από παιδιά.
Hungarian	A [BRAND NAME] gyermekektől mindig távol tartandó.
Icelandic	Geymið ávallt [BRAND NAME] þar sem börn ná ekki til.
Italian	Conservare [BRAND NAME] sempre fuori dalla portata dei bambini.
Latvian	[BRAND NAME] vienmēr glabāt bērniem nepieejamā vietā.
Lithuanian	Visada laikykite [BRAND NAME] vaikams nepasiekiamoje vietoje.
Maltese	Dejjem żomm [BRAND NAME] 'il bogħod mit-tfal.
Montenegrin	Uvijek držati [BRAND NAME] van domašaja djece.
Norwegian	Hold alltid [BRAND NAME] utilgjengelig for barn.
Polish	Przechowywać [BRAND NAME] zawsze poza zasięgiem dzieci.
Portuguese	Manter sempre [BRAND NAME] fora do alcance das crianças.
Romanian	Nu lăsați niciodată [BRAND NAME] la îndemâna copiilor.
Russian	Всегда храните [brand name] в недоступном для детей месте.
Serbian	Uvek držati [BRAND NAME] van domašaja dece.
Slovakian	[BRAND NAME] vždy uchovávať mimo dosahu detí.
Slovenian	Vedno hranite [BRAND NAME] nedosegljivo otrokom.
Spanish	Mantener siempre [BRAND NAME] fuera del alcance de los niños.
Swedish	Förvara alltid [BRAND NAME] oåtkomligt för barn.
Turkish	[BRAND NAME] ürününü daima çocuklardan uzak tutun.

AGREED A.I.S.E. TRANSLATION FOR THE INDUSTRY SAFETY MESSAGE
(continued)

English	LEARN MORE
Bulgarian	НАУЧЕТЕ ПОВЕЧЕ И ПРЕДАЙТЕ
Croatian	SAZNAJTE VIŠE
Czech	DOZVĚĎTE SE VÍC
Danish	FÅ MERE AT VIDE
Dutch	KOM MEER TE WETEN
English	LEARN MORE
Estonian	LOE LÄHEMALT
Finnish	LISÄTIETOJA
French	EN SAVOIR PLUS
German	HIER MEHR ERFAHREN
Greek	ΜΑΘΕΤΕ ΠΕΡΙΣΣΟΤΕΡΑ
Hungarian	TUDJON MEG TÖBBET
Icelandic	FREKARI UPPLÝSINGAR
Italian	SCOPRI DI PIÙ
Latvian	UZZINIET VAIRĀK
Lithuanian	SUŽINOKITE DAUGIAU
Maltese	Itaġħllem iżjed
Montenegrin	--
Norwegian	LÆR MER
Polish	DOWIEDZ SIĘ WIĘCEJ
Portuguese	SAIBA MAIS
Romanian	AFLAȚI MAI MULTE
Russian	УЗНАЙТЕ БОЛЬШЕ
Serbian	Сазнајте више
Slovakian	ZISTITE VIAC
Slovenian	IZVEDITE VEČ
Spanish	NFORMATE
Swedish	TA REDA PÅ MER
Turkish	Daha fazla bilgi edin

ANNEX 4: SUPERIOR CHILD-IMPEDING CLOSURES FOR RECLOSABLE HAZARDOUS LIQUID LAUNDRY DETERGENT CAPSULES PACKAGING - A.I.S.E. TEST PROTOCOL

Scope

This A.I.S.E. Test Protocol specifies a test method for reclosable packages designated as impeding the opening by young children, as prescribed in Commission Regulation (EU) No 1297/2014.

The aim is to provide a quantitative standardised test method and criteria that allow ensuring a superior effectiveness of the package in impeding access by young children (focusing on those children found to be most at risk, i.e. in the age group of 12-36 months). This is to meet and exceed what is required by the design criteria as specified in Commission Regulation (EU) No 1297/2014.

The test protocol does not cover the aspect of convenience and ease-of-use by adults, which is to be assessed and confirmed separately.

Packaging samples to be tested

The testing shall be conducted with new packaging that has been opened and correctly re-closed only once, in order to remove the original detergent content (if present) and to insert a suitable inert substitute product.

For every panellist, a new package shall be provided. Packaging samples that have once been used in a test, shall not be re-used for tests with different panellists. Sufficient packages, conforming to the container and closure technical drawings and specifications, shall be supplied to the testing facility, including a reserve for reference purposes.

Packages that require a destructive action on a tamper evidence sticker, seal or other system prior to their first opening, shall undergo this action according to the use instructions before the test. This seal shall not be re-applied after the insertion of the substitute product. This is relevant for e.g. the A.I.S.E. safe use sticker on plastic tubs, and for stand-up pouches that require the pouch's top edge (situated above the closing system) to be properly removed.

Detergent capsules shall not be present in the packages that are used in the test. A suitable substitute product shall be used instead. The substitute product shall be toxicologically inert, and shall have a size and mass (density) that is equivalent to the detergent capsules. For this purpose, blocks in MDF wood with a size and mass similar to detergent capsules (approx. 2x3x3 cm) may be used. Other substitutes may be used provided they have equivalent dimensions and physical properties as the actual detergent capsules. Packages up to a volume of 1 litre shall be filled to their nominal capacity (i.e. the number of substitutes is the same as the maximal number of detergent capsules for which the pack is designed); packages greater than 1 litre volume shall be filled up to 1 litre with substitute product. The rationale for limiting the amount of substitute product to 1 litre is that such contents provide adequate weight to the container without causing it to become too heavy for the child to lift or manipulate it during the test.

After replacement of the content, the packages shall be correctly re-closed.

Packaging samples of which the closure is judged to be defective during the initial opening and re-closing shall not be used for testing.

Ethical Review

The company is solely responsible for the choice of testing facility/laboratory used. It must ensure that the testing facility/laboratory holds all necessary approvals and certifications, notably to supervise and carry out tests with (young) children.

Test panel

The test population represents those children most frequently involved in accidental exposures with detergent capsules. For the test protocol, 70% of the population shall be between 12 months and 23 months old, inclusive; and 30% shall be between 24 months and 35 months old, inclusive. Within these sub-groups, the distribution of the ages (in months) shall approximate a uniform distribution, avoiding bias towards either the younger or the older ages within the interval.

There shall be an equal split amongst both genders.

The test panellists shall be recruited from a diversity of social, ethnic and cultural origins.

The test panel size for one package is between 30 and 200 children. The size of the test panel determines the statistical robustness of the test results, and consequently, is taken into account in the pass/fail criteria. All children in the test panel shall be healthy with no evident mental or physical handicap or problems with eye sight. They shall not have taken part in any previous test on child impeding closures or child resistant closures.

An information and consent letter shall be shared with parents, and their consent to participate to the study shall be documented. A parent shall sign the informed consent statement prior to any test exposure.

Test setup

Only one package is to be tested per child.

The testing shall be carried out under the supervision of (an) impartial and appropriately qualified person(s). Specifically, the supervisor(s) shall be skilled and experienced in working with infants and toddlers.

The test shall be conducted in the close presence of a parent or other familiar caregiver of the child (guardian, family member, teacher,...). With the age group tested in this protocol, this is needed to create a comfortable situation for the children. Bias of the results, due to children's behaviour in accordance with implicit or explicit parental expectations, is not yet of relevance in this age group.

The test shall be conducted in surroundings that are familiar to the children in the test panel (e.g. their day care, nursery, preschool, etc...). The personnel assisting to or observing the test shall be friendly to the children and shall make them feel at ease.

The children shall be tested individually, at a table or desk, or they may sit on the floor if they wish. The children may adopt any attitude or position they find convenient.

During the test, the children shall be protected from extraneous distractions (such as loud noises, toys close to the test area, etc.), as well as from distraction by other children who may be participating to a similar test.

Test Procedure

First the supervisor explains the following to the parents (or other caregiver):

- The supervisor takes the parent (or caregiver) through the test procedure and clarifies what are the expectations in terms of instructions and encouragement to the child.

- It is not compulsory for the child to open the container, only to try. If the child does not manage to open it, the test is equally valid. If the child disengages, only gentle verbal encouragement is to be used to ask them to re-engage.
- They must not help the child to open the container. The adult shall not hold the pack so the child can more easily manipulate it. The adult shall not show or explain how to open the pack.
- The children shall not be encouraged by telling them that there are things they like inside the container – such as sweets or toys, etc.

The test consists of two phases, each taking 5 minutes, during which the child can try to open the pack. After the first 5 minutes, the supervisor opens and re-closes the pack while the child is watching.

1. The child is put in a comfortable place (sitting at a table or sitting on the floor).
2. The container is given to the child, and the parent (or caregiver) asks the child to open the pack. The timer is started for 5 minutes.
3. The supervisor and/or the parent (or caregiver) repeatedly (approximately every 30 seconds) encourages the child verbally to keep trying. The following wording (or equivalent) can be used: “You open it”, “Come on, open it”, “See what’s inside”, “Now you try, open it”, “Try really hard to open it”, “How does it open?”
4. If the child disengages and stops trying to open the container, the timer shall continue to run until the 5 minutes have passed. The child shall be verbally encouraged to re-engage by the parent (or caregiver) or supervisor. They shall not be physically led back to the pack. The verbal encouragement shall be repeated with intervals of 1 minute. The wording of the verbal encouragement shall be gentle to avoid anger or frustration with the child. Wording such as “The pack is still there, can you give it another try?” or equivalent shall be used.
5. The container is considered to be open when its contents can be clearly seen and/or can be accessed by the hand of the child. If the child opens the container, or gains access to the contents (e.g. by entering the hand from the side of the pack without fully opening it), the elapsed time is recorded, as well as a description how the child opened the pack, and the test ends.
6. If, on the contrary, after the first 5 minutes the child has not been able to open the container, the supervisor takes a second (identical) pack, and opens and recloses it in full view of the child. This is done in a casual way, without emphasis on the different action steps required to open the pack. No verbal instructions are given how to open the pack. After the demonstration, the supervisor puts the second pack away.
7. The supervisor repeats the instruction to the child: “Now you try it, open it”. The timer is started again for 5 minutes. The verbal encouragement is repeated until the pack is opened or until the 5 minutes have passed. The same procedure as described in steps 3, 4 and 5 is followed. Specifically, if the child disengages and stops trying to open the container, the timer shall continue to run, while the verbal encouragement is continued, until the 5 minutes have passed.
8. After having participated in the test, the children shall be instructed that they should never try to open or gain access to the content of detergent packs or other household chemical products. The parent (or caregiver) shall be reminded to always store detergent products out of reach of children, because detergents can be hazardous for them.

Additional notes:

- The results are considered valid as long as the child at some point engages to try and open the pack, even if this is only for a few seconds. However, children who entirely refuse to engage, are to be excluded from the results.
- Children should not be prevented from using their teeth, throwing the container on the floor or using any other means to open the container.
- No tools or implements should be accessible which might be used by the child, except where such tools or devices are specifically supplied as part of the design of the child-impeding package; where this is so, the children shall have unobtrusive access to that tool, but it shall not be drawn to their attention (unless it was used in the demonstration).

Results

The following information shall be included in the report:

1. the name of the agency carrying out the test;
2. the name(s) of the person(s) supervising the test;
3. the date(s) and time of the day on which the test was carried out;
4. the location(s) of the test;
5. the name and address of the manufacturer and/or filler/packer of the package tested;
6. a photograph, a complete description and the specifications of the package tested;
7. a close-up photograph and a description of the closure system of the package tested, and a description how the opening mechanism works;
8. a photograph and a description of the substitute product used in the test;
9. the number of children participating to the test;
10. individual results for all participating children:
 - a. no personally identifiable information shall be included
 - b. the age (in months) and gender of the child
 - c. whether they were able to open the pack
 - d. if yes, whether this was before or after the demonstration
 - e. if yes, how much time (in seconds) was required by the child to open the packaging
 - f. if yes, a brief description of how the child opened the pack
 - g. if no, a brief description of the child's behavior/actions and level of involvement
11. percentage of children who opened the pack during the first 5 minutes, and overall percentage of children who opened the pack during the full study period.

Interpretation

The pass/fail criteria of the test protocol are reapplied from the ISO 8317 test for child resistant packaging. Out of a sample of 200 children, a minimum of 85% (170 children) shall be unable to open the pack before the demonstration, and a minimum of 80% (160 children) shall be unable to open the pack overall.

If the sample size is smaller, the sequential method shall be applied, as outlined in the ISO 8317 protocol. This approach requires a minimum base size of $n=30$ to have conclusive evidence that the test is successfully passed. With this panel size, it is allowed that maximum 1 child out of 30 can open the pack. If out of this minimum panel size, 10 or more children can open the pack, it conclusively fails the test. Between 2 and 9 packs opened out of 30, the results are inconclusive and further testing (with a larger panel size) is required.

The information about the time it took to open packs, and the mechanisms how the packs were opened, is for information only, and is not taken into account for the pass/fail decision.

Exemption for packaging meeting the criteria of EN ISO 8317

Packaging that meets the criteria of the EN ISO 8317 test for child resistant packaging, is deemed to also meet the criteria of the A.I.S.E. Test Protocol on Superior Child-Impeding Closures for Reclosable Hazardous Liquid Laundry Detergent Capsules Packaging, without the need to conduct additional testing.