

APPLICATION PACK FOR THE ECOLABEL



PART 1: Guidance notes

ISSUED BY:

Insert name of Competent Body and contact details (address, telephone and fax numbers, Email address)

Date of issue:

Introduction

This pack contains application documents for the European Ecolabel. It is in three parts:

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| Part 1 | step-by-step guidance on how the scheme operates and how to apply; |
| Part 2 | an application form for the specific product group for which you want an Ecolabel, and a summary of the criteria in non-technical language; with annexes containing the full technical criteria for the product group, and a list of approved test centres; |
| Part 3 | the standard contract that we will sign with you if your application is successful, with an annex containing conditions for use of the Ecolabel. |

Parts 1 and 3 are the same for all product groups. This is Part I - we suggest that you read it before completing the application form in Part 2. If you have any queries or suggestions, please contact the Competent Body (contact details provided on page 1 of this guidance note).

Packs are revised when criteria are updated (normally every three years or so), and occasionally for other reasons, so please check with the Competent Body that you are using an up-to-date pack before submitting an application.



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Overview

1. The European Union Ecolabel (referred to as the Ecolabel in this pack) is Europe's official environmental label. It was established in 1992 by a European Community Regulation. Its aim is to help consumers to identify those products which are less damaging to the environment than equivalent brands across the whole of their life cycle. In 2000 the Ecolabel was relaunched by a revised Regulation (EC No 1980/2000, shown in Annex 1 of Part 1 of the application pack) which extended the scheme to cover services. In this pack, "product" includes both goods and services, although criteria have not yet been developed for any services.
2. Participation in the scheme is voluntary. It is administered by officially appointed Competent Bodies in each EU country.
3. Businesses whose products comply with the published product group definition and the criteria about the product and its production can apply for an Ecolabel. The technical criteria for specific product groups are agreed by EU member states after consultation with relevant interests. So far, criteria have been agreed for seventeen product categories: washing machines, dishwashers, refrigerators, PCs and laptops, laundry and dishwasher detergents, all purpose cleaners and cleaners for sanitary facilities, hand dishwashing detergents, indoor paints and varnishes, lightbulbs, soil improvers, tissue paper products, copying paper, textiles, footwear and mattresses. More are in preparation. They can cover any products, apart from food, drink, pharmaceuticals and some medical devices.
4. The criteria result from negotiations between European representatives of industry, consumers, environmental organisations, retailers and public authorities. All the criteria are published on the official EU website, which also contains all the other Ecolabel documents and explains in detail how the criteria are developed and how the scheme operates:
<http://europa.eu.int/comm/environment/ecolabel/index.htm>
5. This pack describes the application process in full. This is a summary:
 - * **Who can apply:** a manufacturer, importer, service provider, trader or retailer applies for the Ecolabel to the Competent Body in the EU member state where the product is manufactured. Traders and retailers may only submit applications for products marketed under their own brand names.
 - * **Which Competent Body to apply to:** if the product originates in the same form in several member states, the applicant can choose a Competent Body in one of those states, and that Competent Body will consult those other member states. For a product made outside the European Community, the application must be made in a country in which the product has been (or is to be) placed on the market.
 - * **Before submitting an application:** the applicant either tests that the product complies with the ecolabelling criteria for the relevant product group, or has the tests made independently, then has the assessments independently verified. The applicant compiles a dossier of relevant documents and certification to show compliance, and submits this with the application form.

- * **On receipt of the application:** *[Jim: _ this is our practice as UK Competent Body, but other CBs may do it differently, hence the slight change I've suggested]* The Competent Body invoices the applicant for the application fee when the application is received [Competent Bodies should insert their own invoicing arrangements if these are different]. The Competent Body checks that the product complies with the criteria, and that the application complies with the assessment and certification procedures. As mentioned above, the Competent Body also consults any other member states where the product originates in the same form. Where the ecolabelling criteria require production facilities to meet certain requirements, these must be met in all the facilities where the product is produced.
- * **If the application is successful:** the Competent Body awards a licence to use the Ecolabel under the terms of the standard contract, shown in Part 3 of this pack. The requirements for obtaining the Ecolabel are the same in each member state, so once the Ecolabel has been awarded by one Competent Body, it is valid throughout Europe and the product can then be marketed with the Ecolabel throughout the EEA, and the label used on the product and in advertising it. The Competent Body then invoices the applicant for the annual licence fee [Competent Bodies should insert their own invoicing arrangements if different].

The application process

6. The application may refer to a product placed on the market under one or more brand names. **Applicants can also seek approval for more than one product, by simply identifying the name of the range of products and making a single application for the entire range.** Products within the range may vary or be modified, but must remain in compliance with the criteria at all times. A new application is not required for modifications which do not affect compliance with the criteria, but the Competent Body must be told about significant modifications.
7. The **application form**, in Part 2 of this pack, is in two sections, the first requiring details of the applicant and product, and the second requiring compliance undertakings. In some cases, where shown, a producer's declaration is sufficient, but in others a test report showing that the product meets specified criterion is required (see paragraphs 9-14).
8. Applicants must also provide a detailed **dossier** showing how the published technical criteria (set out in Part 2) have been met. The dossier should include an illustration of the proposed usage of the Ecolabel on the product or packaging, so that the Competent Body can satisfy itself that the label will be properly used.

Assessing compliance with criteria, and using test centres

9. Before submitting the application to the Competent Body, the applicant must have the product assessed for compliance with the published criteria for that product group. Tests normally relate to the final product, including the component items. Applicants who use component items that already have the Ecolabel need only send test reports concerning the **final** product, such as tests for fitness for use, and only the final production process(es) concerning the product will be assessed, ie those for which the applicant is directly responsible.

10. Tests can be carried out in-house (see paragraph 12 below), or by an approved outside testing organisation (paragraph 13). The Commission Decision for each product group specifies the tests that need to be conducted, and if testing by an independent laboratory is required. It also provides information on any EN/ISO standards that the test laboratory must meet. A list identifying a number of laboratories in Europe which are approved for conducting tests for the specific product group is shown in Appendix 2 of Part 2 of the application pack.
11. Competent Bodies will also recognise tests and verifications performed by bodies which are accredited under the standards of EN 45000 series or equivalent international standards, but applicants should first obtain the Competent Body's agreement. The list of approved test centres will be updated as necessary.

Certified self-assessment

12. Applicants may be able to provide all the necessary information themselves and to test the product's compliance with the criteria. Data which applicants supply themselves must relate to their current production output. Test reports should be recent. **Competent Bodies may make further checks on data submitted, and on this basis, the Competent Body will not accept test reports which are more than six months old at the date of the application [insert practice of relevant Competent Body on this point, if different].**

Independent third party assessment

13. If applicants are unable to provide the necessary test data themselves, they will need to arrange for the appropriate tests to be carried out by an approved independent assessor, or another laboratory of their choice as explained above. Test reports should be recent (see paragraph 12 above).

Costs of assessment and certification

14. All testing and certification costs must be met by the applicant, and are in addition to the fees mentioned in paragraphs 17-19, so applicants are advised to discuss testing procedures and costs with the test centres before applying.

Putting together the application form and dossier

15. The applicant then completes the application form. The test reports and appropriate declarations and supporting material relating to the performance of the product must be collated in the dossier to demonstrate that the product complies with the criteria. If the application is successful, the applicant will be expected to retain the dossier and keep it up to date for the duration of the licence.
16. Two copies of the form and dossier must be signed where shown, and submitted by post (not e-mail) to the Competent Body at the address on the cover of this pack.

Application and licence fees

17. The fees charged by the Competent Body are set out below.

[Different Competent Bodies can charge different fees within the permitted range, and may have different invoicing procedures, and should modify this section accordingly.]

VAT **does/does not** apply to fees charged by the Competent Body, and is / is not added to or included in these figures.

Application fee

18. A non-returnable application fee is payable when an application is made. It does not apply to renewals, or when an existing product is modified or new products are added to an existing contract:

- * **the basic fee** is....
- * **reductions** of 25% apply to SMES (small and medium-sized enterprises), and to product manufacturers or service providers in developing countries (so if you qualify on both counts, you are entitled to a reduction of 50% - if you are uncertain whether you qualify, please consult the Competent Body).
- * **payment** should not be sent with the application – The Competent Body will invoice the applicant for payment and apply all relevant discounts (but will ask for proof of SME status if this reduction is applied for).

19. If the application is successful, an annual fee is payable, based on sales, starting from the date that the Ecolabel licence is awarded to the applicant.

- * **the basic annual licence fee for goods** is 0.15% of the **annual value of sales** (excluding VAT) of the product within the European Community at factory gate prices – ie before transport to the purchaser's premises is involved or there is a wholesaler's or retailer's profit: this means that the fee **excludes** the cost of carriage, carriage insurance, and settlement discount (settlement discounts allow for early payment of invoices), but it **includes** any bulk discount (bulk discounts are where the customer is offered a percentage reduction in the total price when ordering large quantities of goods). Where the product uses components for which an Ecolabel fee has already been paid, the annual fee will be based on the annual sales of the products after deduction of the cost value of the components.
- * **the basic annual licence fee for services** is calculated in the same way, except that it is based on delivery price.
- * **there is a minimum annual licence fee** of € 500 per product group per applicant.
- * **the annual fee is capped** at a maximum of € 25,000 per product group per applicant.
- * **these reductions to the basic fee apply:**

- 25% for the first three applicants that are awarded the Ecolabel for a given product group – **The Competent Body will apply this reduction automatically if it applies.**
 - 25% to SMES (small and medium-sized enterprises), and to product manufacturers or service providers in developing countries: if you qualify on both grounds - as an SME from a developing country - you are entitled to a reduction of 50%. (If you are uncertain about your status on either count, please consult us).
 - 15% for licensees who are registered under EMAS (the EC Eco-Management and Audit Scheme) and / or certified to ISO 14001. This reduction is conditional on an explicit commitment in the applicant's environmental policy to ensuring full compliance of its ecolabelled products with the Ecolabel criteria for the period covered by the contract, and this commitment being appropriately incorporated into the detailed environmental objectives. (Applicants with ISO 14001 should demonstrate annually the implementation of this commitment. Those with EMAS should forward a copy of their annually verified environmental statement.)
- * **these reductions are cumulative**, and apply also to the minimum and maximum annual fee, but in total they cannot exceed 50%.
- * **these figures exclude** costs of any necessary additional tests or monitoring by the Competent Body, including site visits, for which the Competent Body will invoice the licensee.
- * **payment will be collected annually by the Competent Body**, at the end of each calendar year. The Competent Body will request details of numbers of units sold and the value of sales, and will invoice the licensee accordingly for payment by BACS. The Competent Body will apply all relevant discounts, but will ask for proof of SME / EMAS / ISO 14001 status.

When the application is received

20. The Competent Body will acknowledge the application, and enclose a form for endorsement to enable our accounting system to issue invoices for fees.
21. The Competent Body allocates a unique number to each application. Applicants should quote this in all communications about the scheme. If the application is successful this number will be used to register the contract.
22. The Competent Body will check that the application is complete, and consider the dossier to assess whether the application complies with the product criteria, and that the application conforms with the testing and verification requirements. It may test the product or arrange an appointment to visit or audit the applicant's site. If the applicant sub-contracts part of the production, the Competent Body may visit the sub-contractor(s) on the same basis.
23. If the Competent Body awards the applicant a licence to use the Ecolabel, the product is included in the list of ecolabelled products on the Commission's register and website.

After the Ecolabel is awarded

24. Once the Ecolabel has been awarded, the licensee can display the logo on the product and use it in advertisements, provided that the conditions in Part 3 of this pack are observed. When awarding the Ecolabel, the Competent Body will ask licensees to send it photographs of the design of packaging showing the Ecolabel, as well as copies of advertisements and other publicly available material referring to or displaying the Ecolabel.

Compliance monitoring

25. The Competent Body or its authorised agents may undertake monitoring of certified products once the contract to use the label has been issued, to ensure continued compliance by the Ecolabel licence holder with both the product group criteria and the terms of use and provisions of the contract. For this purpose it may carry out audits to assess the producer's quality system, or visits to the applicant's site (this may be performed by an authorised agents) to assess the production process. In such cases the Competent Body will request permission to visit the premises and the holder must grant access. A report will be sent to the producer after each such visit.
26. Similarly, the Competent Body may request relevant documentation for compliance assessment, and licensees must provide this. The Ecolabel licensee is liable for reasonable costs incurred as a result of compliance monitoring, as described in Article 3 of the contract. Ways of monitoring may vary in different countries, but the aim is to ensure that all products conform to the criteria, irrespective of the member state where the application is made.
27. The monitoring process is likely to be simpler where the applicant holds a recognised quality standard (eg ISO) and uses certified suppliers.
28. The Competent Body may undertake additional visits if there are claims from consumers or customers which warrant investigation.

Renewing the contract

29. When the published criteria for a product group are revised, licensees can renew their contracts under a simplified procedure by completing a short form (available on request from the Competent Body). This requires the applicant to sign a declaration that the product still complies with those criteria which have not been altered, and that the ecolabelled product meets the new requirements in the criteria. (The applicant must also add the consumer information on the product / packaging to indicate the reason why the Ecolabel was awarded, if the original contract predated this requirement.)
30. Where an old contract is renewed or extended, as described above, the Competent Body notifies other Competent Bodies of the renewal of the old contract, using a standard letter summary form, which indicates the contract number and products covered by this contract. The Competent Body can sign the contract on the date of notification.

Modifications to ecolabelled products, and adding new products

Modifications

31. As stated above, products already covered by the Ecolabel licence may be modified, but must remain in compliance with the criteria at all times. **A new application is not required for modifications in product characteristics which do not affect compliance with the criteria** (for example, changes of colour, size and design), **but the Competent Body must be informed about significant modifications, such as changes of name.**
32. To do this, applicants should send the Competent Body:
 - * the name of the ecolabelled product (or licensed product range);
 - * the number of the Ecolabel licence;
 - * a description of how the modification affects the ecolabelled product or range (eg whether this is simply a change of product name, or a new trademark, or a product ceasing to be manufactured);
 - * **confirmation that** (unless the product is ceasing to be manufactured):
 1. **the product formulation is already covered by the dossier submitted with the original application;**
 2. **the product is still in complete conformity with the Ecolabel criteria.**

New products

33. Where an applicant wants the current licence to cover new products in the same or a similar range, whose technical formulation was not covered by the existing application, a new application form and dossier about the new products should be submitted, but the Competent Body will not charge an application fee.

Withdrawal or expiry of the Ecolabel

34. The Competent Body can suspend or withdraw the right to use the Ecolabel for the product concerned where the terms of the contract are breached.
35. In the same way, at the end of the criteria's validity, products will not refer to the Ecolabel (although in these circumstances the Competent Body will make allowance for the time needed to sell products with the old packaging, as explained in Annex 4 of Part 3 of this pack). At this time, revised criteria are likely to be developed. Licence holders will have at least six months to reapply against the new decision and criteria. A new contract can be signed between the Competent Body and the applicant after checking conformity with the new criteria.



Annex 1

Commission Regulation on the ecolabel

** This annex is provided by a hyperlink where the application pack is sent out by e-mail, or as a paper copy when the application form is sent by post.*