



## MINUTES

### Meeting of the European Union Ecolabelling Board (EUEB)

17 – 18 June 2015

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**17 June 2015**

**1. ADOPTION OF THE AGENDA—*PRESIDENT***

The following information point was added to the Agenda at 12:30h:

"Update on going work to regulate CMR substances in textiles in the context of REACH"  
- Karin KILIAN (DG ENV/EC).

The Agenda was approved.

**2. ADOPTION OF THE MINUTES – *PRESIDENT***

The minutes were adopted.

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

Presentation

Discussion:

**FSC Representative:** Concerning definition 2(4) on "recycled material", the new text is in line with the distinction made by FSC between recycled materials and co-products. Commission Communication from 2007 on waste should be checked, because it includes different definitions. This Communication refers that also secondary operations (e.g., manufacturing of furniture) where wood cut occurs are also considered as a primary product. In respect of cork, it should be included, as cork trees are part of the forest. FSC has a lot of experience certifying oak forests in Portugal and Spain, where 15 to 20% of the oak forest is certified. The certification improves the way the forest is managed (e.g., in respect of water management, wild life, such forest may belong to important ecosystems) and it makes really a difference.

**NORWAY:** Criterion 2 on chemicals is too complex and impossible for the applicants to read or understand. There are several references to legislative acts (e.g., REACH, CLP) that should be in a footnote instead. The text on derogations in criterion 2.1 should be deleted, as it is not a requirement but rather instructions on how to develop criteria. In respect of the A&V text, collection of eco-toxicology data is a heavy burden to the producers, as they will need to rely on the information provided by his suppliers. A SDS should instead be requested in respect of all preparations used and the whole text on toxicological attestations should be deleted. As not all certified wood is always legally sourced, the text on legally sourced wood should be moved upfront, in order to avoid the use of wood coming from e.g., rainforests or countries where there is a lot of corruption. Concerning the new criterion on biocides, would like to know why biocides are not allowed for coating for wood and only for metal for outdoor use. In respect of the requirement on cotton, the non-GMO requirement should be deleted, to avoid doing the same mistake as done for textiles.

**DENMARK:** Supports many of Norway's comments. Overall, the A&V text on the role of CBs is too general. Would like to know what it means. The validity of 6 years as suggested by industry seems too long. Its stringency should be considered, as well as the fact that the criteria can be prolonged. Support comments from Norway in respect of

criterion 2.1, as it is very difficult to understand and will become a barrier to the applicant. A proposal to redraft the requirement was made and sent to IPTS. On organic cotton, also supports Norway and referred that the A&V should not include references to legislation, as it is impossible to communicate, but should be more concrete and clear. Supports FSC representative in respect of cork being included too.

**EUROPEAN LEATHER INDUSTRY:** Asked if there is a definition of "co-product" and asked to differentiate between "co-products" and "by-products".

**UK:** Referred that the new criterion 3.2.f on biocides has been introduced before this EUEB and has not been discussed with other stakeholders. As a matter of principle, this should not be done in the future. There is still confusion about we mean by component parts and component materials, as these terms are being used interchangeably along the criteria document. We have to be clear with what we mean. In the UK, 90% of industries are SMEs, and the burden of the proposed criteria should be assessed, in particular the VOC emission testing required, which represents a cost burden. Supports the inclusion of cork.

**AUSTRIA:** In favour of the exclusion of PVC, as at the end-of life, when PVC is combusted, there are dioxin emissions. Against the derogation of biocides CMR class 1 classification in criterion 2.2, as the Biocidal Products Regulation doesn't allow them.

**CEFIC:** Supports Norway and Denmark that the criterion on chemicals is too complex.

**EUROMETAL:** In respect of the derogation conditions for zinc and zinc compounds, referred that zinc metal in the massive form is not classified as hazardous. There are 2 forms of zinc powder that are classified for their impact on the aquatic environment. Zinc metal compounds are not classified as a group, but each zinc substances is classified on an individual basis. The proposed derogation requires further consideration on whether it is justified, as the forms used are massive.

**BEUC/EEB:** Has concerns on hazardous substances that EU Ecolabel furniture products may contain, if the current text is kept as it is proposed now. Supports Austria in respect of the exclusion of PVC, as good evidence was given in the October draft (e.g., VCM is classified as carcinogenic category 1A and several additives and stabilisers used in PVC are classified as toxic and included in the REACH candidate list). Asked why H334 is not present anymore in the table of hazards and requested its inclusion in Group 2 of the table. Requested clarification on why ATO is derogated, as there are alternatives on the market. If kept, at least halogenated flame retardants should be excluded. Opposes to the proposed derogation of zinc, as it has a potential harmful impact on the environment.

**FRANCE:** Requested if it is possible to consider the reintroduction in the table of derogations of varnishes used in coated fabrics. Asked if late comments from FCBE were received and requested feedback.

**GERMANY:** Supports the exclusion of PVC, inclusion of cork in the certification mechanism and simplification of the requirement on chemicals. Asked why second-hand furniture was excluded from the scope.

**EC:** Second-hand furniture is excluded because its nature makes it very difficult to prove compliance with the criteria. This type of furniture will be addressed in GPP criteria (remanufactured/refurbished furniture), but the EU Ecolabel is not the right policy tool to address it. Agrees in principle that criterion 2 on chemicals needs to be simplified, but

there are certain provisions in the EU Ecolabel Regulation that needs to be included (e.g., the specific text on SVHC) and the proposed text is also aligned with previous decisions adopted, but it will be checked if that paragraph can be removed. References to legislation have to be there for legal reasons. Concerning the text for data-lacking substances, it is a text agreed amongst the different product groups. In practice, if SDS of all preparations used are presented and if one of those are classified for restricted substances, then further information is necessary stating if it remains in the final product or not. Questioned if it would be acceptable just to have a declaration stating that the restricted substances don't remain in the final product and if it should be signed by the manufacturer or by the supplier of the formulation. Norway's proposal will be double-checked, also with the Legal Services. Concerning cork, referred that the figures provided by IPTS are correct. In respect of PVC, additional conditions would be needed to exclude it from scope. Maybe a restriction can be formulated in the future. The derogation for varnishes requested by France can be introduced. Taking into account the arguments from Eurometal, it seems that the derogation for zinc should be removed, as something which is not classified cannot be banned. Agrees that VOC emission testing is very expensive, but the criterion was structured with a flexible approach (the use of low VOC content coating or high VOC content applied in small quantities don't require VOC emission testing), which means that testing is not compulsory (except for leather upholstered fabric furniture). Co-products and by-products have been used with the same meaning, but further distinction is necessary.

**EUROPEAN LEATHER INDUSTRY:** There is a difference between co-products and by-products. This clear distinction should be in the legal text. Co-products exist when 2 or more products come out from a multi-functional process, but they are both equally important. In respect of by-products, there is one determining product and other products are residues of the production process. The leather industry is working on the basis of by-products and cork is a co-product.

**EC:** In respect of the references to non-GMO cotton, the EC is waiting the green-light from DG AGRI. The criterion on biocides is not new but was restructured to cover the limit below 0.1%. On recycled wood, is not aware of the Communication from 2007, but the definition will be reassessed.

**UK:** Requested further clarification on the biocide free "label".

**NORWAY:** Questioned again about legally sourced wood. On non-GMO, requested where in the referred legislative document are the specifications on how to document it, as the regulation is on food and feed.

**EC:** The current text is provisional and taken from the current criteria document for textiles. This requirement is being discussed internally and a final decision was not yet taken. The text will be changed according to the final conclusions for textiles, furniture and footwear.

**NORWAY:** Referred that a strict requirement on non-GMO will prevent the use of cotton from the spot-market. If cotton from the spot-market cannot be use, all requirements on cotton can be deleted, because it will be impossible for the producers to rely only on cotton bought with a complete supply chain.

**DENMARK:** Requested clarification on what documents can be accepted to assess and verify.

**EC:** FSC and PEFC schemes require that all wood is legally sourced. On biocides, as part of the general hazardous substances criterion, when applicants are submitting SDS of preparations, it could be determined if the product was treated with biocides. Comments should be submitted on BATIS by 30 June. The A&V text in page 2 has been re-drafted with the same meaning to be in compliance with legislation, as the text in the EU Ecolabel Regulation was referring to a standard which was repealed and cannot be referred anymore. There is a new European legislative framework for conformity assessment at MS level and the new text reflects it. The current text will be used in the future in all EU Ecolabel decisions.

**FRANCE:** Before the reference was to the testing bodies, and now to the reference to the certification bodies, which are to be accredited.

**DENMARK:** The concern is that lot of documentation received in applications are declarations. Questioned if the CB should recognise the declarations of if the declarations need to be verified by an accredited body.

**EC:** It does not concern declarations but attestations and its definition includes e.g. laboratory test reports.

**PRESIDENT:** This text should be rechecked before vote. It seems that it has the same meaning of the past.

**NORWAY:** Asked if this refers to accredited laboratories or certification bodies that are accredited by national accreditation bodies, because laboratories are not certified. Laboratories are accredited directly by the accreditation body in each country. Certification bodies are dealing with ISO 9000. The wording is confusing.

**UK:** FSC and PEFC equivalent schemes should be discussed at the EUEB level.

#### **4. SHORT OVERVIEW ON THE ON-GOING WORK FOR 'WOODEN FLOOR COVERINGS' PRODUCT GROUP - JOINT RESEARCH CENTRE (EC)**

Presentation

Discussion:

**PRESIDENT:** There are many questions but we haven't got much time left according to the agenda.

**JRC:** Comments in writing should be submitted. CBs have received the questions in the e-mail from Silvia. They will also be uploaded in BATIS.

**PRESIDENT:** For the future, we need similar time for presentation and EUEB discussion, because it is unfair for the people being here.

**DENMARK:** In these criteria document, when it comes to certification schemes for sustainable forestry, it is up to the Competent Body to address if a specific certification scheme is fine. In the existing criteria for copy and graphic paper, any equivalent scheme to FSC and PEFC shall be discussed at the EUEB level, and this is relevant before any Competent Body verifies it by himself. We should leave out any certification scheme is

the criteria document and put in the User's Manual that any equivalent certification scheme shall be addressed at technical level at the competent forum and then addressed after that at the EUEB level to be discussed if it is equivalent to FSC and PEFC.

**BEUC** is strongly against to lowering the wood material from 90% to 75%, because it would result in a less ecological product with more synthetic, plastic content. Less wood means more hazardous substance. In the framework of the Circular Economy, we should avoid any hazardous substances which would undermine the potential of the product reuse or recycling. Any lower percentage than 90% will not be supported by BEUC.

**NORWAY:** On the scope and the percentage of wood, we have laminates made mainly from wood and wood panels, and others made from core board or paper. When you want to decrease to 75% of wood, is it to include laminate made from core board and paper? What is meant by "hybrid"? We would like to include laminates than shall be oiled or waxes for insulation, not only the pre-fabricated ones. The new products of today and of tomorrow are laminates made from wood and wooden top installed first and then surface treated. There should be criteria on recommended surface treatment. Floor producers recommend oil waxes or varnishes, which should also comply with the criteria. On the criterion on legally sourced wood, it should be put first criterion on wood. We have clear indication that all FSC or PEFC are not legally sourced. We would like to have requirements on adhesives, which are glue on under floor. Has this been included? For indoor climate emissions (VOCs and formaldehyde), instead of referring to percentage of E1, we should use microgram per cubic meter.

**FOREST STEWARDSHIP COUNCIL:** As regards schemes certifying legal timber, for FSC, it is the prime concern. When there are violations of FSC rules, they usually are about biodiversity, customary rights, but not about legality. FSC provides low-risk of illegal origin (which is not the same as no-risk, but that is not asked by EUTR and difficult to achieve. What is the consequence for assessment and verification? The figures presented on the schemes are not correct. All other schemes mentioned on the slide are part of PEFC, in particular for their forest management standards, and almost all also with their Chain-of-Custody system (exception is the US/Canadian SFI). The figures shown are about forest certification in general, but the slide on certified bamboo (from Russia, India and China) is not helpful, and I will help you to get the correct figures. As regards the obligation for a manufacturer to have chain of custody, our answer is yes. If his is not FSC or PEFC certified, he can buy certified material, but there is no control on the use of this material for the product. He can confirm this only by being himself certified, under the control of a certification body.

**EC:** The questions are listed in Alicia's presentation. We need your feedback on energy consumption. On waste management requirement, following the feedback from 2 AHWG, we propose to withdraw this criterion.

**PRESIDENT:** Deadline for comments is end of June (extended to 10 July).

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

**NORWAY:** with regards the rationale for organic cotton threshold, why 95% of organic cotton is required only for children, what is the scientific justification? Regarding the

chemical criterion - the CBs find it difficult to understand it as they are no lawyers. As technical details shall not be discussed in EUEB, we will not go into further details now.

**EUROPEAN LEATHER ASSOCIATION (COTANCE):** The following remarks are made: 1) Clarification on criterion for water consumption. Please do not refer to raw leather that does not exist, it is leather. Please refer in this criterion to raw hides and skins; 2) There is no reference in the table under Criterion 2 to calf-skins that require 80 m<sup>3</sup> of water. Calf skins and pig skins could be in the same category. 3) The reference to semi-finished leather is not correct, it is advisable to refer to semi-processed leather. 4) Assessment and verification shall be clarified in the criterion mentioning footwear for children less than 3 years. The declaration shall specify the tanning agent and not the tanning technology for making the difference of Cr tanned and not Cr tanned leather. 5) Regarding parafins - we need to improve the proposal on the SCCPs, MCCPs, and LCCPs. 6) Regarding chloro-phenols testing, the threshold is too low and not practical. You should set the limit at the level of the detection limit of the chemical test method. 7) On dyes - there are some dyes listed in the criterion, which do not refer to leather dyeing, they are not used by the leather industry. 8) Regarding pigments - it should be specified that Cr (VI), Cd are not allowed, but Cr (III) is allowed. 9) Finally, the term artificial leather shall be changed as this term is contradicting term. Please consider to use synthetic material or man-made material.

**EC:** With regards to the wording on raw leather we agree and will improve it. On calf skins threshold - we are aware that they need more water. The issue is that in BREF the specific limit is not given. This is mentioned that calf skins, because of the grease content, will require higher quantity of water for leather processing. For sheep skins we have the threshold established by BREF that refers to the unit with specified weight range). We included calf-leather under the general categories for skins. We will take a look on that again. Regarding the semi-finished leather we agree and can change the wording to the semi-processed leather. On the chlorinated parafins: the short chain (SCCPs) shall not be present, they are classified as POPs. We introduce restriction on medium-length chain (MCCPs), but there is no limit on long chain (LCCPs) ones, as there is still no substitute to them according to BREF findings. This approach reflects best practise and allows certain flexibility to the applicants. In reference to the restricted dyes listed under the ANNEX, we know that some of dyes will not be used by leather industry, and some not by textile or plastic one. We created the common list to simplify the requirement, as there are many common points. The manufacturer should know which type of dye is used or not, then it seems better to ask a declaration of non-use. On chloro-phenols this is the detection limit we used, which can be found in different documents. According to our best knowledge this is achievable. To the question on organic cotton from Norway - we will align with textiles. We checked the market availability and it is possible to require this threshold. Regarding the conventional cotton, there is a problem of checking of certain chemicals use.

**DENMARK:** It is a very practical point for us. We realised the reference to children at age of 3 years old. However it is better to refer to the size of the shoe instead of the children age. Otherwise, how should we verify this?



**EC:** The footwear with size 32 and below are the ones for children up to 3 years old. We can make a clearer reference to the shoe size. Additionally we could ask for the specific information to be put on the label information that the product is intended for children under 3 years old.

**NORWAY:** Organic cotton is fine for us. But it is environmental requirement and not health based one. We are fine with having organic requirements but then why not to have it for also for adults' shoes, maybe not with that high threshold.

**EC:** following discussions held in the textiles criteria regarding the requirement on organic cotton for children and its high % one of the relevant reasons to have this differentiation were marketing aspects. The market of babies and children products is different than the one for adults and it is perceived that the demand of organic cotton in this market segment is higher.

#### **6. ADDED POINT: ON-GOING WORK TO REGULATE CMR SUBSTANCES IN TEXTILES IN THE CONTEXT OF REACH" – KARIN KILIAN, DG ENV (EC)**

**EC:** Presentation of DG ENV.A3 unit on last updated regarding regulating CMRs. The upcoming consultation on CMRs on products and the potential links to ecolabel is announced. Both units (DG ENV A1 responsible for Ecolabel and DG ENV.A3 for Chemicals) are cooperating on this work but an implication to the current criteria revisions has not been foreseen.

#### **7. SHORT OVERVIEW ON THE ON-GOING WORK FOR TOURISM ACCOMMODATION SERVICES PRODUCT GROUP - *JOINT RESEARCH CENTRE***

Presentation

Discussion: The following feedback was provided by Competent Bodies and stakeholders on the points raised by the presentation.

**FRANCE:**

- Criteria simplification: since France has more than 350 licences, it will be difficult to provide a feedback on the voluntary criteria used by all of them, but a sampling will be done for different types of accommodation services
- The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: this possibility has to be carefully analysed as the availability of EU Ecolabelled products is very different in MSs.
- Criterion on mandatory environmental planning: it was suggested that the criterion remains as it is in current version; EMAS is too difficult and it is difficult for small structures to have an internal audit as they do not have a dedicated person with the necessary skills.
- Social criterion: France suggests the possibility of having an optional criterion to promote the tourism accommodation social action (to be eventually explored in the next revision).
- Criterion on electricity from Renewable Energy sources: France agreed with the proposed requirement.

- Mandatory on-site visit: France was in favour of at least one mandatory on-site visit before awarding the licence as it is useful both for CBs to check things that cannot be checked on paper, and also to licence holders that are happy to show their environmental commitments.

## **AUSTRIA**

- Criteria simplification: it was suggested to be careful as licence holders can show their unique position in several aspects and licence holders should not be lost.
- Criterion on electricity from Renewable Energy sources: Austria agreed with the proposed requirement.
- The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: Austria opposed the idea to give points only to EU Ecolabel products. In the Austria Ecolabel all Type-I ecolabel products are treated in the same way, and this should happen also with the EU Ecolabel, even because some accommodations have been awarded both labels (in Austria there are 190 Austrian Ecolabel for tourism accommodation, 38 of which have been awarded the EU Ecolabel as well); the same is valid for Swiss accommodations (57 are bearing both the EU Ecolabel and the Swiss label). The intention is to promote the purchase of all type-I ecolabelled products.

## **DENMARK**

- Criteria simplification: It is not clear why there is the need to reduce the criteria. The message from the EUEB when starting the revision was to increase the ambition level and add a social criterion. It is felt that the criteria now are not more ambitious, as there is a very little difference in terms of scoring with the previous ones (the total amount of points are less, but the number you have to score is the same, there is just less flexibility in how to score the points). Denmark proposes keeping as many optional criteria as possible to reflect the differences between facilities.
- The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: Denmark supported the Austria comment on this point. It would be a problem to communicate this type of change.
- Social criterion: It is very important to have it in, as it was one of the main reasons why this revision process was started. It is suggested to further reflect on the issue that we would like to solve with this criterion.
- Mandatory on-site visit: Denmark considers it crucial to check the implementation of some of the criteria (e.g. implementation of management system; education of employees).

## **UK raised three main points:**

- The way the current criteria are set now in terms of number and content do not enhance the credibility of the EU Ecolabel; some of criteria are rather strange and they do not reflect the most environmental impacts of TAS. It is suggested to make a screening of criteria and include only the criteria that really matter. This would also mean increasing the stringency of criteria.
- There is a proliferation of sustainability labels in this area; the EU Ecolabel needs to be distinctive but at the same time competitive. We do need the social criterion to be recognised by the GSTC (*Global Sustainable Tourism Council*).
- This is the most successful product group of the EU Ecolabel. Licence holders are very committed and great ambassadors of the EU Ecolabel scheme. They indicated that they would find it difficult to comply with a less flexible and more

stringent set of criteria. In respect of that a good balance needs to be found. It is suggested to include a very long transitional period that allows all existing licence holders to adjust and to focus the criteria only with the most important impacts.

President

A long transitional period could be a good idea to solve some of our problems.

## **GERMANY**

- Mandatory on-site visit: Support Austria and Denmark to keep it.
- The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: promoting only the EU Ecolabel could have the opposite effect of diminishing the chance for tourism accommodations to gain points and to have licences.

**CEFIC** commented that reducing the number of criteria is not enough, it is needed to wipe-out every criterion that does not address main or significant environmental impacts. At last AHWG some CBs such as UK, Spain, and France were targeting the same direction.

## **DENMARK**

The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: it would be counterproductive to launch such a signal. Other ecolabelling schemes could decide not to recognise the EU Ecolabel anymore.

## **EC**

- Criteria simplification: an attempt will be made to find a balance. A special call for information has been issued to understand which the criteria that have never been used are. As much information as possible is highly appreciated.
- Ambition label: several criteria were made stricter; the level of ambition has been raised; however further feedback on that would be much appreciated.
- The possibility to promote only EU Ecolabelled products/all Type I ecolabelled products: it was thought it was a good opportunity to foster EU Ecolabel products, but this will need to be re-discussed.
- Mandatory visit: most comments were in favour of it.
- Social criterion: a feasible solution will be sought in cooperation with licence holders and Competent Bodies.
- Criterion on electricity from Renewable Energy sources: the majority of stakeholders are favour of having this criterion back as it was.

Written comments will be welcome on these issues and all other ones.

**DENMARK** highlighted that the points to score do not reflect the main environmental impacts; the score system needs to be re-thought and in this way the ambition level can also be adjusted.

**EC** replied that this was discussed will be taken into account in the final draft of the criteria.

**GERMANY** asked if there will be a 3<sup>rd</sup> AHWG meeting.

EC replied that the idea is to present the revised version of criteria in November and open it for written consultation to all stakeholders.

#### **8. ISSUES OF RELEVANCE IN THE REVISION OF PAPER PRODUCTS - *CARLA PINTO, DG ENVIRONMENT AND JOINT RESEARCH CENTRE (EC)***

Presentation

Discussion:

**SWEDEN:** Doesn't agree that we should include requirement on recycled fibres in all documents for the paper family. We need to focus on the stringent requirement on the production of virgin fibres and grab the environmental issues of the production system. We will write next week comments on the paper revision and on recycled vs virgin fibres issue.

**EU Confederation of Paper Industry:** On tissue, the compactness requirement will be very difficult to apply for kitchen towels, and painting in colour requirements will not be possible for napkins. Many existing licences will be eliminated, without clear environmental justification. We do not support to changes to the scope. However, table cloth should be included in the scope, used for hygiene and absorption. The technology and the overall performance of the production is more or less the same.

**DENMARK:** On virgin fibre vs recycled fibre, it is important that in the preliminary report there is information on the products already on market, on how much recycled fibre is on the market. We discussed about possibility to label intermediate products, here we talk about pulps, which is different. Currently, the requirements are designed for the final product and it might be difficult to see what the final requirement for pulp is. If we are going to include it, we have to see whether requirements are fitted for pulp as well.

**UPM:** It is a good idea to combine the product groups (newsprint and copy and graphic). Energy use criteria should be erased (duplication with emissions). Company specific grid factors and EU grid factors should be recognized, because many companies have invested in electricity production and it could be recognized. Database on chemicals would be very useful, like for the Nordic Swan. Requirements on on-site audits should remain.

#### **9. SAVE THE WORLD A LITTLE BIT EVERY DAY – LESSONS LEARNT FROM THE ONGOING CAMPAIGN FOR THE NORDIC ECOLABEL IN SWEDEN - *CECILIA EHRENBORG WILLIAMS, SWEDISH CB***

Presentation

Discussion:

EC asked what the budget for this campaign was.

**SWEDEN** informed that it was EUR 800,000, of which 50% of which from partners (who made an 80% reduction on the costs on the 2 weeks).

**UPM:** Companies using the EU Ecolabel can be partners.

**DENMARK:** Information on funding possibilities from LIFE for such campaigns would be useful.

#### **10. FUNDING OPPORTUNITIES WITHIN THE LIFE PROGRAMME - SYLVIE LUDAIN, DG ENVIRONMENT (EC)**

**DENMARK:** Is it possible that the Ecolabel helpdesk can be involved? The CBs face difficulties with resources.

**NORWAY:** In the past we took part in the Life projects. I recall that we had to work on documenting and administrative tasks.

**EC:** having a joined proposal with different CBs is possible. It is not sure if the helpdesk could be involved in such a type of cooperation. EC cannot take position on this apart from highlighting the funding opportunity. Further, indeed the financial rules are stringent regarding personnel cost, The planning and monitoring of the project plan requires to follow strict rules, yes it is heavy as we need to trackback the spending of every Euros.

**DENMARK:** CB have difficulties with participating in such projects. We acknowledge all that marketing of Ecolabel is needed. We would like to have a different project model instead of a Life type project. We could fund and take part in a project and share experiences. However, to participate in a life project requires specific skills and has certain expected outcomes and for this we as CBs are/may not be suitable for.

**EC:** There is the intention to better promote the ecolabel and therefore we try to ensure some other funding for using them in the next year. If we manage to have this funding we would like that a strategy campaign will have the you (EUEB) in this discussion or even also participate. This would be in addition to the life funding options. Regarding the proposal to have the Ecolabel helpdesk to play a role and prepare a proposal for this is not possible from our side as this bridges the set rules. If the Helpdesk as a consultant intends to come in contact with you and apply this is not something that we can influence-not our business.

#### **11. OUTCOMES OF THE 18TH EUROPEAN FORUM ON ECO-INNOVATION - SILVIA FERRATINI, DG ENVIRONMENT (EC)**

Presentation

## **12. AOB – PRESIDENT**

EC: Presentation on eco-innovation.

**18 June 2015**

## **13. ADOPTION OF THE AGENDA – PRESIDENT**

The agenda was approved.

## **14. PRESENTATION OF A SHORT EVALUATION OF THE NEW PRODUCT GROUP PROPOSAL "PV MODULES". SILVIA FERRATINI, DG ENVIRONMENT (EC)**

**BELGIUM:** Last December in EUEB we heard that resources were not available. If resources are now available we could propose to work further also on other product groups e.g. the paper products to paper service. There are doubts if working on PV is right. Our expert considers that the innovation cycle in this technology area is long (only little changes are made in 2 years) therefore it could be argued that there is limited need for an Ecolabel to inform consumers (little differences). Moreover, the product has not a visibility such as other household consumables (detergents, paper products, textiles). On the product group specificities for PV the price and service provided by the installer is also an important factor. Products with high turnover shall be prioritised than this type of product with 30 years lifetime. We have contacted industry partners but we had no positive response. Ecodesign and energy labelling have in their scope this product group. Another argument is that the multicriteria approach of ecolabel will have limitations in this PG. Energy efficiency is probably dominating. Further from the LCA point of view it is important to consider the position and maintenance of it.

**EUROCOMMERCE:** This product group is a good idea to have it in the Ecolabel scheme. The analysis shows that there is a difference on quality among solar panels. There is a need to allow consumers to make environmentally sound choices. Moreover, it is a product group not only for consumers but also for business and public authorities. We need to do it quickly and ask the industry if there is a real interest for it.

**DENMARK:** we have no opposition. It is relevant to look into the real interest of the industry which we understand it is currently there. We may need to check that European manufacturers are interested. It is important already at this stage to differentiate in this PG the products using less hazardous chemicals. This will avoid the situation of TV panels in which we had LCD panels and other technologies in which Mercury is used. Important to check is if it is possible to have derogation from the criterion on hazardous substances based on art. 6.7. This would be useful to investigate in the beginning so as to avoid afterwards that solar panels contain substances in the SVHC candidate list and therefore we cannot label them (no derogation based on Ecolabel regulation)

**FRANCE:** we support this proposal. This contributes to the energy efficiency goals of EU.

**UK:** we support this product group. We see also a potential to fit with the circular economy policy discussion (e.g. disassembly requirements). However there are two "buts": 1. We need to explore further that article 6.7. can be applied and the impact of article 6.6. and 6.7 overall in the criteria development process. 2. To identify that there is interest from the industry. Who is actually behind this proposal? Is there a real appetite? The lead of the development by academia and agencies it is fine.

**SWEDEN:** We support this proposal. It is an interesting product group but we may face some challenges in the criteria development.

**EC:** To work in Ecolabelling solar panels is attractive. Moreover, we find important that there are synergies with other product policies. We have ongoing the PEF on PV panels, energy and eco-design. Our next step should be to work on your questions. The work would have to be structure in a way that industry within EU and outside will be possible to participate. The human resources to that criteria development has been formally given. Based on this we could put the resources of JRC to work on this.

Summarising your input we understand that we should start but under the aforementioned critical conditions (feasibility of criteria on hazardous substances, industry interest etc). Ecolabel should be not only a label of environmental excellence but also label of products with high quality. This fits with the circular economy as quality is relevant for durability.

**PRESIDENT:** Shall we ask intention of the EUEB. Is anyone against?

**NETHERLANDS:** we have also doubts but we cannot give an opinion right now. We could suggest that the industry together with JRC starts a feasibility study. This feasibility study will support our decision to work (or not) on this later.

**DENMARK:** this product group is also part of the PEF pilots so some of this work is conducted. Some MS have raised issues related to Ecolabel specificities e.g. is it relevant for Ecolabel. This question will be difficult to be answered by a research of an consultant (outsider). Other questions are more straightforward to find answers. A feasibility study will take time. The question is "is it possible for the ecolabel to develop criteria?" shall be tackled by JRC and not by the consultants.

**NORWAY:** Relevant questions for the feasibility study are: hazardous criteria, market interest and competition EU, asia, technology etc. We propose to ask for a feasibility study before we decide to launch the process of criteria development.

**EC:** We understand that further research should be made from us instead of the consortium. However, providing answers on these doubts-questions without starting the work is difficult. Is the view of the EUEB members so negative that you would prefer not to be engaged? Or is it that you would engage as long as these answers are provided and given.

**PRESIDENT:** EUEB prefers to go on and in a later time to make informed decision on this.

**UK:** We agree on this, we would like to elaborate this more and have specific timing. E.g. we could require in the next EUEB to get answers in our questions. We should invite the consortium to come in the next EUEB and make a presentation.

**EC:** We will invite the consortium to come in the next EUEB and present their work and answers on your questions. If there are

**15. EU ECOLABEL EVALUATION AND REFIT EXERCISE – HUGO SCHALLY, SYLVIE LUDAIN/SILVIA FERRATINI (EC)**

- **INFORMATION ON THE STATUS OF THE EU ECOLABEL EVALUATION AND REFIT EXERCISE**

Due to major quality problems with the evaluation study, alternative ways to use the data compiled is being evaluated, which means that the formal submission of the report will be postponed until October/November 2015.

- **DISCUSSION ON OPTIONS TO IMPROVE THE IMPLEMENTATION OF THE EU ECOLABEL REGULATION**

**NORWAY:** Agrees that there shouldn't be more meetings than necessary. The purpose of the EUEB should be re-think. In the past, it was the level where documents were prepared in front of the Regulatory Committee, as not all MS are able to participate in all AHWG meetings. The Commission has felt the need to ensure themselves that all MS were aware of what they were voting. This is an important part of the work done at the EUEB level and should not be underestimating. In case the EUEB will turn as an advisory committee, all MS will have to vote as well. In addition to that, there is a lot of policy and strategic discussions that the EUEB should participate in and that depends on the interests and wishes of the Commission. It should be carefully considered if we can manage to do the work expected with a reduced number of meetings, even being aware that it is a heavy burden for the Commission to organise a meeting. Referred that however, for MS is worse, as participants are away from their offices for 5 days. Three days meetings are perfect for MS, as it provides the possibility to still work sometime in the office during the week. Also with 3 meetings per year, the work of MS is divided into 3 instead of 2. We should not concentrate on reducing the number of meetings, but instead being efficient and understand the role of the EUEB. Have doubts if the policy strategic task force groups are the right way to go forward, as all the MS should take part of that.

**DENMARK:** It would be a disaster for licence holders to cut down on CB Forum meetings. Under the Nordic Ecolabel, there are between 4 meetings per year and having a physical meeting each month and a brief skype meeting when there are specific issues to handle concerning interpretation of criteria.

**EuroCommerce:** No comments on the number of the meetings. Thinks that policy strategic task force groups are a very good idea and that retailers should be a part of this group. However, participation in those task forces is a matter of resources. It is much easier to have this kind of task forces after knowing the results of the REFIT report and what will indicate in respect of the EUEB.



**EEB/BEUC:** In favour of keeping 3 EUEB meetings per year, as it has a very important role in the scheme and for the EU Sustainable Consumption and Production framework.

**CEFIC:** It will be better to wait for the REFIT report to comment strategic aspects and why the uptake is low for certain product groups. There are lessons to learn from the review of the implementation too. We should decide later on the best option to evaluate further steps and efficiency when all the reports are on the table.

**GERMANY:** Even if sympathises with the Commission's wish to reduce the number of meetings, supports Norway's comments on being first more efficient and effective and afterwards try to reduce the number of meetings. In the past there were 4 to 6 meetings and presently it was cut down to 3 meetings. If the way we work together is not changed, reducing the number of meetings will create bigger problems. Referred that appreciates that the Commission sent out beforehand the questions for discussion, but would prefer this to be sent out earlier. For the CB Forum, agrees with Denmark, that there are always so many questions that need to be discussed that there is a need for a 3<sup>rd</sup> meeting. Concerning the proposal of strategic task forces, Germany took part of 2 task force groups and the outcomes were completely different.

**EC:** Clarified that the 2 questions are not interlinked, i.e., if the task forces are set up it doesn't mean that the number of meetings will be reduced.

**BELGIUM:** Regarding the CB Forum, it is very important to keep the number of meetings, maybe combined with the AHWG meetings. This year, both EUEB meetings were very close to one another and maybe they could be better spread in the coming year. Referred that would need to consult internally to provide a feedback on the proposed task forces. Mentioned that appreciates that the points for discussion were sent before the meeting, as it is very helpful and proposes to receive this information 3 to 4 weeks before the meetings. The reduction of the number of meetings seems not compatible with the inclusion of marketing sessions at the EUEB level.

**DENMARK:** Referred that agrees with Norway and Germany on the number of EUEB meetings. Realises that a revision of the EU Ecolabel Regulation will not take place right now, but proposes to discuss the way forward after the presentation of the REFIT study in the end of 2015 or beginning of 2016 and use a 3<sup>rd</sup> EUEB meeting in June 2016 to discuss further before a formal revision of the regulation takes place. Against the reduction of the number of meetings, especially because there is a need to discuss at the EUEB level the revision of the regulation.

**UK:** Referred that agrees that the number of CB Forum meetings should not be reduced, we could envisage the reduction of the number of EUEB meetings, but it seems a longer term aspiration and only after the publishing of the evaluation report later this year. We are all aware that there are a number of issues that need to be dealt with at this level, in order to make the scheme credible and functioning effectively and efficiently. There are horizontal issues that need to be resolved. The problem with the EUEB is the enormous overflow of decisions on technical issues that could be made at the AHWG level and are not and are taken up to the EUEB level with very detailed presentations and discussions. We need to look at how we manage the criteria development and revision process. The role of the EUEB is to set directions and some frameworks for decision making and this is being said for several years and is still not happened. There is a need for more horizontal working groups and more discussions at the EUEB of horizontal issues to set a framework of principles. Support the sub-groups proposed, but the terms of reference in

the slides are wider than what was suggested. It should be investigate why there are new product groups with very low or zero uptake across the 28 MSs, which will inform and help the criteria revisions/developments under way. The UK would like to participate, but cannot commit at this moment. The EUEB should be the forum for discussion of major strategic issues and not the task forces.

**FRANCE:** Referred that agrees with 2 EUEB meetings if documents are sent 1 month in advance. The goals of the task forces are very relevant and need to be deeply discussed.

**PRESIDENT:** It would be complicated to start with new issues and reduce the number of meetings. An option could be to have RC meetings 2 times a year (April and November) and a 3<sup>rd</sup> meeting during summer time dedicated to other issues (e.g., marketing).

**EC:** Mentioned that during the discussion of the Work Plan for 2016, it will be presented the proposal on how to organise the meetings. It is not very convenient for the Commission to decide in advance that the political meeting will always take place in June. The planning will be presented later on. The point is taken that for the moment the EUEB prefers to continue with 3 meetings, which will be organised in the best efficient way as possible and we will discuss in the future whether it will be possible to reduce the number of meetings. It will be internally discussed if a solution could be to couple the CB Forum meetings with the AHWG meetings to allow people to attend both. Concerning the strategic task force, the majority seems to want it to be postponed after the REFIT, but a deep reflexion on the unsuccessful product groups is necessary to decide what to do in the next years. As the Commission doesn't have the resources to lead such a task force, a call is open for potential leaders and participants. This question will be asked again during the next meeting. Good note was taken that strategic decisions should be made at the EUEB, but such decisions would benefit from a focused discussion at the task force before the question comes to the Board. Questioned if such task forces would need to work through physical meetings or if virtual group meetings could take place, which would reduce some of the resources or time constraints for colleagues to participate. Questioned if consensus should be sought in advance.

**GERMANY:** Referred that in the past there were big discussions on certain issues because some MSs had big problems with specific issues and the proposed criteria didn't reflect that (e.g., recycled content). Last minute changes had to be made to find a compromise. For example, for textiles, the text concerning the cotton criterion was a last minute change from the Commission. It is necessary to go to the voting procedure knowing that MSs agree on relevant issues.

**NORWAY:** Mentioned that last minute changes are very often proposed by the Commission resulting from ISC. It was questioned if ISC could be done at an earliest stage. The discussion at the EUEB on last minute changes is important to find compromises. When these things happened, it is preferable to postpone the vote (e.g., the problem with the cotton criterion).

**EC:** Questioned if there are proposals on how to further strengthen the harmonisation (e.g., establish an informal list of expert CBs on specific product groups). Questioned also if the EUEB is happy with the service that CIRCA is providing or if instead some documents should be stored and shared through ECAT.

**DENMARK:** Concerning specifically the CB Forum, referred that prefers to have a protected area, where things are discussed only between CBs, due to some level of secrecy in discussions. Asked to have information concerning revision projects to be made available in open webpages, as the one operated by JRC, due to the fact that databases which require usernames and passwords to have access to documents is not very user friendly. Communication through e-mails, where specific questions are made and conclusions are shared works well. Recognises however that more detailed documents and discussions might need the use of databases.

**BELGIUM:** Concerning strengthening of the harmonisation, are in favour of MSs interpreting the criteria in the same way. Currently, the CB Forum conclusions are not available to potential applicants, but only in CIRCA. Whenever possible, conclusions should be included in the user manuals, so it becomes a live document with the most relevant information, including calculation examples, which would benefit the transparency of the majority of the conclusions. The IPTS website is very practical, but the shift to the BATIS system was difficult. E.g., an overview of the comments is not possible, as well as the overview of the comments made by other stakeholders.

**NORWAY:** Supports what was said about passwords and usernames, as CIRCA, ECat and BATIS are completely different systems. Simple instruments are necessary and agree with DK that information concerning development of criteria should be open, including comments provided by industry. Currently criteria documents are difficult to understand as they are written as legal documents. E.g., reference to regulations without referring to which provision of the regulation is relevant should not be included. It is very difficult to treat equally applicants amongst 28 MSs, based on the text of present criteria documents. This has been a real problem to the uptake and to keep licences. In respect of user manuals, its content is usually an echoing of the criteria text and doesn't provide any added-value. If criteria documents need to be drafted as they currently are, then the user manuals should provide a clear explanation on what does the text means and declarations have to be much simpler and to the point. The reason why the NO CB doesn't use the user manuals is because they are not useful. NO is developing their own declarations.

**EC:** Referred that the Commission is not allowed to make all comments public, due to the fact that some stakeholders are requesting some privacy. However, in the final stage of the revision process, a summary of the comments and how they have been replied is made public. The improvement of BATIS system and the user manuals would need to be discussed better with colleagues from JRC. The plea from the Commission is that MSs should not vote the criteria if they see that they are too complex and let the Commission know it in advance. Questioned if there was an inherent obstacle to more harmonisation or we just need to increase the sharing of practices and approaches.

**NORWAY:** Developing different ways of treating applicants is currently a real danger. MSs should cooperate and harmonise better, but there is then a need to increase communication, as it is done for the Nordic Ecolabel, where there are weekly meetings through skype to discuss interpretation of criteria documents and additionally to that there are physical meetings around every month to discuss directions for the verification and other aspects to facilitate. This need exists and the Nordic Ecolabel is managed by only 5 countries. The key-issue for the EU Ecolabel is to make sure that the criteria documents are written in a precise way and simplified as much as possible, because is the only way to ensure that the criteria is understand in the same way.

**BELGIUM:** Concerning the list of expert CBs, in an informal way, h experiences are already being exchange first with few MSs with experience and later through the virtual CB Forum. The user manuals provided by the Commission are usually used, even if there is a room for improvement.

**EC:** Questioned if there is a need for a digital platform to further exchange experiences or the CB Forum is enough.

**PRESIDENT:** Responded that is preferable to use better the current available possibilities instead of creating new platforms.

**DENMARK:** Referred that there is a misunderstanding between the precautionary approach, which is seen as a problem and was introduced through the chemicals task force paper, and the precautionary principle, which is referred in the EU Ecolabel Regulation. With the approach there was a discussion of all the chemicals the EUEB would like to see excluded from EU Ecolabel products in the last 10 years, but didn't succeed. The EU Ecolabel, being a voluntary policy, should go ahead of legislation and not behind. Therefore, when the scientific burden on hazardous chemicals is rising, the precautionary approach should be applied. This issue should be looked at in the revision of the EU Regulation. Article 6.6 is a too broad way to regulate chemicals under the EU Ecolabel, but in case this provision is removed, we would need something else to allow us to be proactive in respect of chemicals.

**CEFIC:** Mentioned that the difference between approach and principle seems more semantic. But it should be recognised that the EU Ecolabel targets the best 10% of the products in term of ecological performance in the European market. What is important is to still have options for products to have the EU Ecolabel, because if the criteria are so strict that there are no products that are able to be awarded, then there is no way. We should keep the precautionary principle, but be practical as well. On the other hand, more and more substances are being classified as dangerous to the environment and toxic to human health and that based on the review known last week, since the GHS implementation, 1 out of 4 substances have been upgraded for environmental classification, which means that more chemicals are classified and less products are able to meet EU Ecolabel criteria. There is a need to find an approach that is workable, knowing that EU Ecolabel products should be above the others in terms of ecological criteria.

**NORWAY:** Supports comments from CEFIC. In respect of Articles 6(6) and 6(7), agree with DK that if those provisions are foreseen to be deleted from the current regulation, something else is needed. The problem of those articles is that there is the burden of identifying all the different hazardous substances instead of leaving that burden to industry, as they should know which substances they are putting into their products. This is the reason why it is so difficult to write the criteria documents and why those documents are so difficult to read, to understand and to use. There is a need to better understand how the EU Ecolabel should use the precautionary principle in a greater extent. In general, there are no real problems in excluding classified chemicals, but there are problems to exclude those which are not yet classified. E.g., on the brominated flame retardants, which are not classified because were not yet tested. On the new classifications rules, it is a challenge not to have classified EU Ecolabel products in the near future.

**DENMARK:** Referred that didn't propose to remove article 6(7), but only article 6(6), because article 6(7) refers to an harmonised EU list of unwanted substances and this has to be taken into account under the EU Ecolabel. The framing of article 6(6) should be changed.

**GERMANY:** Said that at some point, it should be discussed the focus of the EU Ecolabel. Being a multi-criteria and a multi-product group ecolabelling scheme, it is very difficult to communicate for what it stands for. The benefits would differ from product group to product group and this should be communicated to both licence holders and consumers. It should be understood how the licence holders communicate the benefits of the EU Ecolabel. Instead of discussing how many criteria there should be, it would be more beneficial to think about what does the EU Ecolabel stands for across all product groups. Concerning chemicals, it is difficult to be a front runner for the whole chemical legislation, but the EU Ecolabel should rather be a front runner in certain chemical aspects. The precautionary principle will help to find the role in the whole set of instruments dealing with chemicals. The scientific way of developing criteria comes from using the ISO approach, but when deciding which criteria should be considered, a political consideration is made.

**DENMARK:** Concerning the future revision of the EU Ecolabel Regulation, changes of the criteria should be handled in a more flexible way and fast.

**UK:** The problem is the governance of the scheme, the fact that is run by the Commission and that all decisions goes through the Council and is then published. Suggest that part of the REFIT evaluation exercise should look at different governance's arrangements, e.g., take it away from the Commission, and create an agency or give it to a 3<sup>rd</sup> party to run the scheme and having a committee involving the MSs, which would enable a swifter process.

**EC:** Questioned if any MS is interested in leading and/or participating in a marketing task force.

**FRANCE:** Referred that the workshop was an initiative of French licence holders and that currently there are more than 350 EU Ecolabel licences awarded to tourist accommodations and campsites in France, some of them being very proactive in terms of communication and marketing. Therefore, France is interested in participating in the dedicated task force, as due to its specificities, is difficult to discuss at the CB Forum meetings.

**UK:** Concerning the measurement of take-up, referred that last year a representative of GS1, owner of the bar code system, delivered a presentation at a CB Forum level, on how this system could help to assess the sales of EU Ecolabel products across Europe and questioned what happened. In respect of resources for marketing, referred that the EU Ecolabel Regulation states that as part of the criteria development, the final report should include a proposal for marketing and communication strategy for that product group. Would like to see the implementation of this requirement, as this is one way to ensure that resources are devoted to those activities.

**EC:** Stressed that the participation in the task force on tourist accommodation services, which could be a light way of working to share ideas and find ways to reach relevant stakeholders, who can act as multipliers.

**PRESIDENT:** Requested the Commission to send out an e-mail to all CBs explaining better this proposal, to allow a reflection before providing a feedback.

**NETHERLANDS:** Referred that it is too early to volunteer because the board still doesn't know what kind of and how many task forces will be proposed in a latter presentation by the Commission on cross-cutting issues. Supports the President that a possibly participation of MSs can only be decided on a later stage.

**EC:** Indicated that there are differences between the current session and the session on cross-cutting issues, because the next session will target technical discussions and probably different people will be involved. Referred that the preliminary conclusions of the work on GS1 were that the NACE codes were not aligned with the type of products considered under the scope of each set of EU Ecolabel criteria. In the past, when deciding the scope of a specific product group, the categorisation under the GS1 were not taken into account, which doesn't allow to implement this option.

**UK:** Questioned if there was not a possibility to include an additional digit to the EAN code to include the information if it was ecolabelled or not. Referred also that all products will have an EAN code and this option would allow to know the sales of ecolabelled products.

**EC:** Responded that the feedback from the GS1 representative was that the adding of this extra digit could only happen if there was some equivalency between the NACE code categories and the products covered by a specific product group and that this doesn't occur presently.

- **EUEB MEMBERS AND STAKEHOLDERS IDEAS ON POSSIBLE IMPROVEMENTS OF THE EU ECOLABEL REGULATION**

**EEB/BEUC:** Mentioned that don't have specific suggestions on how to improve the scheme because thinks that the regulation and the current framework should be kept as it is. Articles 6(6) and 6(7) contribute to a significant increase of the environmental performance of a product and ensure a good credibility of the scheme. If the revision has to be carry out, the hazard-based approach should be kept. The EU Ecolabel will lose its added value in case the precautionary principle is not applied. The safety features of the EU Ecolabel products allows them to be distinguished on the market.

**CEFIC:** Referred that would prefer to include the risk-based approach, as the hazard-based approach is not allowing the uptake of the EU Ecolabel.

**NORWAY:** Mentioned that at this stage it was difficult to say what we want in the new regulation, because the Commission has given strong indications that is not envisaging the revision of the regulation in the next 4 or 5 years. The indications given were that we should focus on the improvement of the implementation of the present regulation. Understands that we should wait for the results of the REFIT, PEF and CE package, which makes difficult to come with good ideas. Basically, articles 6(6) and 6(7) should be revised and we will have to look at the classification issue, as it is not possible to have a product with the ban of all H statements. Better criteria documents would be possible in case another approach is adopted. Supports the continuation of the EU Ecolabel scheme, because it is a good environmental tool for MSs and for the Commission. The lack of resources for marketing has been a major obstacle for the uptake and disagrees that the hazard-based approach is interlinked with the low uptake. Concerning the criteria

development, referred that IPTS is doing a great job, as in the past the CBs didn't have enough resources to develop similar extensive background reports. However, doubts if those are really necessary to have good EU Ecolabel criteria. Referred that IPTS doesn't have experience with the assessment of applications, which is currently a problem.

**EuroCommerce:** Said that there a lot of political initiatives going on, such as the PEF, whose results would have to be taken on board. There are also other issues on the political agenda, such as climate, resources, biodiversity, circular economy, and wonder how the EU ecolabel considers these issues, as it seems that it is just dealing with chemicals and chemicals are not the main issue to save the planet.

**EC:** Referred that maybe on the current revisions, proposed thresholds proposed by IPTS could be test to be better evaluated.

**DENMARK:** Based on the experience as a CB, referred that maybe a less descriptive framework would be better. Noted that changes of criteria should be faster and more flexible. Mentioned that synergies with other policies, when possible and relevant, should be pursued. The precautionary principle/approach should be taken more seriously, early warnings should be look at and the EU Ecolabel should not wait until something is included in the EU legislation. Denmark focus on health and energy issues, and wishes to be more proactive and have stricter criteria, but doesn't want to keep article 6(6).

**SWEDEN:** Questioned the EUEB about the possibility of a new system based on mutual recognition between the EU Ecolabel and other type 1 national ecolabels, such as the Blau Engel or the Nordic Ecolabel. The way forward could be for the Commission to critically go through the criteria from type 1 national ecolabels and if they are found good enough, they could be adopted by the EU Ecolabel, which would allow a product to have the right to use the two labels, increasing the number of products in the EU market.

**EuroCommerce:** Reminded how the organic regulation have handled the label of goods, as they were also national systems, which were gathered in one EU regulation. Its goal was having one single compulsory label all over the EU, but it allows the double labelling of products. It was a radical step, but this possibility should be considered for the EU Ecolabel.

**EC:** Questioned about the governance of the scheme and if all the bodies under the EU Ecolabel should be kept or could be merged.

**PRESIDENT:** Highlighted the importance of the CB Forum, which is a very necessary tool and after the current regulation entered in force, its provisions allowed it to work properly. Cannot see any of the other bodies being suppressed.

**UK:** Referred that the possibility to move away from a scheme governed by Commission decisions, regulations and all the related bureaucracy should be looked at. Only a flexible scheme can respond to the needs of both applicants and CBs and this should be object of a study.

## **16. PROPOSALS FOR CROSS-CUTTING ISSUES TO BE TACKLED IN THE FUTURE - *SILVIA FERRATINI, DG ENVIRONMENT AND JOINT RESEARCH CENTRE (EC)***

Presentation  
Discussion

**BELGIUM** asked if the work on the E criterion would be for all PGs or only for some of them, as the Energy in the production phase is not one of the main environmental impacts for all product groups. A feasible and verifiable social criterion was felt as more important; the work on packaging was perceived not as relevant as a workable social criterion.

**EC** replied that the intention of the work on the Energy criterion was to have a standard text to be used only when relevant; it was clarified that it is intended to tackle source of energy (to promote renewables).

On the social aspect it was explained that there is already an internal discussion going on in the Commission and in the recent drafts of criteria a more mature input was received from other services; the criteria text as it is now is more advanced than in the past; it is not sure that a taskforce is needed on the issue.

**NORWAY** said that it was a good idea to have these TFs and that they needed to be discussed and elaborated more, especially the social one. Norway did not show interest for the packaging one. The general comment of not restricting the number of participants was expressed.

Scepticism was shown in respect to the possibility of these task forces to make a difference, because it was felt that attempts to simplify the chemical criterion were blocked in the past by the Legal service of the Commission during inter-service consultation. Maybe the Legal service should be part of the chemical task force.

The task force on the Energy criterion was perceived as very relevant, and also the Energy use could be addressed within it.

The willingness was expressed to have a requirement on maximum Energy use per guest in the criteria for Tourism Accommodation Services.

**EUROCOMMERCE** commented that the three task forces proposed were very different, especially the last one, as for packaging there is a need for a tool to be developed but it is not a very political issue. Agreement with Norway was expressed on the need of a task force on Energy and it was said that the issue of chemicals had already been discussed a lot. It was suggested to take a wider view of the circular economy and try to address the issue of how the EU Ecolabel should handle recycled material, to see if it is possible for the Ecolabel to contribute to the collection and use of it. Packaging is something that should have been tackled 10 years ago.

**NETHERLANDS** explained that they were the one proposing a task force on the energy criterion; strange calculations came up at the CB Forum regarding the use of gas versus hydropower. The Netherlands are supporting the fact that energy coming from renewable energy sources should be sustainable energy, besides the issue of energy saving and energy use that was mentioned by Norway. How to promote the right source of energy through the EU Ecolabel is something important to work upon. The Netherlands was very happy that this idea was taken up.

**DENMARK** asked if sub-groups should be set-up for each of the issues presented. It was said that it was not necessary to set a number of participants. It was suggested to ask in writing in September who would like to participate on the different task forces presented and wait until November to decide that. Maybe some sub-groups could be merged together.



**EC** clarified that the nine issues presented were not a list of TFs that will be started, but a compilation of what initially proposed and the feedback received; the first three were identified as the ones that could be started, but that the opinion of the EUEB was sought. Regarding the social task force, it was recalled that when it was stopped, it was said that if it was going to be reopened again, there would be the need for the participation of experts in social auditing. If there is still a need for that, this could be done in the framework of a revision process, for products that have social hotspot within the supply chain, and experts can be consulted for the specific products (this have been already done with computers, where discussions with experts in social auditing were carried out). It would otherwise be difficult for JRC to take the lead of such task force.

**DENMARK** suggested that what proposed by JRC for the social requirement should be implemented for Tourism Accommodation Services and the product groups that are in the process of being developed/ revised. For cleaning services this could be an important criterion.

**NORWAY** said that it was a good idea to include the declarations and the user manual in work of the chemical task force.

**BEUC/EEB** expressed support to the idea of these TFs; BEUC/EEB would have likes to participate but it was not be possible to commit, as they were not sure to have the necessary resources; this would have to be reflected in their work programme.

**CEFIC** proposed to merge the issues of Hazardous substances and nano-substances.

**EC** explained that the issues were separated because there was an internal agreement in the Commission on how to treat nano-; keeping them separate would give us more flexibility to work on the chemical substances. Content wise it could be more efficient to tackle the two issues together but it would be necessary to check if this is possible. It was moreover added that it would be difficult, as there is a need to have the hazardous substance approach right first.

Furthermore it was explained that there is an on-going work on how nano- should be treated in REACH, and the outcomes of this are needed before an EU Ecolabel approach can be developed.

**DENMARK** highlighted the need to prioritise the sub-groups. For Denmark the priority is the one on hazardous substances.

**EC** will send out an e-mail to ask interest and interest in participating in the first three task forces presented (on chemicals, energy, and packaging). The way of participation will be re-discussed. The way the chemical task force was organised in the past was considered very successful. Telephone meetings are manageable when maximum 8-10 people are taking part.

## **17. EU ECOLABEL WORK PLAN - SILVIA FERRATINI DG ENVIRONMENT (EC)**

Presentation

Discussion

**BELGIUM:** Referred that had a big licence for heat pumps that now will be covered by the water-based heaters and are currently facing constraints because of the requirements

on hazardous substances and warranty. Questioned if there are other CBs facing the same problem (also for other product groups). An option could then be the rework of the criterion on hazardous substances, instead of revising the whole set of criteria.

**FRANCE:** Concerning converted and printed paper, questioned if an amendment on the substrate is envisaged as soon as there will be new decisions for copying, graphic and newsprint paper, which will mean that those will not be launched before 2018. In particular, for converted paper, there are some problems concerning disruptive elements in recyclability (glues, inks, etc.) which need to be solved. A revision starting only in 2018 seems too late. In respect of imaging equipment, questioned if even with the amendment on the requirement for hazardous substances, there will be applications for this product group.

**BELGIUM:** Said that are not in favour of ecolabelling single issues and single impact product groups such as sanitary tapware and flushing toilets and urinals. Are convinced that those product groups cannot benefit from a multi-criteria approach, especially now that those product groups are covered by the Ecodesign workplan. As soon as it becomes clear that Ecodesign will establish requirements, it should be considered stopping a product group and invest time and energy in others.

**EC:** Concerning imaging equipment, it seems that some manufacturers are interested in the EU Ecolabel. It is also too early to drop this product group, as it is a recent set of criteria.

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

Presentation

Discussion

**PRESIDENT:** Regarding prolongation of criteria, we are often receiving information late. It would be better to receive information on prolongation in advance, so we can inform licence holders in due time.

**EC:** In the past, 6 months before was enough to have the adoption of prolongations. Now we need to justify more prolongations to the hierarchy, and therefore it needs more time.

**BELGIUM:** Can Bulgaria use the video to include subtitles itself?

**EC:** It is recommended to ask the company that made the videos to include the subtitles in the video. The EC plans to purchase the rights for the video.

#### **19. AWARDING THE EU ECOLABEL AND ASSESSING THE SUITABILITY OF INTERMEDIATE PRODUCTS - CARLA PINTO DG ENVIRONMENT (EC)**

Presentation

Discussion

President asked who should be responsible for the content of such database and commented that it could be of help for applications.

**EUROCOMMERCE** commented that what presented seemed a very pragmatic way of using the knowledge we have and the interest from industry. It raises a lot of questions: what kind of fees should be there for this kind of licence? Would this be similar to the EMAS system in which you approve a whole plant? The idea is interesting, but further reflection is needed on how to use these intermediates. If a products contains EU Ecolabel approved chemicals/materials, how can this be communicated to the public? There are examples that can be used also from the organic field.

**EUROCOMMERCE** expressed is positivism to this way forward because it is already there. It was added that the same approach could be possible and interesting for chemicals used in the buildings and construction materials and also in furniture.

**UK** expressed a strongly support to the idea as it facilitates the applicants, and the CBs work. However, concerns about practical implementation issues were issued on the example of the LuSC list, that for the moment has been done on informal basis: it works if fees are levied; this may cause problems for the Regulation: a way should be found to pay the maintenance of such a database.

**PRESIDENT** said that he thought that the Commission is not an opposition of such database; otherwise issues would have already been raised by the Legal service. But indeed the keeping of such database should be paid.

**DENMARK** clarified that in their opinion there are the three following levels among which EUEB has to distinguish to decide what to do:

- The registration of data needed for an application; this cannot be ecolabelled;
- The raw materials, like printing inks for printed matters: it would be interesting to share the ones already assessed;
- The intermediate products such as the textiles ones that are specific examples as the demand is built along the value chain: ecolabelling these makes sense and it is already in the criteria.

The personal opinion of the speaker was that an EU Ecolabel should not be issued for intermediary raw material such as printing inks, as criteria for them were not developed taking into account their main impacts throughout their life-cycle.

**FRANCE** reported a strong demand from French paper product licence holders to have a common database for approved pulps and chemicals; the problems of designing and maintenance of such database were recognised.

**BELGIUM** expressed reservations concerning this issue, as there is a big difference between writing a letter of compliance for certain chemicals and giving the EU Ecolabel (with associated licence number and fee); for some products the amount of chemicals used for instance in baby or adult clothes may influence their suitability for EU Ecolabelled products; Belgium is not in favour of a general ecolabelling of intermediate product; it was recognised that there could be some benefits and it could make sense in certain cases that could be identified. Furthermore, a situation may happen where for a final product containing intermediaries the fee is asked three times. For the compliance letter CBs may charge a kind of fee, but this would be different.

President highlighted that structuring what can be done and what can't be done is a very important point.

**EC** the easiest and operational solution should be found.

**EUROCOMMERCE** concluded that it would be very interesting to make some studies on how this could be done; maybe it can be seen how it works with industry working with ecolabelled pulp. Whether this should appear on a positive list for other applicants to use, this could also be investigated. It could be done rather easy and open the scope of the EU Ecolabel, making it much more interesting. **EUROCOMMERCE** would like to see some kind of study done on the issue.

**NORWAY** supported what Denmark said: there are different levels and different needs. There is a need to thoroughly think what it is wanted to ecolabel and what kind of information can be shared by CBs. Sometimes a pulp is mixed with other pulp and its suitability for the EU Ecolabel would depend on the amount used and other things. A database of intermediate approved chemicals would be desired but maybe difficult to organise. **NORWAY** was sceptical to make everything public, as it could open up the misleading use of the EU Ecolabel.

**EPDLA** recognised the interest of the discussion, even if their industry can be less interested than others. It was highlighted that one intermediate product could end up in thousands of different end-products; if CBs sell licence to intermediate products, far less licences would be awarded to end products and this may not be really desirable.

**UK** responded to some of the point. UK has applicants for lubricants use the LuSC list. It was suggested that when a database of approved ingredients is established, there should always be caveats on the concentrations at which they are used. Intermediate products are not another category of products; we have them already for some product groups and this has to be born in mind when the next revision process for paper products will be started. It won't require a lot of resources spent on this, but just some guidance when revising the criteria, to make clear that intermediate products are in the scope of the labelling.

**EC** asked to include feedback on the issue in the comments to be provided by 30 June on the revision of the paper family.

## **20. AOB – PRESIDENT**