



MINUTES

Meeting of the European Union Ecolabelling Board (EUEB)

15 – 16 April 2015

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15 April 2015

1. ADOPTION OF THE AGENDA OF 15 APRIL 2015 – *PRESIDENT*

Agenda was adopted

2. ADOPTION OF THE MINUTES – *PRESIDENT*

Minutes were adopted

3. SPECIAL SESSION ON HAZARDOUS CHEMICALS IN EU ECOLABEL CRITERIA - JOINT RESEARCH CENTRE (EC)

GENERAL INTRODUCTION

NORWAY said that the complexity of the chemicals criteria have risen dramatically with the implementation of Art. 6.6 and 6.7. She expressed the concern that applicants do not understand Criteria 14 and 15 for textiles, they are not able to do the screening based on the RSL list. All criteria on chemicals have been clustered under the hazardous chemical ones, with the result that they are very difficult to handle. Some restrictions have to be provided as separate criteria because when talking about articles, some substances of concern are likely to be present in a concentration inferior to 0,1%.

The example was provided of a biocide in big furniture, the concentration of which is much less than 0.1%, for which a restriction is needed as a separate criterion.

For the verification much easier declaration form are needed where suppliers can identify which substances are concerned. JRC has gone into this direction since the last meeting, but perhaps something more can be done.

JRC: JRC has worked recently in this direction. The cross-check at article level is probably something that is missing, and could be done in the future.

Denmark though the session was put on the Agenda because the CBs have numerous questions related to several criteria. This was not put in the Agenda of the CB forum, but there should be some examples on the table.

JRC agreed with DK. A request for concrete questions was sent out but nobody answered. Therefore JRC at its initiative prepared a session with some examples on practical implementation that hopefully can be useful.

Denmark explained that it was not a critic to JRC. There are several questions about interpretation of the criteria that have already been raised at the Competent Body Forum. Some examples should have been provided to JRC. Today he cannot say what the specific problems are. Without practical examples it would be difficult to get into the problems. When we look at criteria for Computer we have been a step forward in trying to solve the matter by sub-grouping the chemicals and being specific on specific part of computers. He referred that he participated in telephone meetings with several manufacturers that were not saying that criteria are impossible to work with but they were contributing very much to criteria setting and specifications. The outcome of those meeting is that there are criteria that are workable if manufacturers would like to apply. As a general remark he agreed with Norway that they would like more broad overall

criteria banning e.g. biocides or brominated flame retardants, but he said that this is not how the EC wants to go, and that it is why it is needed to go to specific and narrow criteria banning for each flame retardant, addressing specific chemical properties and product parts. This is one of the reasons for these very specific criteria. Before e.g. for computers, there were criteria that were similar to legislation. If we want to go further this is probably the way it should be.

Other ecolabel instruments have another approach excluding PVC or brominated flame-retardants but this is not the approach the Commission wants, as it happened in the past that such criteria were changed during Inter Service Consultation. The situation we face is that the only way to have criteria on chemicals is to go with something very relevant to the level of hazardous properties of the substances.

Not saying we should try to solve how articles 6.6 and 6.7 are written. Instead of having them as harsh law they should be the aim of the EU Ecolabel Regulation (avoidance of hazardous chemicals and chemical substitution). Maybe we should think how to rewrite the articles when the Regulation is revised.

Belgium: No questions were sent because no questions were received from applicants. Feedback received from their heat pump licence holder is that referring to a list that can change during the validity of the product group is too complex and they prefer to drop the licence, it is not worth the effort. No applications or questions were received from textiles licence holders. For paints we have SVOCs issue so the applications are not though yet. Time is too soon or too late.

Germany: The reason why everybody is quite is because the subject is very complex and it is not clear how we will move forward. JRC proposed some discussion points that are very true but very technical and they are not easy to be answered now. Someone is probably still thinking if art.6.6 and 6.7 is the right way to go. Criteria for computers are very ambitious but I do not know if they are workable. Applicants have to go to suppliers and sub-suppliers and they have experienced with the Blue Angel scheme that this is very difficult for complex articles. Sometimes to get even small information it took 3 months; Chinese sub-suppliers may not feel obliged to provide this information. But maybe you have discussed it at AHWG meetings with companies and you had different feedback from them. Could the feedback received from companies be explained?

JRC replied that this issue will be presented in the specific session related to computers.

CEFIC: Particular attention should be dedicated to listen what applicants are saying.

EEB called on the EC to come back to the general principles of the Ecolabel and see what the main functions of the product are. E.g. some fragrances that are Endocrine Disruptors should not be used in EU Ecolabelled products. The EU Ecolabel should protect the health and the environment.

Denmark came back to the example of computer criteria, as in the discussion there were examples of how to use other different industry verification tools. He said he was surprised to see that most of the American based should be in accordance with EU Legislation but otherwise their industry based verification system had this exclusion of brominated flame retardants, but this is not the approach of the Commission.

By banning PVC and retardants, industry has tried to go forward. But this is not the approach of the EC, as a representative of the EC said that criteria are not based on the chemical structure of a substance. We should listen to the industry and there are examples on how industry would like to use these labels systems. But in the discussion I participated in there was not room from the EC to have this done in this way.

UK: To get the context right: 10 PGs that have been revised by the IPTS, and they have done a brilliant job, so it is not a critique. And we have 5 licences and 0 for the recently revised one. We have a serious problem in interpreting Art. 6. It is not absolutely clear where the problem is. One thing I have clear is that we had numerous meeting lately with a paint manufactures tat wished to renew their licence, and the problem seems to be that they have not been aware of the impacts of the criteria in the supply chain. And the same has been seen in the textile product group.

He said that he didn't know what the answer is, but one is a question of the representations. The actors important for ensuring compliance in the supply chain are not involved. This is the reason why we have the whole range of PGs where we have no licences. This is not just a technical discussion. Technically the approach is logical, but it is not practical, it is not working.

President: there is no sense of having criteria with no licence holders, this is a very critical point.

Norway: stated they are facing the same situation of Belgium, some applicants do not know how to manage, what to do and they decide not to go forward. They had a meeting with textiles licence holders and they have been trying to explain them what to do and it was very challenging and difficult. They have done a list of H phrases and asked the applicants to go to their supply and check if any of these substances has been used, and then the CB will help them to go through the criteria to see if they can apply. This is the only way we can do it.

Even for electronics, we have the same problem, criteria are not workable.

CEPI stated that if you have to interpret criteria in one country, the interpretation can be different in another country, and this is not a level-playing field, it should not be possible. If Competent Bodies involved in the criteria development have problems in interpretation there is a problem with the criteria, they should be clearer than that. The work of the Competent Forum is appreciated, but maybe it is not enough.

Denmark referred that interpretation of criteria will not be different amongst MS. There is a need to discuss how to implement the criteria and how to communicate the criteria to licence holders and how they should communicate it to their supply chain. How do we get the information that is needed and who is providing this information? User Manuals are not providing enough guidance to CBs not to licence holders. Applicants may give up just after having a look at the User Manuals.

JRC replied that getting potential applicants thinking about this in an earlier stage in the process is very useful. They have tried to work in sub-groups and they ended up working on some parts of the products. They couldn't do it on the whole product, it was simply not possible but he said we should get applicants in the dialogue early enough to get them in the discussion along the value chain. This is very critical and it is the real test. They may be able to do some reality check to see if criteria work, but support from EUEB is needed; do we have the consent from EUEB to narrow the scope and narrow it down the components or chemicals to look at?

FURNITURE

EUROMETAL: Steel and metal industry do not understand the link with REACH, as metals and alloys are not seen as chemical products. The term “chemicals” is very generic and should not be used for metals.

Norway: Resins should not be included in this criteria document. Questioned if the requirement on “resins” refers to added resins or natural resins present in wood.

JRC: Refers only to added resins. Refers to different kinds of formaldehyde-based resins used to bind wood-based panels cured in a way that are called resins.

Germany referred that in the case of articles with high weight, a big amount of hazardous chemicals will be used, as it will be very easy to be below 0.1%. Do not agree with the concept presented concerning the calculation based on the final weight of the furniture product.

JRC: The dilution effect will happen, but in the case of relevant component parts, for example a coated metal tube, the coating will be considered as a percentage of the weight of the metal tube and not of the final furniture product.

Germany: What should be relevant is the surface, because what is inside is not important as will not come in contact with the user.

Norway: The concern expressed by Germany should be covered by other criteria in the document. In the case we want to have stricter criterion that 0.1% of the final furniture product, it has to be established in other criterion, as presented in criterion 3.4 on plastic parts. According to articles 6(6) and 6(7) the target is what is in the final furniture product and not in the homogenous parts of the furniture, and we have decided on a cut-off limit of 0.1%. The exception is concerning SVHC because according to the EU Ecolabel Regulation we also have to look into the homogenous parts of the final product. But SVHC and the candidate list is a list on ECHA and is changing over the years, which is a pity, but is related to those list of chemicals. In respect of H statements, there is no obligation to look at the homogenous parts of the product, but only at the final product. We need to have the cut-off limit of 0.10% of the final product and in the case it is not a big part of the final product, doesn't need to be consider.

Denmark: Chemicals in parts of the furniture in contact with the skin it would be addressed. Otherwise, we have the restriction substances list which is going beyond article 6(6) criterion, because we can have even stricter levels for certain chemicals as we know that they are below 0.1% but even pose a risk in respect of the use of the furniture. Therefore, it is important to look at the restriction substances list.

President: Asked what is coming after this discussion.

EC: This criteria document will not be voted next June, but the intention is to have the vote in November and ISC will start by mid-2015. Specific questions were made during this presentation and the Board is requested to provide feedback to IPTS, in order to allow the development of a “workable” requirement on hazardous substances for this product group.

UK: The real issue is what is going to be labelled, the final product or its components and our choice on which components to select and restrict the hazardous chemicals within those components, which is different on how to interpret article 6(6). Questioned if this discussion properly happened at the AHWG level and with stakeholders. There are different options to address chemicals. Good examples were given on the way forward, but a list of components would be relevant to have a reasonable proposal, e.g., every components above 25g. The discussion should be focused on components.

JRC: We need to agree on the scope first and details later. The only way to get the information is to go to the level of the component supplier. We can then discuss on how to treat that information. It is not only the weight that is important, but also to know if

there is direct skin contact with the component during normal use. We could go beyond 25 g, but we need to be careful that there will not be a problem at the EoL phase.

Norway: There is also a question of the detail. Is it the stainless steel that is classified or the fact that the stainless steel contains some nickel and then we need a derogation for nickel in stainless steel? We are having the strictest possible interpretation of the regulation when addressing nickel instead of stainless steel and resins in wood panels.

JRC: The approach presented is based on the chemicals used in the product (and resins fall in that scope), but an easiest approach is welcome. It would be possible to have a derogation condition for resins in wood-based panels.

EUROFER: Nickel is classified for inhalation as a CMR. Once is in the matrix of the alloy, it cannot be inhale in any possible way. It's a clear example of a classified substance which is classified and during the process loses its hazardousness. It is very good to have a derogation of nickel in stainless steel.

Norway: Agrees with EUROFER and thinks that nickel and stainless steel should not be included in the criterion. It should not be tackled in this criterion and it is not relevant to ban nickel in stainless steel, because the latest is not hazardous.

JRC: Nickel is released from stainless steel, is sensitising in contact with sweat, classified in group 3 hazard, which is the reason of proposing a derogation condition and for parts in contact with users.

EC: "Workable" should not mean putting the burden in other criterion. The idea of having a horizontal approach is to have the same level playing field and the same ambition level on all materials and moving parts to another criterion in order to make it easier will not be a harmonised approach.

EUROFER: There are many grades of stainless steel and they have all different release limits of nickel and all comply with stringent limits for food contact, so stainless steel in furniture will not have any problem. Nevertheless, nickel is classified as a skin sensitising and I would not recommend stainless steel to be used in arms of chairs.

4. PRESENTATION OF THE FINAL DRAFT OF THE CRITERIA FOR THE 'PERSONAL, NOTEBOOK AND TABLET COMPUTERS' PRODUCT GROUP; *JOINT RESEARCH CENTRE*

JRC: Presentation of the final proposals for revised Computer product group criteria. The final criteria were presented, with the last changes highlighted by going through the Draft Act and Annex text circulated. For each major change since the last EUEB the rationale was explained to EUEB members. These changes included those introduced as a result of the Inter Services Consultation.

Prior to the presentation EUEB was informed that a problem had been identified following communication with DG Energy. The energy criteria are proposed to be linked to the Energy Star v6.1 criteria. However, there had been a delay in the adoption process for these criteria in the EU. This delay was highlighted to the EUEB and it was agreed to formulate an alternative energy criteria text that could allow the vote on adoption of the whole criteria set to still proceed.

A new text was worked out together by IPTS and DG ENV and was later presented.

EUEB Members commented and requested the following:

- Chemical restrictions:

- The EUEB should know whether the proposed PAHs testing method used for the GS product markings is provided by labs outside of Germany and that the costs are not too high;
- In the restriction on arsenic in screen glass analytical testing is referred to as being required. It should be clarified which test method shall be used;
- Concern was raised that the restriction on mercury in backlights had been deleted. Some MS felt strongly that this should be retained as a safety net to re-assure consumers. On the other hand it was highlighted that referring to mercury might give the wrong message to the consumer that the Ecolabel was providing an improvement in comparison to other products on the market given that the vast majority of screens are now mercury free.
- Concern was raised that the flame retardant and plasticiser derogations still allowed a number of chemicals of concern to be used.
- The derogation condition specifying a fire test of certain components for dioxins and furans requires some last checking because other toxins are not accounted for (e.g. PAHs) and a ‘group 3’ substance could pass without needing to be tested but might have higher PAHs emissions than a ‘group 2’ substance. The approach needs to be more balanced.
- Recycled content: Concern was raised that this had been highlighted by a manufacturer as being a barrier to compliance, with the ability to trace and verify recycled content and the ability to source a consistent supply of recyclate of the right quality highlighted as the underlying issues. It was noted by IPTS that the scope of the sub-criterion had been already been further narrowed.
- Noise emissions: Concern was raised that the noise criterion had been deleted as it was been identified as an important issue in office environments. Also the ability to change/upgrade the cooling assembly had been deleted, and this would be desirable if the noise criterion cannot be re-introduced.
- Energy efficiency: The balance of opinion of the EUEB was that it would be better to wait for formal adoption of Energy Star v6.1 than to vote on a criterion that had been formulated so late in the process. It was agreed to therefore finalise discussions on the criteria set and to hold a vote once there was certainty of Energy Star v6.1 adoption

JRC reply 1:

A further revised energy consumption criterion was drafted and checked with other commission services (DG Energy and the Legal Services). A text was presented in which:

- Reference to Energy Star 6.1 was removed and replaced reference instead to the Regulation governing the establishment and operation of Energy Star in the EU. It was emphasised that this may initially allow Energy Star 5 compliant models to apply or, in the future, Energy Star 7 compliant models i.e. it would make it a dynamic criterion.
- Criterion 1(c) and (d) would need to be independently certified according to the underlying IEC standard used for Energy Star testing.

EUEB: The balance of opinion of the EUEB was in favour of caution i.e. to wait for formal adoption of Energy Star v6.1 instead of adopting a modified criterion the implications of which could not be checked at short notice.

JRC reply 2: Final proposed resolutions for open issues identified were presented. These were as follows:

- Chemical restrictions:
 - PAHs testing method: Testing is generally carried out outside the EU and that they had not received feedback from suppliers about problems with the cost or availability of the testing. No change was proposed;
 - Arsenic in screen glass analytical testing: Manufacturers generally request declarations from suppliers which may be accompanied by analytical testing results, but a test method is not generally specified/requested. It was agreed to delete the reference to testing;
 - Restriction on mercury in backlights: Options could include i) referring to RoHS compliance testing that would show the product to be mercury free or ii) to deny RoHS exemptions 3 and 4 to ecolabelled products iii) add a reference to backlight unit detoxification in criterion 4(b) (Swedish proposal). Option ii was proposed following consideration by IPTS and DG ENV.
- Recycled content: On one hand this is not a significant hot spot but on the other hand it is difficult to directly address the use of high impact materials such as gold, silicon and copper. The manufacturers Dell, Asus and Lenovo are promoting their use of recycled content and this content is verified. To respond to the concerns raised it was proposed to give applicants the option of choosing to comply with either 4(a) (i) requiring ‘recyclability’ or (iii) requiring ‘recycled content’. This would be more flexible for applicants and would address any potential conflicts between recycled content and casing durability requirements.
- Noise emissions: The view of IPTS/DG ENV was that this was not addressing a major environmental hot spot of the product. However, as a compromise it was proposed to re-introduce reference to the upgrade potential of the cooling assembly for desktop computers, which are the most likely to be used in an office environment.

JRC informed that the fire testing of certain components for dioxins and furans will be further discussed with the industry associations PINFA/EFRA, who agree in principle with the proposal but wish to ensure it is balanced in how it treats different chemistries. It was suggested the following:

- The available source of information will be checked. In particular, the contribution analysis for different fire emissions in the ENFIRO project and Swedish TV and cable study LCAs will be checked in greater detail in order to determine whether PAHs is significant enough to be specified and whether testing should apply to both group 2 and 3 hazards.
- The final proposed limit values will also be further cross-checked with published study results and discussed with EFRA and PINFA.

5. PRESENTATION OF THE FINAL DRAFT OF THE CRITERIA FOR THE 'SOIL IMPROVERS, GROWING MEDIA AND MULCH' PRODUCT GROUP, *JOINT RESEARCH CENTRE*

EPAGMA: The definition of “growing medium” is not the same as agreed in the Fertilisers WG, which adapted the TC 223 definition, excluding “soil in situ”. Questioned if growing media soil improvers and mulches are proposed as a single product group or two different product groups. Supports the adoption of EN standards developed by TC 223. Limits for cadmium proposed for soil improvers and mulch are very low (1 mg/kg), as many bark mulches have higher limit values as recognised in the German Regulation (1.8 mg/kg and 2.5 mg/kg for bark mulches). This limit will exclude bark mulches produced in Germany, Belgium and other countries from the EU Ecolabel. Limit value for cadmium in growing media is very high (3 mg/kg) and could be reduced to 1.5 mg/kg. Reference to “wet weight” should be replaced by “fresh weight” on page 15. ISO 6579 is not validated for detecting *Salmonella* spp in growing media, as it is on “microbiology of food and animal feeding stuffs”. Under the Fertilisers WG, CEN will be mandated by the Commission to validate this method for this product group. Under criterion 12, the reference to the method in general should be included. In the same criterion, reference to “media” should be replaced by “medium”. Under sub criterion 12.1(g) and 12.2(g), provision of information on “use by date” should be removed for soil improvers and growing media, because it is very difficult to state by the producer in the label as it can change in 3 or 4 weeks due to the existence of microbes in the product. Under criterion 13, the word “sustainable” should be replaced by “responsible”. The reference to “reducing water pollution” would not apply to coir products, as a lot of water is being used for its production.

EEB/BEUC: Supports the exclusion of peat. Referred that the definition on “biomass” is not acceptable, as it should include mechanical separated municipal waste. Doesn't support the inclusion of “mineral wool” in the scope, as they are not ecological, they have many after use problems, much energy is used during the production process and have non-identified hazardous issues.

Norway: Why a requirement on hazardous substances is proposed if this category of products don't contain biocides, fragrances, flame retardants. The EU Ecolabel Regulation doesn't foresee a requirement on hazardous substances and not relevant for a specific product group.

Sweden: Peat is a local and sustainable resource in Sweden, is harvested in an environmental acceptable way and work has been done to have peat accepted in ecological farming. If the exclusion remains, Sweden will abstain.

France: Support the criteria document and suggests replacing the title of sub criterion 5.5 from “pathogens” to “microorganisms”. According to manufacturers, frequency of analysis for type 1 plants is too high and it will be too expensive, in particular for PAH. On criterion 13, requests the replacement of the sentence “reduces water and soil pollution” by a sentence referring that hazardous substances and heavy metals are restricted. Supports the comment made on the use of the term “sustainable”.

Denmark: In respect of criterion 3.2, when minerals are extracted outside the EU, the Bern Convention could be referred.

Mineral Wool Manufacturer: Concerning the referred problems at EoL, informed that in the Netherlands and also the BENELUX area, the largest mineral wool market in the world, 100% of what is sold every year is recycled. In France, Poland, Denmark and Sweden, recycling options are offered to the customers. Referred that energy

consumption in production of mineral wool is equivalent to the energy consumption in shipping peat substrates from India and Sri Lanka to the European market.

Poland: Is against the exclusion of peat and referred that its exclusion will have the consequence that no companies will apply for this product group.

JRC: The definition of “growing media” is aligned with the last proposal agreed under the on-going revision of the fertilisers Regulation. Article 7 refers to the two current EU Ecolabel Commission Decisions establishing criteria for growing media and soil improvers. Limit values for mulches for cadmium was taken from the ongoing revision of the Fertilisers regulation. Mulch is considered a type of soil improver to avoid any legal loophole and the limit value established for cadmium is the same. Concerning the introduction of the reference “wet weight”, this proposal came from the Commission’s Chemical Unit. It was noted that this criterion will have very little impact in this product group, but references had to be aligned with REACH terminology. The test methods for pathogens were indeed not validated for growing media, but some tests to measure those pathogens were necessary. It will be very good to have a mandate to validate tests for growing media, but we are not entitled to send any mandate. In respect of the information criterion, the reference to the test method was included for pH, electrical conductivity and in respect of the use-by date, we are still looking on the possibility to remove it or not. The reference to the term “sustainable” will be removed, as we are focusing on the recycling content, on the existence of a collecting and recycling system and renewable materials. The definition of biomass was taken from the Directive on Renewable Energy Sources and we understand that municipal waste is a problematic waste to produce compost, and that is why it is explicitly excluded. The exclusion of mineral wool was discussed several times and taken into account that the EU Ecolabel criteria was used to implement collecting and recycling systems for mineral wool, it was decided that those efforts should continue to be supported. Concerning the hazardous substances criterion, it applies mainly to mineral wool, which under certain conditions could be classified as carcinogen. Also taken into account that formaldehyde resins could be used to produce mineral wool, a reference to a test report was included. In respect to other materials, the exemption in Annex 5 (e.g., natural produced materials, bark, etc.) are exempted of this criterion. Concerning peat, there were many arguments in favour and against, but at the end it was excluded because it has an important impact in CO2 emissions and because the aim of this product group is to promote recycled materials. The initiative on “Responsible Peat Production” is in a very early stage of implementation and more results are necessary to understand how suitable it is for the EU Ecolabel. Reference to “Pathogens” were changed to *E. coli* and *Salmonella Spp.* Test frequencies were agreed with the manufacturers participating in the revision process and a balanced solution was having test frequencies related to the type of plants and volumes.

EC: Clarified that the Bern Convention is the precursor of the European Nature legislation and Habitats Directive and it is implemented in the European Union through the Habitats and Birds Directives and that there is no separate process for identifying protected areas under the Bern Convention. In the EU, the mechanism is the NATURA 2000 network for protected areas for protecting biodiversity. The Bern Convention also applies to other countries beyond the borders of the European Union, on a voluntary basis, but some initiatives were taken to extend the concept of NATURA 2000 to the so called Emerald Network in other non-EU member countries of the Bern Convention, but this is still an ongoing process with a not very strong legal basis for the moment, even if very useful.

President: Asked for voting intentions.

EUEB: Positive.

– Closed session – EUEB Members only

6. APPOINTMENT OF THE NEW VICE-PRESIDENT

Ineke Vlot was unanimously elected as Vice-President.

16 April 2015

7. ADOPTION OF THE AGENDA OF 16 APRIL 2015 – PRESIDENT

An additional point was added from yesterday on detergents at 12:30. The Agenda was adopted.

8. UPDATE ON THE CRITERIA DEVELOPMENT PROCESS FOR ' FURNITURE' PRODUCT GROUP - JOINT RESEARCH CENTRE (EC)

Denmark: More details requested in respect of the alignment with the requirement on cotton in the textiles criteria document, as this was discussed at the beginning of the week during the CB Forum meeting. Currently, the requirement is very difficult to understand, as the intention is not clear and the documentation referred to was not possible and the outcome of the discussion was that the Commission would look into it. It was questioned if the Commission already had a conclusion.

EC: Referred that the Commission will try to find a solution both for Furniture and Footwear in order not to have the same problem with as the textiles criteria is having in respect of the implementation of the criterion on cotton.

FSC: Commented on the wood criterion, which was not presented, most probably because major comments were not received by IPTS. Referred that the current formulation for requirement on “sustainable forest management” is different from the one that has been adopted in all the other recent set of EU Ecolabel criteria (e.g., textiles, absorbent hygiene products). It is no longer mentioned that FSC and PEFC are the bottom line. As the text is written now, other kind of schemes that are not equivalent to FSC or PEFC can be accepted. It was proposed to use the standard formulation, used e.g. for footwear.

Germany: Questioned if lignified materials also include bio-based lignin compounds.

JRC: Referred that still do not know the boundaries between lignified and cellulosic material. Requested any information on those borders.

Germany: Referred that this issue will pop-up again at the CB Forum level later.

JRC: Referred that was introduced by request of the furniture industry and that technical information on biological distinctions between wood and lignified material other than wood was given by German stakeholders. Will contact those stakeholders and request a clarification on the interpretation of the definition and the provision of examples of lignified materials.

EEB/BEUC: Concerned with the fact that the reference to ISO 17025 was removed from the new draft and don't support the proposal of requiring independent laboratory test reports, which if kept in the final version, should be better explained and defined to avoid any controversial testing methods to be used. ISO 17025 would ensure the quality and reliability of data. Supported the ban of PVC and regret that it has been taken out. Referred that the restriction of PVC is consistent with EU Ecolabel principles and objectives and such a step back may undermine the credibility of the label.

Denmark: Referred that in the background paper it was not clear what “sustainability criteria” will be proposed for cork, bamboo. On the issue of dilution in tanneries, referred that in other criteria documents, the same requirement was established per volume of effluent and that this is the only way to solve the problem, i.e., to translate the limit as effluent per weight of production, even if it may be too difficult. Also proposed to refer that dilution is not allowed. Concerning lead in mirrors, referred that this issue is not fully addressed in the technical report. Support lead-free mirrors as alternative exists (Nordic and French Ecolabels have the same criteria, and the EU Ecolabel should not allow lead in mirrors). Requested, as raised in other PGs, to exclude brominated flame retardants and PVC in this product group.

France: Referred that traceability of recycled plastic content will be very difficult to verify, especially the differentiation between the pre- and post- consumer recycled plastics. Support the comment from the FSC representative on the criterion on “sustainable wood”. Questioned if it was planned to include a criterion on recycled polyurethane foam, as it will promote the recycling of bed mattresses.

JRC: Referred that the problem with recycled polyurethane foam in upholstery is the control of hazardous substances and the storage of recycled materials (concern of spores and fungi). The issue of traceability of plastics should be further discussed. PVC will not probably be banned, as no strong scientific arguments to ban PVC were found. Concerning lead in mirrors, the same requirement is established under the Nordic and French ecolabels. It is not a total ban but a very low percentage compared to the normal ones (less than 0.2%). The current proposal is not zero, but we don’t know what manufacturers mean by “lead free” and 0.2% seems OK. For tanneries, the BREF for leather production was followed and the limits are expressed as cubic meters of water consumed per tonne of leather produced or hide processed. We have to check how much bamboo, rattan and other lignified materials have the FSC or PEFC certifications required in the criterion on “sustainable forest management”. The previous wording will be included if nobody has an objection. The use of tests performed by laboratories accredited according to ISO 17025 is mentioned in the EU Ecolabel Regulation (Article 9) as to be “preferentially” recognised by Competent Bodies and the Regulation overcomes Commission Decisions establishing the criteria. This means that under this proposal a reference to ISO 17025 as a mandatory requirement is not possible. There was a proposal to use the term "accredited laboratories", but a definition will need to be provided.

Denmark: Questioned that when “equivalent” is mentioned in the requirement on “sustainable forest management”, which other certification schemes can provide the same protection. In the User Manuals, a valid FSC and PEFC certificate is allowed to be provided by the applicant. But in the case the applicant holds a certification not issued by FSC or PEFC, it would additionally need to provide Competent Bodies a proof of equivalency. How “sustainable forest management” is documented by each Competent Body needs to be discussed at the CB Forum and at the EUEB to know which schemes are considered equivalent.

Norway: Regretted that PVC was not excluded from the scope but is aware of the Commission decision on this issue. Questioned on which phthalates are excluded by criterion 3.c.

JRC: Will give more information on this later on.

EC: Requested information on market availability of bamboo, cork and rattan which are FSC and PEFC certified.

FSC: FSC certified cork is available. Bamboo and rattan coming from forests can be certified but when they are produced outside the forest they cannot be certified. There are other specific schemes (at least in the US) that may certify bamboo produced outside forests. In this case, the term “equivalent” is not in respect of “forest management”, but on how the scheme is being organised, e.g., if it is multi-stakeholder, if it has verification, etc.

EC: The intention is to have a vote in November 2015. A final version will be presented next June, which means that we need to finalise the text in the next weeks. Next week the criteria text will be sent out and put in BATIS, comments should be provided within the end of the week after, especially the requirement on hazardous substances. The technical report will be sent out 4 weeks before the meeting. The presentation will be uploaded by tomorrow in CIRCA.

9. UPDATE ON THE CRITERIA DEVELOPMENT PROCESS FOR ' FOOTWEAR' PRODUCT GROUP - JOINT RESEARCH CENTRE (EC)

JRC Presentation

Norway: Raised the following questions: On criterion 1 –material origin. Unclear if JRC mentioned that the 10% cut-off refers to cotton. It should be introduced in the criteria document, as it was not in the latest version that we looked on. Further, regarding perfluorinated compounds. These should also be excluded from the use in the footwear membranes. In textiles ecolabel there is a ban on them that we also propose to apply for footwear. The scope has been expanded e.g. ski boots which we support. What is the definition of technical footwear.

Denmark: the cotton criterion is planned not to have a specific testing but IPM cotton verification on pesticides is proposed. Some IPM schemes do not ban all pesticides. We ask for clarification on this. On 3(b) the scope on water consumption is limited. Textiles and finishing is not the place where the major emission into water occurs. With regards the issue of an "ongoing verification" along the duration of the licence. The suggested criterion is not different than other criteria of other PGs therefore is fine.

Belgium: in the new textiles criteria there are difficulties with the organic cotton requirement. A solution is needed in order to avoid having the same problem in footwear. Further BG asks for a copy of the introduced changes.

Germany: As there is no draft on the criteria DE asks to summarise the options proposed for the threshold on clp/hazardous substances criterion.

JRC replies to DE: The options on the threshold proposal are: a) a 3% w/w on the individual materials content that will be screened against CLP, or b) NO threshold at all. We could also propose an intermediate solution c), to have no threshold for the skin contact material (covering the shoe lining or socks), and 3% w/w threshold for all other materials used in the product. We plan to add these questions in the presentation to be distributed to the EUEB. Reply to Norway. The very last version has not been published. There is now a 10% w/w threshold introduced for cotton. We were in contact with industry that produce the membranes for footwear, it is analogical technology as discussed under textile criteria. Perfluorochemicals are still needed for some shoes e.g. if

the shoes is a special equipment footwear that require high level of water –resistancy. Only in this case, we allow the use of Perfluorochemicals, in line with the EU Ecolabel for Footwear and OECD specification. The product needs to meet technical requirements. We introduced the specific test for water penetration. Reply to Denmark on IPM schemes: We propose as to accept the verification of these IPM schemes that explicitly exclude the use of specific pesticides. This is easier than testing the product. The list of pesticides is harmonised with EU Ecolabel for textile. The definition of technical footwear is based on technical requirements to fulfill functions such as fire-proof, water proof. Reply to Belgium: The means for improving the gmo-free cotton traceability will be further explored.

10. UPDATE ON THE CRITERIA DEVELOPMENT PROCESS FOR 6 PRODUCT GROUPS OF THE 'DETERGENTS FAMILY' - JOINT RESEARCH CENTRE (EC)

Presentation

Questions/Answers

AISE provided the following contribution on the discussion points:

- Extension of the scope to Fabric softeners: They are in favour of including them, as they think it is a bit harsh to say that they do not have a function. They provide a function that many customers like. But they are aware that this is not the position of MSs;
- Possibility to allow the use of microorganisms in the products and vinegar in the scope: They are neutral; as both are out of the scope of the Detergents Regulation, AISE leave the decision to EUEB.
- Anaerobic criterion: AISE is not in favour of a criterion for anaerobic criterion, but it is suggesting a compromise solution that can be used to harmonise all criteria: those surfactants classified as hazardous will have to fulfil also biodegradability requirements. This would imply taking surfactants out of the criterion on the biodegradability of organics.
- Palm oil: In order not to make it too complex, AISE suggest sticking to things that are available, such as the RSPO. They are in favour of such criterion for the sustainability of palm oil though RSPO certification. For criteria on coconut oil, it is needed to wait as work is under development.
- Phosphates: This issue is a difficult issue. The feedback AISE got from their members is that they are still needed for some specific professional dishwashing applications. These detergents are a small part of total detergents on the market, below the 5% and phosphates should be allowed for these specific detergents. Phosphates and phosphonates are already regulated by the Detergent Regulation for consumers. ASIE encourages the EU Ecolabel not to regulate more the phosphonates because they are already limited by the criterion on aerobic biodegradability of organics. Criteria should not be added one over the other.
- Packaging: AISE supports the removal of the WUR criterion for professional detergents as it is very complex to calculate especially when detergents are delivered in bulks and has low impact from an LCA perspective (moreover packaging is always minimised for cost reasons). They moreover support the harmonisation and rationalisation of WUR for consumer products, linking it better to the functional unit.

- Biocides – They would like the possibility for biocides to get the EU Ecolabel but mainly for consumer products, as for professionals it is not needed. Biocidal products and especially the professional ones are heavily regulated by the Detergent Regulation. Consumers will be allowed to make an informed choice.
- How to promote concentrated and super-concentrated products: there consumer concentrated products and professional super-concentrated products (that they even need to be diluted 100 times before use). 3 ideas on how to allow and promote them under the EU Ecolabel:
 - Use the CDV calculation only on functional unit used by the final user and not separate CDVs for concentrated/non concentrated products.
 - For classification: for professional products the classification will be very harsh, we should look at classification of the final end-used product; for consumers we should explore if the same idea is possible.
 - The WUR should be linked to the functional unit, the final dose used by consumers.

CESIO informed that there are projects and studies going on the biodegradability of surfactants in the University of Cadix, that are not finalised, but the results of which are promising and can be shared with the EUEB.

Belgium provided the following contribution on the discussion points:

- Extension of the scope to Fabric softeners: it may be interesting for professional products, because their anti-static properties may be useful for certain applications. But it should be important to be able to distinguish the environmental properties of the EU Ecolabelled ones against the conventional ones. This should be investigated further.
- Use of perfumes in consumers and professional dishwashing detergents: for consumers it could influence the perception of the consumers that may switch to other products. For professional applications it not considered relevant.
- Packaging: it is fundamental and it should be kept. For professional products the criterion should be adapted (e.g. take-back systems are exempted) to a more professional context, but not eliminate it.
- Promotion of super-concentrated products: this has implications concerning the hazardous substances.
- Use of microorganisms: really good criteria can be set for their use. If good criteria are set for their use, e.g. demonstrating their additional benefit it could be a good idea to extend the scope.
- Spirit vinegar: it is not necessary to extend the scope, maybe adding a perfume to it and selling it as a cleaning product. Moreover we do not have information on the better options from an environmental point of view.
- Sustainable palm oil: RSPO is considered not reliable. It could damage the image of the scheme. In the CB Forum it is seen that it is not an easy criterion to deal with. Maybe some experience can be gained with the rinse-off cosmetics before applying it to all detergents.

Denmark said that written comments were sent by e-mail the day before, so some issues were highlighted:

- Microorganism-containing products are a niche but there is a lack of evidence that they can have an effect in a normal cleaning. Maybe there are special applications in which they may be needed, but it has to be considered the time in

which the product is applied to surface. Maybe the products would need to be applied on surfaces for a longer time, so it is not clear if there are fit for this product area.

- Anaerobic degradation: many times the EC is telling that legislation has already taken care of some aspects, and there is a strange situation in which the EU Ecolabel cannot consider setting up criteria for some aspects, EU Ecolabel cannot go further because it is not scientifically justified. This can be said for all areas. There is at least a majority interest from EUEB to go beyond legislation, but nevertheless this risk to be deleted during Inter Service Consultation. It is not a main issue for legislation to take care of it, but a voluntary label such as the Ecolabel can address it. If we want criteria to be science-based this should include anionic surfactants. The EC is the only one that disagrees with the issue. The opinion of the EUEB should be sought to know where we stand.

- Packaging: reducing packaging and waste seems a priority and then with the EU Ecolabel we want to dump the criteria on packaging. We end up with nothing with these criteria.

If we remove the packaging criteria from the I&I we may go into another direction: we can set criteria that call for take-back system of re-use system. Then a criterion on the material of the packaging is not needed as long as its circular use is promoted.

- Four additional points:
 - Denmark asks for a ban of micro-plastics.
 - I&I products should be fragrance-free
 - Isothiazolinones: The growing knowledge of the properties of MI (methylisothiazolinone) calls for action against the group of isothiazolinones, especially, in product groups with regular skin contact, besides rinse-off cosmetics, this at least also includes hand dishwashing- and the group of detergent cleaners. Denmark proposes to at least exclude methylisothiazolinones from these detergent groups with regular skin contact, and introduce other (and low) concentrations for other isothiazolinones.
 - Optical white/brighteners. Denmark proposes – as earlier – the exclusion of optical white/brighteners, or at least to repeal the derogation for optical brighteners. The function of such substances – if having environmental implications – cannot be justified by an Ecolabel, as the function is not cleaning, but mere cosmetic.

France: Written comments will follow after the following brief considerations:

- Extension of the scope to Fabric softeners: no strong point on this. Their use is increasing and it could be good to guide consumer towards the most environmentally friendly ones with the EU Ecolabel, if it is possible to differentiate them.
- Spirit vinegar: not in favour of including it in the scope. Acetic acid is corrosive and could affect pipes.
- Anaerobic biodegradability: agree with DK, we should go beyond legislation banning surfactants that are not biodegradable under anaerobic conditions. Written comments will be sent.

- Sustainability of palm oil: some problems are arising with rinse-off cosmetic; France is in favour of the criteria but we should be careful with the verification part.
- Support the ban of micro-plastics.
- The following questions were posed to the JRC: It is possible to have a debrief on the conclusion of the meeting on Usetox in EU Ecolabel products? Did you study any alternative methodology to calculate the ecotoxicology of the final formulation in addition to the CDV values? For packaging, are you planning to have a criterion on designing of plastics as done in cosmetics?

Germany made the following comments on the issues:

- Fabric softeners: Germany is strongly opposed to the idea of including them in EU Ecolabel products.
- Microorganism: very sceptical to have them included. Some evidence should be provided on the performance and also that they are not harmful to the environment.
- Spirit Vinegar: Germany is against having it in the scope.
- Anaerobic biodegradability: similarly to Denmark and France, Germany would be happy to have it considered as it was in the old criteria.
- Palm oil: is very difficult subject and not clear recommendations are available from LCA but it is more a communication problem, as many surfactants have already palm oil in it and we do not know their sustainability. Even if we know that RSPO has to be improved it is regarded as beneficial to have it in.
- Phosphates: in professional products, their limitation would be an added value.
- Packaging: Is JRC going to the problem of industrial cleaner packaging? Otherwise Germany position is close to the Danish one.
- Biocides: not in favour to introduce them especially for consumer products.
- Environmental hazardousness claim: it is a not very good to sign to communicate to market. It would be very hard to explain to the public why they stand together with an EU Ecolabel.

Sweden agrees with almost all comments from Denmark and Germany and written comments will be sent. But Sweden is favourable to include microorganisms in purpose cleaners. A functional requirement is included in the Nordic Swan criteria; it is innovative and there is an interest in the market.

President: when such discussions are foreseen, more time should be allocated in the Agenda.

EC: JRC will come back to people on single issues. The outcomes of the Usetox meeting have been reported at the AHWG meetings, and they are included in the minutes. If they are not clear, France can come back to JRC.

Regarding the Cocktail effect JRC did not find a reliable and affordable method but if France knows it, please let JRC know; on packaging a criterion on designing of plastics is already there, similar to the one of rinse-off cosmetics.

Preliminary intentions were collected on two topics:

(Denmark stated that it could have been too premature to collect EUEB opinion, UK and Norway said that it would be useful)

- Should fabric softener be included in the scope of criteria for laundry detergents?

Belgium/Norway would like know if it is possible to set criteria or not.

Germany remembered that they are not part of the washing detergents, it is almost a new product group.

Votes in favour: 0

Abstain: 10

- Should a requirement on anaerobic degradability be included in the criteria for all surfactants in all product groups?

Votes in favour: 13

Against: 3

Abstain: 5

President: if intentions/opinions of EUEB are asked in the future, this should be clearly said in advance.

UK and EC: AISE compromise solution should be further explored from here to the second AHWG meeting

11. UPDATE ON THE CRITERIA DEVELOPMENT PROCESS FOR 'CLEANING SERVICES' PRODUCT GROUP - *JOINT RESEARCH CENTRE (EC)*

JRC presented an update on the current development of EU Ecolabel criteria for cleaning services.

During discussion after JRC presentation, UK asked whether JRC already defined to whom the EU Ecolabel will be awarded (whole company, a department or a specific service offered);

Denmark stressed the importance of the point system, giving the example of Nordic Swan, considering that it provide flexibility for applicants under distinct market situations;

Belgium requested to be informed on the date the stakeholders written comments will be made visible in BATIS;

JRC answered that applicant requirements are currently under investigation in order to avoid license misuse. The issue on the eventual need for point system for criteria will be taken to the 2nd AHWG. The written comments and documents will be available on the next weeks on the BATIS system.

EC asked for written comments to be sent as soon as possible on the use of "routine" word in the new PG title proposed for cleaning services.

12. UPDATES ON OTHER ISSUES RELATED TO THE EU ECOLABEL (AMENDMENTS, CORRIGENDA, ETC.) - CARLA PINTO, DG ENVIRONMENT (EC)

Presentation

Questions/Answers

EPDLA indicated that, regarding ecolabel for indoor paint & varnishes, the modifications proposed by EPDLA were not taken in the amendment showed. Will they be included in the next amendment? Is there any additional support needed from the organisation to generate the mission data?

EC replied that the request was still being analysed, and no final conclusion was set. The amendment had to be launched, because of the need to prolong the validity of the criteria. In case EPDLA request is accepted, there will be another amendment. JRC completed that data were missing in the request (regarding the market situation), and it is being checked with CBs from some MS. Market information received so far was not sufficient, so additional information would help.

France asked whether an email could be sent when new UM or other documents are uploaded, and EC replied that it will ask for it.

EC asked the EUEB whether criteria for Light sources and Textile floor coverings needed to be prolonged. EC opinion is not to prolong. Criteria were developed in 2009, but there is no interest from the market. Resources cannot be spent on revising criteria when there is no interest.

Denmark indicated that, based on the market, the claims and the different labels, Textile floor coverings are an area really interesting for the market. The corresponding textile criteria supplement the criteria from the other related product groups.

EC replied that it is very strange that since 2009, there is no application. If there is a real interest, the industry should approach the EC to ask an update of the criteria. The EC does not have enough resources. While reporting to the hierarchy, having a product group without licence is a failure. Therefore, the EC has to spend money on criteria which work.

UK indicated that the EC needed to look at the nr of applicants/licence holders before developing criteria. However, this approach was not taken to date (eg. with computers where there is only 1 licence). The industry/associations may need to be consulted to get their opinion.

Denmark pointed out that it might be relevant to see why other labels are more attractive than the EU ecolabel (textile floor coverings where there are licences under other labels). Maybe industry does not like the EU approach. Work with other labels should be developed.

EC replied that it had limited resources. If there is no demand, there is no justification to keep criteria alive. IPTS is doing the work thoroughly, and they have to look at art 6.6 and 6.7 for all ecolabel products.

Germany requested that a screening procedure is set in the future, when there is an intention to abandon a product group. The President said this could be added to the agenda of the next EUEB.

EC underlined that at the last EUEB in June, a priority list for revisions was discussed. Based on this discussion, the EC has prioritised product groups for revision. Therefore, the discussion was already made.

13. UPDATE ON THE REQUESTED AMENDMENT ON LUBRICANTS - CARLA PINTO, DG ENVIRONMENT (EC)

Presentation

Questions/Answers: No session.

14. OPTION FOR UPDATING REQUIREMENT ON "FIBRES: SUSTAINABLE FOREST MANAGEMENT" REQUIREMENT IN PAPER CRITERIA - CARLA PINTO, DG ENVIRONMENT (EC)

Presentation

Questions/Answers:

- **CEPI** indicated that it was understood from the beginning there were 3 legal options. Paper industry considers that moving from 50 to 70% of certified fibre is a major change. Also, it is not easy to transfer a requirement from one product group to another, because there are specifications. 51-55% of fibre is certified in the EU, as an average. There is a need for a review based on technical arguments and reality on the ground. There is no other option than a full revision (option 3), and this is the position of the paper industry.
- **UK** indicated that the CB Forum already discussed these points. UK was very disappointed with options proposed. When looking at the minutes of EUEB in June (DK remarks) and of November (UK and DK remarks), it was known already for some time that changes were needed. It is bad for Ecolabel credibility. When looking at UK licence holders, it would not be a problem. As regards buying standards used by the government and for GPP, making reference to the EU Ecolabel is not possible because of this low level % of certified material, and this is a missed opportunity to drive demand for EU ecolabelled products. How can we have an amendment for paints over 6-7 months, and there is a very long timescale for an amendment for paper?
- **FSC** was happy that this issue has been raised by 3 countries. There are 3-4 separate procedures anyway, option 3 to be used for tissue paper and for other sectors, it can be done faster. For current and future licence holders, it makes no difference. Some companies have special arrangements with FSC that will expire at end 2015 (for a 50% certified content). In other cases, companies have to comply with the 70% requirement. In the CEPI sustainability report, it can be seen that 75% of pulp of virgin origin is already certified. Ecolabel is not meant for all paper producers, but only for those making extra efforts. So we should use the shortest procedure to fix it.
- **Denmark** indicated that, in reference to what UK and FSC said, it is a missed opportunity for bringing the EU ecolabel in line with the market leading schemes in Europe. We should go for quick amendment, and in parallel work on a central paper product document with specific requirements for each product category (tissue,

copying & graphic paper etc.), and this could be finalised in 2018 and we have a good product area with different categories for the market. Therefore DK proposes a short procedure for amendment of forestry criteria.

- **Germany** supports UK and DK.
- **EC** highlighted that this will not be a simple amendment. In the case of paints and varnishes, we are correcting requirements that are not implementable (errors). Here, it is the first time we have an amendment to raise stringency level of a specific requirement. We need to justify to the hierarchy, to other services in the EC, and to all MS, why this single raising is sufficient for the time being. We know that there is also an issue with monomers and it was raised 3 years ago. We all know that a simple update of this requirement is not sufficient. In addition, we need to assess the impact of the amendment on current licences holders. In this case, Competent Bodies would need to go back to licence holders to tell them that they need to prove compliance with the higher level of the requirement, and it is a complex exercise. As regards option 2, we tried to implement the short procedure, and we did not succeed. From IPTS feedback, even a shorter procedure would require a full report. And we would need to explain why there is no need for a full revision. As regards GPP, we consulted other EC services who informed that requirements on virgin fibres are not in place in Member States, there is only a requirement on recycled fibres.
- **UPM** indicated that the product group is successful, and most of the paper companies are using the criteria. We need predictability, and not changes overnight. We need scientific approach. 70% is a nice limit but not based on anything. We should do the full revision, use the JRC and see what the science in this respect is.
- **Denmark** indicated that in the Danish government, for PP for wood/wood based material, since mid-2014, there are criteria asking for virgin material with at least 70% of FSC/PFSC material.
- **FSC** said that setting the thresholds is a multi-stakeholder process. All stakeholders have come to the conclusion that 70% is a practical solution.
- **EC** said that this specific request came at the end of last year, and this is the 1st meeting we are having after receiving the formal request from Member States. The EC would like to gather opinions on the best option to use: Option 1 amendment (together with option 3): AU, BG, HR (but not sure), CZ, DK, EE, FR, DE, HU, IT, LV, LT, NL, MT, PL, SK, ES, UK. EEB/BEUC, Option 2 short procedure (alone): none, Option 3 full revision (alone): BE, FIN, RO, SW, NO and Eurocommerce.
- **France** asked that when there is this kind of informal vote organised by the EC, EUEB members should receive the slides before the voting.
- **EC** clarified that this is not a formal vote but expression of opinions. Additional time of 2 weeks can be granted to provide feedback. The presentation will be uploaded on CIRCA. There will be no formal vote on this topic. Opinions are collected and then the EC will take a decision on how to proceed.

15. PROPOSALS FOR CROSS-CUTTING ISSUES TO BE TACKLED IN THE FUTURE - *SILVIA FERRATINI, DG ENVIRONMENT (EC)*

This item of the agenda was moved to the June meeting

16. EU ECOLABEL EVALUATION AND REFIT EXERCISE - *HUGO SCHALLY, SYLVIE LUDAIN/SILVIA FERRATINI, DG ENV (EC)*

EC: Introduction, with a short update on the circular economy proposal. In the first half of May a public consultation would be opened on the content and scope of the new circular economy proposal; that will include a stakeholder conference taking place in Brussels on 25th June this year. The consultation is expected to run into the summer. There is a strong commitment that it will come in 2015. Consumer and product information has figured in the dialogue and also given some perspective to the discussions of the evaluation and REFIT of the EU Ecolabel regulation.

Following the discussions at the last meeting we have separated incoming proposals that concerns changes in the regulation as they are considered more relevant to discuss following the finalisation of the REFIT. Instead we will focus here today on items and suggestions that can be implemented under the current regulation if so agreed.

Presentation

EuroCommerce: Raised the question if revision was also needed to be in line with Lisbon Treaty? Agree that the EUEB should be discussing the strategic direction and not the details in the criteria development – it is good to discuss only the key points. 2 Meetings would be ok if time is still left to address horizontal issues.

Norway: It is a problem that many do not provide their comments through the Ad-Hoc working groups, but still present detailed comments at the EUEB meetings. When we have identified the strategic elements to be discussed we are often confronted by the COM saying we cannot do anything about it without having to revise the regulation and we do not see that happening. So that makes it difficult. Don't agree that fewer updated documents is a help – rather it would be preferred to be better able to follow the development. Understand that for the Commission it would be more convenient to reduce the number of meetings but for Members it would be difficult to leave five whole days and it is better with three short meetings. Thus, find it difficult how to manage two meetings.

Spain: We fully support the reduction from three to two meetings – also taking into consideration that this is a voluntary tool. We should focus on how to use the EU Ecolabel in other policies such as GPP and not discussing the same items in the meetings.

Denmark: Have the impression that although there can be strategic discussions e.g. in the EUEB but that they don't have resonance longer inside the Commission and then it just become a paper tiger without real implications for the EU Ecolabel. I am e.g. referring to the need for criteria to be science-based is interpreted very strictly that does not leave room for exploring the potential for the EU Ecolabel as a marketing tool representing clear environmental statements also for instance on single priorities such as biodegradability. So we avoid only too scientific criteria that cannot be communicated. It

also goes for Article 6.6. and 6.7 that could have clear communication potential – but in the actual implementation is subjected to a strict scientific interpretation and more a guideline approach that could take up communicative purposes. I think we need to consider also more overall what we want with the EU Ecolabel.

Netherlands: Interaction between meetings is important and cannot be replaced in the virtual space. Many have difficulties balancing the different activities – and with restricted resources. It may be counterproductive to go from three to two meetings so this would not be recommendable although we should continue to try and be more effective.

Belgium: We welcome a more political role for the EUEB and let the technical discussions be done in the Ad-Hoc working group. The idea of a roadmap is also interesting and we would also welcome discussions on the workplan, on prioritisation of product groups and on horizontal matters such as packaging were we could avoid repeating the same discussions by having conclusions. Not in favour of reducing the number of meetings – everything is already slow, and we don't want to risk slowing even more. Instead we should think of options to speed up the processes. We agree that the physical meeting contribute to making understanding each other easier; this also goes for the CB Forums.

UK: It is difficult to consider proposals in isolation – e.g. the role of the EUEB is connected to the work in the Ad-Hoc working groups; that is why we cannot consider going from two to three meetings without talking also about other changes although in principle we are in favour. We want very much a strategic EUEB discussing how to achieve the objectives and in particular how to achieve the top 10 % in a given market sector. We need to focus on the strategic and political issues with a focused agenda understanding better market performance and promotional activities etc. Ad-Hoc working groups need better guidance from the EUEB from the very beginning; and maybe we could increase participation for those meeting by using IT solutions. Together with better information flow, better participation could increase preparedness for the EUEB meetings to avoid lengthy discussions. So we can mention four priorities for reduced number of meetings would be: focus on providing leadership for and better participation in the Ad-Hoc working groups, better circulation of information well in advance, building consensus before the EUEB and finally fixing and controlling the agenda at EUEB Meetings.

President: We are bringing up things that have been brought up again and again – including on reducing things. But still we are all the time leaving important points. We need to consider how to tackle those points if we want to reduce. We need to know if it will help to reduce before we reduce and not just reduce and see what happens. At the moment I don't see that we have the solutions to the problems we create when we want to reduce.

EC: On revision I can say that the whole "Lisbon-isation" is negotiated between Council and Parliament. It is about whether specific things are delegated or implementing acts. We follow it with interest. It does not impact the running of this regulation. We will continue to do our work according to the current text. Horizontal things will be taken as they come.

The issue of the need to change the regulation has come up here in the discussions and we listen very carefully to that and will address in due time. On how to handle the work of the EUEB for the next years clearly when we run through the next presentations we

have given thought to many of the items and we do not look at the EUEB isolated. Sometimes it is good to return to the regulation and it is very precise on what the EUEB is supposed to do and in some cases we may have asked the EUEB to do more than what is required in the regulation. Part of the idea of reducing things is also to free up time for other things and there are links to the Ad-Hoc working groups and on horizontal work and issues, and we should not substitute the Ad-Hoc working groups with the EUEB. I do not hear a full buy in at this point to make the changes from three to two meetings, but rather more inclined to keep things as it is.

EC: Regarding the point made by Norway. The processes are already long and we do not want to delay; when we suggest two meetings it is to achieve the opposite. We have reason to believe that it can help with that because we substitute time used to prepare meetings and papers by time used to prepare amendments. Just briefly for Soeren; unfortunately science is not black and white and the scientific choices have policy implications. There are issues that are political – such as packaging – that we do take on board sometimes and also keep discussing.

Presentation

President: Thank you for giving good attention to this issue from the Commission side. It is also a lot of information. For this reason it is suggested to discuss these issues on the next meeting in June.

UK: A few questions: There is an evaluation study, a study on an effective SCP framework and coherence between instrument and there is a fitness check – when can they be expected? Secondly, how does this all fit into the Circular Economy process?

Norway: Maybe these studies would be useful as background for this discussion. This discussion has been about things that can be done within the existing regulation – the questions are also if and when we can consider changing regulation. We have suggested several things but been informed that this cannot be done within the existing regulation, so I think we need a discussion with legal service and the Commission on what can actually be done within the existing scope. For instance it can be found that the Commission is not obliged to discuss all product groups at all EUEB meetings.

Germany: I partially agree with Norway. We think that the issue of data and statistics is important and should perhaps be investigated more – including on how green products actually do on the market.

Netherlands: Our role is to advice the Commission, so when I refer to interaction and network is also with the Commission to deliver that advice.

EuroCommerce: It would be good to have these important discussions in the beginning of the meetings with better opportunity to follow through.

EC: It would be helpful if you would reflect further on the discussions here today, including on the institutions, on the processes and on the communication. The point about the capacity to follow the work in the Ad-Hoc working groups is relevant – and how that information could be better used. We need to understand better what we all want to use the EUEB for and if – to follow up on Norway – all information should be made available at all meetings, or if we could rationalise and focus discussions on key issues.

On the timing, the evaluation study will be public at the same time as the REFIT report and we expect that we will not have that ready for the June meeting. On the circular economy package I can say that we are happy that consumer information and labelling is figuring at the initial phase and that we find that promising.

Further to this, it is just worth saying that we have presented is not the law of the land but items that is up for discussions.

UK: If the evaluation study is not ready is there some way we can have some of the information made available.

EC: Many of these things were made available at the last meeting with the consultants and their presentation, but we will see if we can include some presentation from our side to facilitate the discussions. Probably at the June meeting it will not be possible to feed into the evaluation report anymore, but we will take note of all contributions and it can be included in the fitness check exercise.

– Closed session – EUEB Members only

17. PLANNING OF THE 2016 MEETINGS

Dates for the next meetings are set at:

- 16-17 March 2016
- 13-14 April 2016
- 22-23 June 2016
- 23-24 November 2016