

Cross-industry views on the proposal for a regulation of the European Parliament and of the Council on a Community Ecolabel scheme

8 November 2008

The chemicals and plastics industries are committed to continuously improving environmental performance and to providing consumers with products that meet very high levels of safety. We are active participants in the European Ecolabel Scheme, and take this opportunity to contribute with our experience of the current scheme.

We support in general the proposed features of the new scheme designed to increase user uptake; in particular that there should be simpler criteria and adoption processes, and that the ecolabel should be obtainable without excessive cost and effort. Furthermore, to be successful, those criteria should aim at covering a large part of the market.

However, there are a number of points we wish to raise specific to the development of criteria for materials:

- 1. Ecolabel criteria should be consistent with the rest of the European regulatory framework** when the product group in question is already regulated through one or several European laws, e.g. the Construction Product Directive¹ for buildings, the RoHS² for electric and electronic devices, the directive on Energy Using Products³, the REACH regulation⁴ for materials and chemicals, the Toys directive⁵, etc.
- 2. The drawing up of the criteria should be based on sound science.** Specifically, while scientific basis is mentioned in the introduction to the new text, it does not appear in the Articles; we would suggest that "based upon scientific evidence" should be the first point of Article 6.
- 3. The drawing up of the criteria for materials should be coherent with EU risk evaluation practice.** While we do not ask the EUEB to undertake extensive substance evaluations specifically for ecolabel criteria, we do expect the outcomes of risk assessments already performed in line with the new chemicals policy, REACH, to be taken into account. The coherence between REACH and other EU laws is an issue, which Cefic has already raised with the Commission in the context of better regulation⁶.
- 4. Criteria should be based on risk, rather than hazard.** This would bring the approach for ecolabels in line with the legislative process for chemicals. We would see the development of risk-based criteria as one of the objectives of future criteria development for materials. We would also suggest that the end of article 6.2 should be replaced by "...pollution through physical effects and *risks in relation to* the use and release of hazardous substances, shall be considered".
- 5. Criteria should focus on performance.** Selection of materials should result from performance achievements, not from discrimination on principle.
- 6. The criteria for ecolabelling should be fully in line with the concept of sustainable development.** This means that not only the environmental aspects, but also economical, social and societal aspects should be taken into account. Cases where environmental gain is accompanied by unacceptable compromise in other areas, for example reduced consumer safety, should be set aside.
- 7. Ecolabel criteria should focus on the main environmental impacts of the products.** Those main environmental impacts should be identified in a transparent and science-based manner by the bodies in charge of the criteria development. In our experience including criteria of marginal relevance causes significant delays in delivering the ecolabel and its benefits.

¹ Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products

² Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment

³ Directive 2005/32/EC of the European Parliament and of the Council of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products

⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

⁵ Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys

⁶ Letter of 27 June 2008 from Alain Perroy to Vice-President Günther Verheugen entitled "Coherence between REACH and other 'vertical' legislations"

8. **Our industries would like to question one procedural aspect of the new scheme, the adoption of Annex 1B, “shortened procedure where criteria have been developed by other European schemes”.** We support harmonisation with other ecolabels, but not at the cost of accepting criteria that are not based on sound science and risk assessment. According to the Annex, such criteria can be adopted without discussion at a working group meeting, unless a meeting is requested by a Member State.

Unlike the EU flower scheme, where criteria are established on the basis of a European consensus, current participation of stakeholders in national ecolabel consultative and criteria setting forums (e.g. Blue Angel or Nordic Swan) is *de facto* limited to national stakeholders. Certain resulting criteria can then be viewed as protectionism.

We believe ecolabel criteria should be developed by means of fair and transparent debate, encouraging co-operation between the different European stakeholders. We would therefore ask that all stakeholders, and not just Member States or the members of the EUEB, be given the opportunity to request such a meeting.

Contacts

Roberto Saettone / PlasticsEurope	roberto.saettone@plasticseurope.org	IT, EN
Dirk Van Hessche / ECVM	dirk.van.hessche@plasticseurope.org	NL, EN
Geoffroy Tillieux / EuPC	geoffroy.tillieux@eupc.org	FR, EN
Phil Hope / Cefic Plastic Additives	pho@cefic.be	EN
Guillaume Artois / EFRA	guillaume.artois@albemarle.com	FR, EN
Willem Hofland / EBFRIIP	hoflandw@icl-ip.com	DE, NL, EN
Adil El Massi / Euratex	adil.elmassi@euratex.org	FR, EN
Tim Edgar / ECPI	ted@cefic.be	EN
Ken Hillier / EuroPUR	khillier@britishvita.com	EN
Oliver Loebel / BING	oliver.loebel@bing-europe.com	DE, EN



Plastic Additives Cluster

Cefic (The European Chemical Industry Council) is the Brussels-based organization representing the European chemical industry. Cefic represents, directly or indirectly, about 29,000 large, medium and small chemical companies which employ about 1.3 million people and account for nearly a third of world chemical production.

The Plastics Additives Cluster of Cefic comprises a total of ten Sector Groups, representing the interests of the manufacturers of additives for plastics. These Sector Groups cover a wide range of materials, including PVC stabilisers, plasticisers, antioxidants, epoxydised vegetable oils, flame retardants and food contact additives.

Brigitte Dero ■ Director Plastic Additives



EuPC is the leading EU-level Trade Association, based in Brussels, representing European Plastics Converters. Its powerful European Plastics Network exists to support the beneficial use of plastics worldwide, especially providing plastics converting companies with a voice in European legislation. EuPC now totals about 51 European Plastics Converting national and European industry associations, it represents close to 50,000 companies, producing over 45 millions tonnes of plastic products every year.

Alexandre Dangis ■ Managing Director



ECPI (The European Council for Plasticisers and Intermediates) is a Brussels-based trade association representing the common interests of European manufacturers of plasticisers, alcohols and acids. ECPI is a sector group of Cefic, the European Chemical Industry Council, which represents the interests of the European chemical industry.

Paul Harmsen ■ Chairman



EBFRIP (The European Brominated Flame Retardant Industry Panel) brings together the major manufacturers of brominated flame retardants in the European market, joined by a number of major polymer producers as associate members. EBFRIP acts as the main spokesperson for the bromine flame retardants industry in Europe on key issues such as fire safety, eco-labels, electronic waste and risk assessments. EBFRIP is a sector group of Cefic, the European Chemical Industry Council.

Veronique Steukers ■ Chairwoman



BING is the European association representing the rigid polyurethane insulation industry. Rigid polyurethane foam is the premium insulation material used in a wide variety of applications in buildings, district heating, cooling and refrigeration, and industrial systems.

Oliver Loebel ■ Secretary General



Association of Plastics Manufacturers

PlasticsEurope is one of the leading European trade associations with centres in Brussels, Frankfurt, London, Madrid, Milan and Paris. We are networking with European and national plastics associations and have more than 100 member companies, producing over 90% of all polymers across the EU27 plus Norway, Switzerland, Croatia and Turkey.

The European plastics industry makes a significant contribution to the welfare in Europe by enabling innovation, creating quality of life to citizens and facilitating resource efficiency and climate protection. More than 1.6 million people are working in about 50.000 companies (mainly small and medium sized companies in the converting sector) to create a turnover in excess of 280 billion € per year. The plastics industry includes polymer producers - represented by PlasticsEurope, converters - represented by EuPC and machinery manufacturers - represented by EUROMAP.

Wilfried Haensel ■ Executive Director



ECVM (The European Council of Vinyl Manufacturers) represents the European PVC resin producing companies and is a division of PlasticsEurope. Its membership includes the 14 European PVC resin producers which together account for 100 % of EU 27 production. ECVM is also a leading partner of Vinyl 2010 - the organisation implementing the Voluntary Commitment of the PVC Industry - together with ESPA - representing the stabiliser producers, ECPI - representing the plasticiser producers and EuPC - representing the PVC converters.

Jean-Pierre De Grève ■ Executive Director



EFRA (The European Flame Retardants Association) brings together all the major companies which manufacture or market flame retardants in Europe. EFRA covers all types of flame retardants: chemicals based on bromine, phosphorus, nitrogen, inorganic compounds and intumescent systems. EFRA is a sector group of Cefic, the European Chemical Industry Council.

Rudi Borms ■ Chairman



Euratex, the European Apparel and Textile Organisation, represents the interests of Europe's textile and clothing industry. It expresses the views of that industry to the European Commission and to the European Parliament on behalf of 114,000 companies in the European Union which employed close to 2.2 million workers in 2001.

William H. Lakin ■ Director General



EUROPUR represents the flexible polyurethane foam block manufacturers at European level. The association was set up in 1966 and is registered under Belgian law as an AISBL 'Association Internationale Sans But Lucratif' (International Non-Profit Association).

Hubert Creyf ■ Secretary General