



MINUTES OF THE EUROPEAN UNION ECOLABELLING BOARD (EUEB) MEETING

Avenue de Beaulieu 5, 23 November 2011 – meeting on product groups

- 09:30 – 10:00** Adoption of the agenda - *President*
Adoption and follow-up of the minutes
- 10:00 – 11:15** Discussion on final criteria document:
Newsprint paper - Michele Galatola, DG Environment (EC)
- 11:30 – 13:00** Discussion on final criteria document:
Printed paper products - Michele Galatola, DG Environment (EC)
- 14:00 – 16:00** Up-date on the on-going work on:
Laundry detergents for professional use and dishwash detergents for professional use - *Jakob Wegener Waidtløw (Danish Standards)*
- 16:15 – 17:00** Up-date on the on-going work on all product groups:
Renata Kaps and Mauro Cordella, Joint Research Centre (EC)
- 17:00 – 17:30** Horizontal task forces: presentation of the approach - *Michele Galatola, DG Environment (EC)*
- 17:30 – 17:45** AOB - *President*

Welcome by the Vice President

- Adoption of the minutes of 8, 9 and 10 June 2011

- No AOB proposed

1. DISCUSSION ON THE FINAL CRITERIA FOR NEWSPRINT PAPER

COM explained the background and development of the criteria document. After the ISC, there were still some minor pending issues that however prevented the finalisation of an agreement on the final version of the criteria and the vote of these criteria in the Regulatory Committee in November. However, COM anticipated that a written vote procedure for these criteria was probably going to be launched in December.

The Commission presented main changes in comparison with the text presented at EUEB meeting in June:

(1) Introduction of Point 3 in the 1st page of the Act:

Since the production of newsprint paper consume significant amounts of energy, wood and chemicals, and may lead to environmental damage or risks related to the use of the natural resources, it is appropriate to establish EU Ecolabel criteria for the product group "newsprint paper".

This is a text which has been requested by the Legal Service of the Commission in order to better justify the need for the Ecolabel criteria chosen.

(2) Changes in the CO₂ emissions from fuels table (Table 2):

- changes in values for coal, fuel oil 2-5 and LPG have been introduced based on a recent report issued by JRC. The new figures are in line with the fuel combustion figures in the fuel quality directive.

(3) Change in Criterion 3, Fibres

The mandatory recovered fiber content is now agreed on 70%

At least the 70 % (w/w) on the total amount of fibers used for newsprint paper shall be recovered fibres.

(4) Criterion 4: deletion of the sentence on nanomaterials

The sentence on nanomaterials was deleted, because for this product group it simply does not make sense to include it.

DISCUSSION:

Open discussion on the issues:

Fibres

Several stakeholders raised the following issues:

- Production of the newsprint of 100% recycled, mixed or fresh fibres allow a flexibility that is needed to respond to different market pressures and request that are often linked to specific national conditions. There is no fibre recycling without feeding fresh fibre.

- Some producers use virgin fibres from sustainable wood plantations and they should be allowed to get the EU Ecolabel.
- Recycled fibres availability in the market is limited and it is difficult to comply with the EU Ecolabel criteria. If the producer can prove that he looks for the recycled fibres and cannot get it, he should be allowed to get the EU Ecolabel anyway.

Sweden: confirmed that it is very difficult to get recovered fibres on the Swedish market and thinks it is a pity that the Commission has not left this criterion out. Besides that, there is huge difference between the mills consuming only virgin fibers. For instance, some mills are still using chlorine. This is especially happening in the countries where there is low production and high import. The current criteria proposal doesn't cover these mills at all.

EEB/BEUC: Newsprint is a perfect product to use recovered materials. EEB/BEUC thinks that 70% is already a compromise and that there is no need to use more virgin fibres.

Germany: CEPI statistics show that in 2009 90% of fibres used in the paper were recovered fibres. We are now even 20% lower.

France: CEPI's statistics are a European average figure, not applicable to all countries.

Validity of the criteria

Why the criteria are going to be valid only for 3 years?

COM: There are other paper product group and the idea is to make the revision of all paper groups at the same time.

Some countries supported short validity (DK).

Voting position

Some of the Member States (Bulgaria, UK) pointed out that the documents of the draft criteria were sent too late to be able to give formal position.

Other Member States (e.g. DK) emphasised that it is important to give voting position to help the Commission in finding out what the Member States think about the new draft.

Member States, President of the EUEB and the Commission agreed to have informal preliminary opinion on voting intentions.

Voting Intentions:

Austria: Agree for the product group, but they are not sure about the vote yet. This is an important product group, also at the national level; however, if there is no vote by next spring, then we might not have resources anymore to spend time on this criteria development work.

Belgium: Need to discuss internally.

Bulgaria: No comments.

Czech Republic: supports.

Denmark: Possible positive vote, but they would prefer 50% of recovered fibres and the rest 100% certified as sustainable. They would like to receive more information about nanomaterials.

Estonia: Possible positive vote, but they need to discuss internally.

Finland: can accept the criteria (even 70% of recovered fibres, even though they would prefer 50%).

France: Agree for the product group, but they need more time for the final vote. Supports 70% of recovered fibres. They would like more information to be circulated about the use of nanomaterials.

Germany: supports.

Hungary: supports.

Italy: supports.

Latvia: not presents.

Lithuania: supports (even 70% of recovered fibres, even though they would prefer 50%).

Luxembourg: not present.

Malta: not present.

Netherlands: rather supports.

Norway: 70% recovered fibres is not acceptable. Norway is providing virgin fibres to the rest of Europe.

Poland: supports, but 70% can be an issue; needs to consult internally.

Portugal: not present.

Romania: no comments, but can rather support 70%.

Slovakia: rather supports.

Slovenia: not present.

Spain: they still need to consult internally, but 70% is acceptable.

Sweden: negative, 70% not acceptable.

Switzerland: no comments yet.

United Kingdom: needs more time for consultation, but might support this document.

EEB/BEUC: supports. They would like to receive more information about nanomaterials.

CEAPME: supports.

BusinessEurope: not present.

Eurocommerce: not present.

2. DISCUSSION ON THE FINAL CRITERIA FOR PRINTED PAPER

COM explained the background and development of the criteria document. The current version of the document is still not final, since the agreement within the Commission services has not been reached yet. The Commission hopes to finalise it shortly.

The Commission presented main changes in comparison with the text presented at EUEB meeting in June:

- (1) Article 1: sentence about "who can apply for the Ecolabel" was deleted.

Legal Service advised to delete the paragraph "The applicants for the product group "printed paper" may include printing houses, printing house customers, such as publishers, and paper converters" saying that there is no requirement as to the type of applicant authorised to submit an application for the EU Ecolabel.

(2) Most changes are in the Criterion 2

- change of wording in compliance with the Regulation 66/2010
- text partially redrafted to improve the readability
- reference to nanomaterials deleted
- verification methods of Criterion 2

DISCUSSION:

Open discussion on the issues:

Framework

Who could apply for an Ecolabel for printed paper? If an advertising agency wants to get the label they cannot be responsible for complying with the criteria. Do the criteria apply to ecolabelled products only or to all product of a printing house?

COM: All organisations can apply. The ecological criteria apply to ecolabelled products only, but Criteria 2(b) to (f), 4, 5, 6 and 7 apply to the printing, coating and finishing processes of a printing house. If there are printing, coatings and finishing processes exclusively used for ecolabelled products, criteria 2, 4, 5, 6 and 7 shall apply only to those processes. Besides that Criterion 2(a) applies both to the non-paper components of the printed paper product and to the printing, coating and finishing processes. This is still a draft document, so wording can still be improved. The text will be clarified for the next draft. Some additional information can be provided also in the user manual if needed.

Criterion 1 – Substrate

Sweden: Do you have an example, how a CB is going to check that an applicant meets the requirements? It can be very difficult. How to interpret "equivalent ecolabel"? At the moment it is at the CBs' discretion only.

COM: There is article 11.2 of the EU Ecolabel Regulation (66/2010) that has not been implemented yet. It requires Member States to identify which are the officially recognised ISO type I Ecolabelling schemes in their own MS. This should solve the problem.

Netherlands: There can be a problem with the current approach, because you can't require anyone having EU Ecolabelled products.

COM: The text of verification of criterion 1 should be changed from "*The applicant shall provide a copy of a valid EU Ecolabel certificate for the paper used*" to "*The applicant shall provide a copy of a valid EU Ecolabel certificate or equivalent for the paper used*".

Criterion 2 – Excluded or limited substances and mixtures

Finland: The current criterion is very strict having now requirements on consumables used in printing, coating and finishing operations of the final printed paper products. There can be difficulties to find printing inks and dyes meeting the requirements.

COM: The current approach was adopted because it is much easier to assess the chemicals used in the product than to assess the whole product. Besides this, there are exceptions for some inks in the criterion.

(a) Hazardous substances and mixtures

COM: Pavel Misiga (Head of the unit of Unit C1 on Sustainable production and consumption, DG Environment) explained that the current version of the document is still a draft, since the agreement within the Commission services has not been reached yet. There is still discussion going on regarding Criteria 2a), especially regarding nanomaterials and verification. Mr. Enrique Garcia (DG Enterprise; unit G.1: Chemicals – REACH) and Mr. Henrik Laursen (DG Environment; unit D.3: Chemicals, Biocides & Nanomaterials) were also present at the meeting.

The main element of discussion is how to be sure that in Ecolabel products are not used substances for which there is not enough information about their hazardous properties. This is particularly the case for substances which do not currently fall under the REACH requirements or substances for which the information available is lacking or does not refer to the specific form in which the substance is used in the products. The text proposed in the latest version of the draft criteria seems not to be the best one to guarantee the objectives mentioned above. The same text has already been used in the Ecolabel criteria for lubricants and some detergents. The participants of the meeting were asked to provide feedback if the general approach and thresholds for hazardous substances are also applicable for this product group or there is a need to find another approach and thresholds.

There has been lots of discussion regarding nanomaterials. At the moment, the approach is that all the substances shall be assessed case by case. Moreover, there should not be any additional requirements for nanomaterials, because they are substances such as any other. However, this is still a draft document and we are still working on this.

BEUC/EEB: We don't know yet enough about nanomaterials, hence for the precautionary approach they should be excluded.

Germany: We would prefer information on nanomaterials to be provided on the basis of Annex VIII of REACH (not VII as it was proposed in the last version of the criteria).

Sweden: The verification of 2a) needs to be written very clearly. We have had problems with this section also with other product groups.

COM: Additional information can be also added to the user manual.

BEUC/EEB: How much toluene is left in the printed paper after printing? Could the amount of the toluene be dangerous for kids? A requirement might need to be added in order to avoid it in the final product.

COM: Derogation is given because there are no replacement chemicals available. The efficiency level 92% is based on the information on levels for existing installations in Europe in the BAT Reference Document on Surface Treatment using Organic Solvents.

Finland: Does the text in page 8 refer to UV inks or to all inks?

COM: It refers to UV inks.

Denmark: The printing industry asks to have a database of approved chemicals.

Norway and Denmark: Support EEB/BEUC regarding concerns about toluene.

Criterion 3 – Recyclability

Sweden: It is possible to have envelopes without wet strength agents. Nordic Swan ecolabel criterion on envelopes doesn't allow the use of wet strength agents in the envelopes holding the label; and there are currently several products holding the label.

BEUCEEB: Envelopes and drawing pads should not be put into the recycling bin. If they shall comply with the criteria wet strength agents should be excluded.

COM: This is topical discussion, because tomorrow industry representatives will give a presentation on the proposal for converted paper products as new product group. Indeed, envelopes could be included either in the scope of printed paper products or in the scope of converted paper products. The issues will be discussed more detail tomorrow, but today in the context of voting the participants are asked to give their opinion on which product group (printed paper or converted paper products) should envelopes be part of .

Criterion 5 – Waste / Waste paper

Intergraf: A reference value for screen printing is missing in the table.

Denmark: A waste paper criterion is very difficult to implement for ecolabelled products only, because paper waste issue is printing house -specific.

Intergraf: Regarding feed-sheet offset printing, the criterion can only be product -specific not printing house -specific.

COM: The aim of the criteria is to be flexible by giving a possibility for an applicant to choose either to ecolabel only part of the products or all the products. It is specified on page 6, if the criterion applies to the final printed paper product; to the printing, coating and finishing processes; or both to the non-paper components of the printed paper product and to the printing, coating and finishing processes.

Criterion 10 – Information appearing on the EU Ecolabel

The criterion might need to be changed if envelopes are included in this product group.

Voting position

President: asked Members to address several issues in their answers:

- do you support the criteria
- nanomaterials?
- verification methods
- should envelopes and other converted paper products allowed in the scope?
- would you prefer to have the Written vote or vote during the Regulatory Committee meeting?

Austria:

- envelopes should be in the criteria.
- we will come back with written comments. It would be difficult to have the written vote.
- it is also difficult to vote if the document is a draft.

Belgium:

- no comments; needs internal discussion.

Bulgaria:

- no comments

Czech Republic:

- supports
- we are a bit skeptic regarding to use ISO type approach (Criterion 1 – Substrate)
- no written vote; in support of a real vote.

Denmark:

- supports
- would like still to discuss nanomaterials
- envelopes can be included in this product group, but the derogation for wet strength agents should be then deleted, because they are used only in very special products.
- written vote possible

Estonia:

- supports
- no written vote but voting during the meeting

Finland:

- in general supports
- envelopes should be included here to make sure that they are covered by Ecolabel as soon as possible;
- waste criteria is too strict, but otherwise the criteria are good.

France:

- generally supports but can't say anything more at the moment because criterion on nanomaterial has been changed.
- needs more information on envelopes – at the moment criteria can't be used for envelopes manufacturing. We are having a study in France regarding the recyclability of envelopes (available in mid 2012).

Germany:

- in general supports
- besides that it would be important to have a criterion on racist and violent content.

Hungary:

- supports
- keep envelopes in the scope of this product group

Ireland:

- in general supports
- envelopes should be included here

Italy:

- needs further consultation

Lithuania:

- in general supports

Netherlands:

- keep envelopes in the scope of this product group
- recyclability and wet strengths agents can be confusing
- vote in the meeting

Norway:

- supports
- envelopes should be in the scope

Poland:

- supports
- envelopes in the scope
- consider ethical aspect

Romania:

- in general supports

Slovak Republic:

- in general supports

Spain:

- in general supports
- it should be clear if the envelopes are in or out the scope

Sweden:

- needs further consultation

Switzerland:

- no comments

United Kingdom:

- supports
- envelopes' issue needs further clarifications
- nanomaterials need further clarifications
- vote in the meeting

EEB/BEUC:

- supports
- envelopes and other converted paper products need to be recyclable.
- concerned about nano

BusinessEurope:

- no comments

CEA-PME:

- no comments

European Newspaper Publishers' Association (ENPA): The newspaper sector regards the proposed Ecolabel as a completely inappropriate instrument to be applied to printed press products. It should not be the aim of any EU initiative to steer consumers away from certain press products and towards others. This is unwarranted intervention in the free and independent press in the Europe. A newspaper should be bought for its editorial content and not on the basis of a label.

COM: At the request of Germany to include criteria on the content of the printed paper the Ecolabel could be awarded to, it was replied that Ecolabel covers only environmental issues; hence to have a criterion on content is not possible.

3. LAUNDRY DETERGENTS FOR PROFESSIONAL USE AND DISHWASH DETERGENTS FOR PROFESSIONAL USE - JAKOB WEGENER WAIDLØW (DANISH STANDARDS)

LAUNDRY DETERGENTS FOR PROFESSIONAL USE

(See the presentation attached)

DISCUSSION:

Open discussion on the issues:

Article 1: product group definition

The product (recipe) gets the Ecolabel.

Criterion 3 – Biodegradability of organics

BEUC/EEB: The Environmental criteria should not allow surfactants that are derogated by the Detergent regulation.

Jakob Wegener Waidtløw: This criterion is not a pass/fail one; we are restricting them (text "not including surfactants" should be removed).

Criterion 4a: Specified excluded substances

BEUC/EEB: Agains the use of phoshates in Ecolabel products..

Jakob Wegener Waidtløw: The concern regarding phosphates is not so high that it should be pass/fail criterion. Phosphates are not regulated by a law in the case of professional use. Besides that, according to NS, it is possible to produce products without having phosphates.

Criterion 4b: (derogations, part one)

Biocides

It was asked to check if the limit value for R50 is correct (should it be 25 %?). It was also asked to have a new wording for "Biocides used for preservation purposes".

Fragrances

Denmark pointed out that explanation to derogate fragrances is not right and a better explanation was also asked for.

According to the industry, fragrances are needed because customers ask for them, and outside Nordic countries products could not be sold without fragrances. Fragrances

meeting the requirements for classification indicated in the table are necessary because they need to last longer and resist to higher temperatures of ironing in respect to fragrances used by consumers.

Optical brighteners and bleach catalysts

Some of the participants of the meeting (BEUC/EEB, France, Norway, Denmark, Austria) pointed out that derogations are not needed for optical brighteners and bleach catalysts. It was also stated that derogations should only be allowed if there are no substitutes available. This should be done very carefully.

The role of bleach catalysts as described in the technical report seemed to be unclear; so more information regarding them was asked. According to the industry, bleach catalysts don't have anything to do with optical brighteners but their use just ensures that lower washing temperatures can be used.

Discussion was about whether there exist products without optical brighteners and bleach catalysts that do not meet the requirements for the classification indicated in the table.

According to the industry, there are products available on the market currently without having optical brighteners, but they are not effective enough. Brighteners are needed because customers ask for them. If optical brighteners are excluded, then the big part of the products would be outside the scope. Moreover opinion of industry representatives was that the non classified optical brighteners are used but they are not able to bring the appropriate level of whiteness, and generally a mix of both is used in the products.

Denmark: The question is about the level of whiteness. Extra whiteness is not needed in hospitals etc.

Netherlands: Maybe the optical brighteners can longer the life span of a product such as towel?

Denmark: We should not talk about customer needs here but about environmental issues and arguments. The argumentation is not good enough at the moment.

Criterion 5a-5b: Packaging

Packaging is included in the criteria because of its environmental impacts. France asked if there are some LCA results showing the environmental performance of plastic from renewable origin. Due to the lack of time, it was decided not to have the discussion on it this time. It was nevertheless asked to put a threshold percentage of plastic from renewable origin to be able exempt packaging from criterion 5a.

Additionally, Denmark requested ban of PVC, which was supported by BEUC/EEB.

Criterion 6: Washing performance (fitness for use)

International standard does not exist; hence we have developed an own fitness for use test. The aim is not to add workload of the applicants.

DISHWASH DETERGENTS FOR PROFESSIONAL USE

(See the presentation attached)

DISCUSSION:

Open discussion on the issues:

Product group definition

Manually dosed spray products are excluded from this product group because the dosing can not be controlled.

Criterion 4: Excluded or limited substances and mixtures

BEUC/EEB: Phosphates should be excluded as it is also excluded from the environmental criteria for laundry detergents.

Industry: It is possible to exclude the phosphates, but then it would raise the cost. Moreover there is a need for phosphates in concentrated products for high water hardness.

Austria: Support the industry.

Criterion 6: Washing performance (fitness for use)

BEUC/EEB: Why testing number is now 5 and not 10 anymore?

Jakob Wegener Waidtløw: According to the industry, it is difficult to find 10 different products; hence the testing number was changed from 5 to 10.

Industry: The industry could live with 10 as well, but having the test for 5 different products is better for practical reasons.

4. UP-DATE ON THE ON-GOING WORK ON ALL PRODUCT GROUPS - *RENATA KAPS AND MAURO CORDELLA, JOINT RESEARCH CENTRE (EC)*

(see the presentation attached)

DISCUSSION:

Business Europe: Is it easy to get data covering the whole market?

JRC: Not at all. Sometime it is easier and sometimes more difficult.

Bio Intelligence Service: It is good that JRC has the mandate to have a more harmonized approach in the development of criteria. Regarding derogation the approach is not harmonized.

Austria: The acceptance of refusal of comments is not transparent because you never know if your comment is accepted or not.

COM: There is a need to have more harmonized procedure on derogation. We also need to improve the procedure for handling the comments.

5. HORIZONTAL TASK FORCES: PRESENTATION OF THE APPROACH - *MICHELE GALATOLA, DG ENVIRONMENT (EC)*

COM: explained the background on the horizontal task forces. EC is planning to set up working groups for chemicals, forestry GMOs a social and ethical criteria and potentially other issues. It is still under discussion what would be the best way to built-up the horizontal working groups, but the aim is to form the working group of different stakeholders and involve them in the work. In any case JRC will be one of the participants. The role of the working group is to make a preparatory work. The work should be started as soon as possible. Regarding chemicals, there are lots of things to be harmonised, such as to develop a common way to interpret the regulation and how to deal with derogations. JRC has already started working on chemicals by providing a background report. The work for social criterion will start in early 2012. BEUC/EEB leads the project (see the presentation attached).

