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**COMMISSION DECISION**

of **XXX**

**establishing the EU Ecolabel criteria for hard covering products**

(Text with EEA relevance)

# COMMISSION DECISION

of **XXX**

## establishing the EU Ecolabel criteria for hard covering products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel<sup>1</sup>, and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

- (1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to those products with a reduced environmental impact during their entire life cycle.
- (2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.
- (3) Commission Decision 2009/607/EC<sup>2</sup> established criteria and related assessment and verification requirements for the product group 'hard coverings'. The period of validity of those criteria and requirements was extended to 30 June 2021 by Commission Decision (EU) 2017/2076<sup>3</sup>.
- (4) In order to better reflect best practice in the market for this expanded product group and to take account of innovations introduced in the intervening period, it is appropriate to establish a new set of criteria for 'hard coverings'.
- (5) The EU Ecolabel Fitness check (REFIT) of 30 June 2017, reviewing the implementation of Regulation (EC) No 66/2010<sup>4</sup>, concluded on the need to develop a more strategic approach for the EU Ecolabel, also including the bundling of closely related product groups where appropriate.
- (6) In line with those conclusions and after consulting the EU Ecolabelling Board, it is appropriate to expand the scope of 'hard coverings' to products made of the same

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<sup>1</sup> Regulation (EC) 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

<sup>2</sup> Commission Decision 2009/607/EC of 9 July 2009 establishing the ecological criteria for the award of the Community Ecolabel to hard coverings (OJ L 208, 12.8.2009, p. 21).

<sup>3</sup> Commission Decision (EU) 2017/2076 of 7 November 2017 amending Decision 2009/607/EC as regards the period of validity of the ecological criteria for the award of the EU Ecolabel to hard coverings (OJ L 295, 14.11.2017, p. 74).

<sup>4</sup> REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the review of implementation of Regulation (EC) No 122/2009 of the European Parliament and of the Council on 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the parliament and of the Council of 25 November 2009 on the EU Ecolabel (COM(2017) 355).

materials or produced using similar production techniques to be considered as ‘hard covering products’ if they are used for similar primary purposes.

- (7) In the production of natural stone and precast concrete products, a significant proportion of the environmental impacts are associated with specific supply chain actors, who currently have little or no direct incentive to comply with the EU Ecolabel criteria. After consulting the EU Ecolabelling Board, it is appropriate to allow for the EU Ecolabel to be awarded to intermediate business-to-business products in the natural stone sector (i.e. ornamental or dimension stone blocks produced in quarries) and the precast concrete sector (i.e. Portland cement produced in cement kilns). This will simplify assessment and verification by Competent Bodies when such intermediate products are sold to EU Ecolabel license holders.
- (8) After consulting the EU Ecolabelling Board, it is appropriate to introduce a scoring system based on the reaching of minimum mandatory environmental performance and on optional compliance with additional criteria. In addition to compliance with all mandatory requirements, a minimum number of points must be attained in order for a product to be awarded the EU Ecolabel. The scoring approach offers a more flexible approach to obtaining the EU Ecolabel for the best environmental products on the market, allows for greater weighting to be applied to criteria that are associated with the most significant environmental impacts, may encourage continuous environmental improvement for license holders, may encourage competition between license holders towards higher environmental performance, . In addition, the scoring system will contribute to a higher potential recognition of the EU Ecolabel (as an ISO 14024 type I environmental label) by green building assessment schemes (such as BREEAM, LEED, DGNB, HQE, VERDE etc.), offering the possibility for these schemes to distinguish between products with higher or lower environmental scores.
- (9) In the scoring system, a greater weighting is applied to criteria associated with the largest environmental impacts during the production stage and the importance of correct product installation and specification is required in consumer information, in line with a general life cycle analysis approach. The implementation of these criteria will control and reduce emissions of compounds that contribute to the photochemical oxidation, human toxicity, abiotic depletion, eutrophication, acidification and climate change. In line with the promotion of the circular economy, recycled content is rewarded with EU Ecolabel points but is not obligatory due to potential undesirable outcomes in cases where recycled aggregate material would be transported significantly longer distances than equivalent virgin aggregate material, resulting in higher overall environmental impacts from a life cycle perspective.
- (10) Criteria set are generally under the direct control of potential applicants for the EU Ecolabel or their supplier(s). The criteria require that raw materials are processed in such a way that emissions to air, energy consumption and process waste disposal are minimised. Good practice requirements are set for manufacturing processes where air emissions are diffuse and quantitative requirements are set where air emissions are channelled through a centralised emission stack. The use of renewable electricity is encouraged where electricity dominates process energy consumption. Limits on specific fuel consumption and/or CO<sub>2</sub> emissions are set for processes where thermal energy dominates energy consumption. Process wastewater recycling is recognised by the criteria and emission limits set where relevant.

- (11) The new criteria and related assessment and verification requirements for the product group should remain valid until 31 December 2028, taking into account the innovation cycle for the product group.
- (12) For reasons of legal certainty, Decision 2009/607/EC should be repealed.
- (13) A transitional period should be allowed for producers whose products have been awarded the EU Ecolabel for hard coverings on the basis of the criteria set out in Decision 2009/607/EC, so that they have sufficient time to adapt their products to comply with the new criteria and requirements. For a limited period after adoption of this Decision, producers should also be allowed to submit applications based either on the criteria established by Decision 2009/607/EC or on the new criteria established by this Decision. EU Ecolabel licences awarded in accordance with the criteria set out in the old Decision may be used for 12 months from the date of adoption of this Decision.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010.

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. The product group ‘hard covering products’ shall comprise floor tile, wall tile, roofing tile, masonry unit (brick and block), paver, kerb, table-top, vanity top and kitchen-worktop products for internal or external use. Hard covering products shall be made of one of the following materials:
  - (a) Natural stone;
  - (b) Agglomerated stone;
  - (c) Ceramic;
  - (d) Precast concrete
2. The product group ‘hard covering products’ shall not comprise:
  - (a) Refractory ceramics, technical ceramics, clay pipes, ceramic tableware, ceramic ornamental ware or ceramic sanitary ware;
  - (b) Reinforced precast concrete products.

#### *Article 2*

For the purposes of this Decision, the following definitions shall apply:

- (1) ‘agglomerated stone’ means an industrial product manufactured from a mixture of aggregates of various sizes and natures (generally coming from natural stones), sometimes mixed with other compatible materials, additions and binder. For the purposes of this Decision, the term ‘agglomerated stone’ shall only apply to products using a resin-based binder, and not to products using a hydraulic cement-based binder (the latter case products are considered in this Decision under the term ‘pre-cast concrete’).

- (2) ‘ceramic’, for the purposes of this Decision, means a material based on clay materials and/or other non-metallic inorganic materials (possibly with some organic content) whose characteristic properties of high strength, wear resistance, long service life, chemical inertness, non-toxicity and resistance to heat and fire are a consequence of a carefully optimised time-temperature transformation occurring during firing operation in a kiln.
- (3) ‘floor tile’ means a flat, usually square or rectangular shaped tile within standardised dimensional ranges, which may be shaped by extrusion, by direct moulding or be cut to size from slabs. When laid together, floor tiles form the facing layer of internal or external floor structures that is normally intended to be visible to and/or come into contact with users of the floor area.
- (4) ‘kerb’ means straight or curved units within standardised dimensional ranges, which may be chamfered and/or sloped on the facing edge and whose primary purpose is to separate surfaces of the same or different levels, for example as edging to a road or footpath.
- (5) ‘kitchen-worktop’ means a work surface, directly moulded or cut to size from slabs and fixed to a structure either mechanically or by means of specific adhesives that is primarily intended to be used for preparing food.
- (6) ‘masonry unit’ means a preformed brick or block, within standardised dimensional ranges and with or without void spaces, intended for use in masonry construction and that may be joined using mortar, adhesives or interlocking mechanisms. The term extends to ‘common units’ (where no faces of the unit are intended to be left visible), ‘facing units’ (where one or more faces are left visible and may be exposed to external climatic conditions or be in contact with soil and ground water), ‘exposed units’ (where the unit is exposed to external climatic conditions or be in contact with soil and ground water without render or other equivalent protection) and ‘two-part units’ (where the unit has different facing and backing concretes).
- (7) ‘natural stone’ means a piece of naturally occurring rock as per EN 12670<sup>5</sup>;
- (8) ‘ornamental stone’ (or dimension stone) means, for the purposes of this Decision, natural rock material quarried for the purpose of obtaining large blocks or slabs that meet specifications as to size and shape for building or decorative purposes. Ornamental or dimension stone blocks are normally intermediate products that are cut and finished in transformation plants. The principle rock types are granite, limestone, marble, sandstone and slate.
- (9) ‘paver’ means units within standardised dimensional ranges that are rectangular or any other shape that allows them to be laid in a repeating pattern in the surface course of a flexible pavement or rigid pavement. They may be joined using mortar, adhesives or interlocking mechanisms.
- (10) ‘Portland cement’ means a hydraulic binder, i.e. a finely ground inorganic material which, when mixed with water, forms a paste which sets and hardens by means of hydration reactions and processes and which, after hardening, retains its strength and stability even under water.
- (11) ‘precast concrete’ means products made of concrete and manufactured in accordance with specific product standards in a place different from the final destination of use, protected from adverse weather conditions during production and which is the result of

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<sup>5</sup> EN 12670:2019. Natural stone – Terminology.

an industrial process under a factory production. For the purposes of this Decision, the term precast concrete shall include single and dual-layered ‘terrazzo tiles’, as per EN 13748-1:2004 and 13748-2:2004<sup>6</sup>.

(12) ‘roofing tile’ means products for discontinuous laying on pitched roofs

(13) ‘table top’ means the top part of a piece of table furniture, directly moulded or cut to size from slabs, and fixed to a table structure either mechanically or by means of specific adhesives that is primarily intended to provide a surface where users can rest, sit, eat, study or work, indoors or outdoors, and in domestic or non-domestic environments.

(14) ‘vanity top’ means a surface, directly moulded or cut to size from slabs, and fixed to a structure either mechanically or by means of specific adhesives, that is primarily intended to be used in domestic bathrooms, non-domestic bathrooms or similar uses where personal hygiene practices are regularly carried out (e.g. splash zone).

(15) ‘wall tile’ means a thin, usually square or rectangular shaped tile within standardised dimensional ranges, which may be shaped by extrusion, by direct moulding or be cut to size from slabs. When laid together, wall tiles form the facing layer of interior or exterior facing wall structures that is normally intended to be visible to and/or come into contact with passers-by.

### Article 3

In order for a product to be awarded the EU Ecolabel under Regulation (EC) No 66/2010 for the product group ‘hard coverings’, it shall fall within the definition of that product group as specified in Article 1 of this Decision, shall comply with all of the mandatory requirements of the criteria and shall obtain at least the required minimum number of relevant scoring points as set out in the Annex to this Decision.

### Article 4

The EU Ecolabel criteria for the product group ‘hard covering products’ and the related assessment and verification requirements shall be valid until 31 December 2028.

### Article 5

For administrative purposes, the code number assigned to the product group ‘hard covering products’ shall be ‘XX’.

### Article 6

Decision 2009/607/EC is repealed.

### Article 7

1. Notwithstanding Article 6, applications submitted before the date of adoption of this Decision for the EU Ecolabel for ‘hard coverings’, as defined in Decision 2009/607/EC shall be evaluated in accordance with the conditions laid down in Decision 2009/607/EC.

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<sup>6</sup> EN 13748-1:2004: Terrazzo tiles – Part 1: Terrazzo tiles – Part 1: Terrazzo tiles for internal use. And EN 13748-2:2004: Terrazzo tiles – Part 2: Terrazzo tiles for external use.

2. Applications for the EU Ecolabel for products falling within the product group 'hard covering products' submitted on or within **two months** from the date of adoption of this Decision may be based either on the criteria set out in this Decision, or on the criteria set out in Decision 2009/607/EC for the product group 'hard coverings'. Those applications shall be evaluated in accordance with the criteria on which they are based.

3. EU Ecolabel licenses awarded on the basis of an application evaluated in accordance with the criteria set out in Decision 2009/607/EC may be used for **12 months** from the date of adoption of this Decision.

#### *Article 8*

This Decision is addressed to the Member States.

Done at Brussels,

*For the Commission*

**Virginijus Sinkevičius**

*Member of the Commission*