

RULES OF PROCEDURE OF THE GROUP OF EXPERTS E00374 “European Union Ecolabelling Board (EUEB)”

Adopted on 11 June 2020

THE GROUP “European Union Ecolabelling Board (EUEB)”,
Having regard to Commission Decision¹ setting up the group,
Having regard to the standard rules of procedure of expert groups²,
HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the group

The group shall act at the request of the competent Commission department (DG ENV).

Point 2

President (Chair) and vice-President (vice-Chair)

1. The members of the group shall elect its President (Chair) and one vice-President (vice-Chair) by simple majority of its members, for a period up to two years. These appointments will be for named people, not organizations. The maximum number of consecutive mandates of the President and vice-President is two.
2. If no President and/or vice-President are elected, DG ENV will be the President/vice-President.

¹ Commission Decision 2010/709/EU of 22 November 2010 establishing the European Union Ecolabelling Board

² [Commission Decision COM\(2016\) 3301 of 30.5.2016 establishing horizontal rules on the creation and operation of Commission expert groups](#), (Annex 3)

3. The President will:
 - i. Chair the EUEB meetings
 - ii. Validate the minutes of the EUEB meetings and follow up on the implementation of specific EUEB decisions agreed with DG ENV;
 - iii. Coordinate the input from EUEB Members in the implementation of specific EUEB tasks agreed with DG ENV;
 - iv. Represent the EUEB in its operations.
4. The Vice-President will support the President in his/her tasks and replace the President in his/her absence.

Point 3

Secretariat

DG ENV shall provide secretarial support for the group and any sub-groups.

Point 4

Convening a meeting

1. The EUEB will meet at least twice a year. EUEB meeting(s) may be organised remotely.
2. Meetings of the group are convened by DG ENV, after consultation with the President and vice-President.
3. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
4. Meetings of the group shall be held preferably on Commission premises.

Point 5

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the President and Vice-President and send it to the members of the group.
2. The agenda shall be adopted by the group at the start of the meeting.

Point 6

Documentation to be sent to group members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the group members no later than twenty eight calendar days before the date of the meeting.
2. The secretariat shall send documents on which the group is consulted to the group members no later than fourteen calendar days before the date of the meeting, except for the final drafts of EU Ecolabel criteria proposals that have to be sent out twenty-eight calendar days before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Point 7

Opinions of the group

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

Point 8

Sub-groups

1. DG ENV may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG ENV. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups³ ('the horizontal rules') and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with the horizontal rules⁴.

Point 9

Invited experts

DG ENV may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

Point 10

Observers

1. Organisations/public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation of DG ENV.
2. Organisations/public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the President to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

³ [Commission Decision COM\(2016\) 3301 of 30.5.2016 establishing horizontal rules on the creation and operation of Commission expert group](#)

⁴ See Articles 10 and 14.2 COM(2016) 3301.

4. Priority should be given to a limited number of trade organisations, NGOs, think tanks and other ecolabels to contribute to a balanced composition of the group.

Point 11

Written procedure

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the group members the document(s) on which the group is being consulted.

2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and DG ENV shall convene a meeting of the group as soon as possible.

Point 12

Minutes of the meetings

Minutes should summarise the discussions and the opinions expressed at the meetings. Minutes shall be drafted by the secretariat under the responsibility of the President. They will be circulated for comments among EUEB members and observers, as relevant; once finalised they will be uploaded on the Register of expert groups⁵.

Point 13

Attendance list

At each meeting, the secretariat shall draw up an attendance list also specifying the Member States' authorities, organisations or other public entities to which the participants belong.

⁵ <https://ec.europa.eu/transparency/regexpert/>

Point 14

Correspondence

Correspondence relating to the group shall be addressed to DG ENV, with the President and Vice-President in copy.

Point 15

Transparency

1. The group shall be registered on the Register of expert groups⁶.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
 - (a) the name of member organisations; the interest represented shall be disclosed;
 - (b) the name of other public entities;
 - (c) the name of observers;
 - (d) the name of Member States' authorities;
 - (e) the name of third countries' authorities.
3. DG ENV shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups or via a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG ENV shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) 1049/2001⁷.

⁶ <https://ec.europa.eu/transparency/regexpert/>

⁷ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Point 16

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001⁸

Point 17

Tasks

The EUEB will undertake the following tasks:

- i. Agree with DG ENV on a Working Plan for the EU Ecolabel, including a strategy and a non-exhaustive list of product groups (Art. 7.4 of the EU Ecolabel Regulation).
- ii. Provide advice on which product groups will be developed and revised and by whom (Art. 7.1 of the EU Ecolabel Regulation).
- iii. Contribute to the development and revision of EU Ecolabel criteria, and issue recommendations on minimum environmental performance requirements, (Art. 5, Art. 8.2 of the EU Ecolabel Regulation) including:
 - a. giving its position on specific significant questions during criteria development by product group and on cross-cutting issues relevant to all product groups;
 - b. giving its position on the final proposal of EU Ecolabel criteria before they are submitted in Interservice Consultation within the European Commission and before they are voted by the EU Ecolabel Regulatory Committee.
- iv. Contribute to any review of the implementation of the EU Ecolabel scheme (Art. 5 of the EU Ecolabel Regulation).

⁸ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

- v. Agree with DG ENV and Members States on an Action Plan to promote the use of the EU Ecolabel by (Art. 12.1 of the EU Ecolabel Regulation):
 - a. Awareness-raising actions and information and public education campaign for consumers, producers, manufacturers, wholesalers, service providers, public purchasers, traders, retailers and the general public;
 - b. Encouraging the uptake of the scheme, especially for SMEs, thus supporting the development of the scheme.