



European
Commission

EU Ecolabel criteria revision for growing media and soil improvers

*Feedbacks to draft criteria
proposed during the public
consultation in July 2021*

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Contents

1	Introduction.....	3
2	General comments	4
3	Definitions.....	9
4	Scope	19
5	Criterion 1. Components.....	20
5.1	Criterion 1.1 Organic components of the final product.....	21
5.2	Criterion 2.1. Energy consumption and CO ₂ emissions.....	31
5.3	Criterion 2.2. Sources of mineral extraction.....	35
5.4	Criterion 2.3. Mineral growing media use and after use.....	39
6	Criterion 3. Recycled/recovered materials in growing media.....	41
7	Criterion 4. Restricted substances	45
7.1	Criterion 4.1. Limits for heavy metals.....	46
7.2	Criterion 4.2. Limits for Polycyclic Aromatic Hydrocarbons (PAHs).....	52
7.3	Criterion 4.3. Restrictions on substances classified [...].	52
7.4	Criterion 4.4. Restrictions on substances of very high concern.....	53
7.5	Criterion 4.5. Pathogens.....	54
8	Criterion 5. Fitness for use.....	56
8.1	Criterion 5.1. Stability.....	56
8.2	Criterion 5.2. Physical contaminants.....	57
8.3	Criterion 5.3. Organic matter and dry matter.....	57
8.4	Criterion 5.4. Viable weed seeds and plant propagules.....	60
8.5	Criterion 5.5 Plant response.....	60
9	Criterion 6. Growing media features.....	61
10	Criterion 7. Provision of information.....	63
11	Sampling and testing frequency.....	65

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1 Introduction

This document contains the consolidated feedbacks collected during the public consultation on the proposal for the revision of EU Ecolabel criteria for growing media soil improvers, and mulch (Commission Decision (EU) 2015/2099). The consultation lasted two months from the 20 July to 19 September 2021.

DG JRC collected all comments received on BATIS and via other means. The comments have been anonymized and ordered by sections.

DRAFT

2 General comments

Subject	Comment	JRC response
<p>Product description Packaging and size</p>	<p>Products sold in large volumes to be delivered in bulk by truck should be clearly included in the scope of the decision. This is very useful for participation in public green tenders.</p>	<p>ACCEPTED</p> <p>The proposed revised scope does not specify the form in which the product ought to be traded e.g. sold in packaging or unpacked and traded in bulk. Product sold unpacked is therefore not excluded from the scope.</p> <p>The verification of the provision of product labelling states that “The applicant shall declare that the product complies with this criterion and provide the Competent Body with the text of the user information written on the packaging or on accompanying fact sheets.”</p> <p>Additional clarification will be added to the User Manual.</p>
<p>Criteria validity</p>	<p>In former regulation EU 2015(2009 the duration of criteria + assessment requirements were valid for 4 years – due to “innovation cycle of products” this time is doubling. Maybe such a long time could hinder dynamic development of products.</p>	<p>ACKNOWLEDGED WITH COMMENT</p> <p>The doubling of the revision cycle from 4 to 8 years does not mean that the revision cannot formally start before as long as the request for the quicker revision is substantiated i.e. by the product dynamic development. The longer validity period allows to stimulate the uptake of the scheme given that potential applicant will feel more secured without the constant on-going changes. The general approach is therefore to establish 8 years of duration with a mid-term assessment on the 4th year. In this case, based on stakeholders’ feedback the EUEB together with the Commission will evaluate the need to start the revision before the end of the validity of the criteria.</p>

Subject	Comment	JRC response
Criteria validity	<p>PROPOSAL: change 2030 to 2026</p> <p>RATIONALE:</p> <p>We are concerned about the greatly increased validity of the criteria, compared to previous criteria which were for 4 years. In the light of the fact that this revision is a limited revision with shortened procedure, and that during the meetings of the working group there were unresolved controversies, but it was stated that these criteria could be modified quite soon at the next revision, we consider that this validity should be reduced to 2026. By that time, it will be possible to evaluate the effects on the market of the new FPR as well as the considerable changes proposed in this “limited” revision.</p>	<p>REJECTED</p> <p>See above</p>
Transition period	<p>The transition period seems to be short regarding to adoption processes needed in practice.</p>	<p>ACKNOWLEDGED</p> <p>Unless there are indications that industry need to specifically adapt to the proposed criteria set, 12 month is a standard timeframe indicated for the adaption of the new criteria set. Specific situation might include i.e. accommodation of technology changes, longer time to accommodate the market response, etc</p>

Subject	Comment	JRC response
<p>Aims of the criteria</p> <p>Text reads:</p> <p>“The EU Ecolabel criteria target the best growing media and soil improvers on the market, in terms of environmental performance.</p>	<p>Criteria should be based on Sustainable Development criteria which include economic and social criteria. Economical criteria are disregarded despite the requirement that the applicant shall provide the Competent Body with a valid test conducted in accordance with the testing procedure indicated in EN 16086-1. A valid test does not ensure a positive result!</p> <p>Note: An important aspect which the criteria neglect is that a growing medium with a low environmental footprint, but a poor agronomic (economical) efficiency is per definition not sustainable. Definitely, some of the Ecolabel awarded growing media fall into this category.</p>	<p>ACKNOWLEDGED</p> <p>Art 6. of EU Ecolabel Regulation specifies that EU Ecolabel criteria shall be determined on a scientific basis considering the whole life cycle of products. In particular criteria should consider the most significant environmental impacts, in particular the impact on climate change, the impact on nature and biodiversity, energy and resource consumption, generation of waste, emissions to all environmental media, pollution through physical effects and use and release of hazardous substances.</p> <p>Indeed, according to Art 6. Point 3 (e): where appropriate, social and ethical aspects, e.g. by making reference to related international conventions and agreements such as relevant ILO standards and codes of conduct. The social requirement is especially relevant for the product that is outsourced and subjected to the intensive trading. According to the knowledge if the authors this is not the case of soil improvers and growing media.</p>
<p>Assessment and verification</p> <p>“...laboratory compacted bulk density).</p>	<p>The revised EN 13040 will read ‘laboratory compacted bulk density’ because not all materials will be compacted for the determination of the laboratory bulk density.</p>	<p>CLARIFICATION</p> <p>The assessment and verification need to rely on established standards, if available e.g. samples shall be prepared according to EN 13040 (Soil improvers and growing media).</p>

Subject	Comment	JRC response
<p>General Inclusion of growing media</p> <p>mineral</p>	<p>The Green Deal and the Circular Economy Action Plan focus on recycling source-separated organic wastes to land. The EU Ecolabel is an appropriate quality indicator to achieve this goal. It was developed at the end of the 1990s to promote the recycling of organic wastes into high-quality products for the land, at a time when no Europe-wide harmonising structure existed.</p> <p>Against this general aim, mineral growing media do not have their place in the EU Ecolabel. They are manufactured through intensive use of use non-renewable resources and energy. These media are often used in hydroponic systems which are inconsistent with sustainable production. The Organic Production Regulation excludes hydroponic systems from organic production.</p> <p>If the Commission wishes to continue to include mineral GM in the EU Ecolabel, it is important to ensure that the requirements are strict.</p> <p>We support the move towards an alignment of acceptable contaminant levels between SI and GM. Up to now, the criteria have not only allowed higher heavy metal levels in GM but have permitted them to be measured by their “bio-available” content, meaning that their full content could be alarmingly high. We are pleased that this inequality, detrimental to the environment, is being addressed, and we hope that the next revision will see either exclusion of these materials or their alignment with organic matrices.</p> <p>Similarly, it is important that mineral GM, which are not intended to be added to soil, be collected and recycled. EEB/BEUC strongly support an increase in the minimum recycling rate from 70% to 80%.</p>	<p>ACKNOWLEDGED</p>

Subject	Comment	JRC response
Harmonisation with Regulation EU 2019/1009 (FPR)	<p>We welcome a certain harmonisation with the Fertilising Products Regulation (FPR), while agree that there should be divergence on some points.</p> <p>Ecolabelled products are not necessarily allowed access to the whole EU market, they may be for the national market. It is therefore unnecessary to submit a product seeking an Ecolabel for the national market to the whole gamut of requirements of the Fertilising Products Regulation (FPR).</p> <p>In addition, there are some requirements where the EU Ecolabel may wish to be stricter than the FPR.</p>	ACKNOWLEDGED
Page 3 Article 4 Editorial	Change “improvers” to “improvers”	ACCEPTED
Page 1 Aims of the criteria Explanation	EEB/BEUC appreciate the introductory paragraphs which explain the aims of these criteria.	ACKNOWLEDGED
Aims of the criteria Agronomic effectiveness should be considered.	The “environmental performance” should cover the whole life cycle (as indicated in the text). This means that criteria should include agronomic value of the product: does it effectively contribute to production of crops (quality, quality) either directly (by providing nutrients or a growing substrate) or indirectly by encouraging soil health and active rhizome.	<p>CLARIFICATION</p> <p>The hotspots of the product group based on the life cycle assessment (LCA) evidence were identified during the previous revision process¹. The current projects seeks to analyse the validity of the current criteria, and if necessary their update. Evaluation of the agriculture value chain(s) for the product group constitutes the scope of separated study.</p>

¹ For the detailed LCA analysis and hotspots identification please see: [Rodriguez Quintero et al, 2015](#)

3 Definitions

Subject	Comment	JRC response
Definition (8) “Material recovery” and (11) Recovery	All definitions related to EU 2008/98 should be aligned with the definitions set in EU-2008/98	ACKNOWLEDGED
Definition (6) Fiberisation of wood fibres	<p>Definition based on mechanical-thermal extrusion / treatment of wood chips by temperatures of > 150°C is not in line with the Commission Delegated Regulation (C(2021) 4250 final) and their ‘ANNEXES to the COMMISSION DELEGATED REGULATION amending, for the purpose of adaptation to technical progress, Annexes I, II, III and IV</p> <p>to Regulation (EU) 2019/1009 of the European Parliament and of the Council laying</p> <p>down rules on the making available on the market of EU fertilising products</p>	ACCEPTED

Subject	Comment	JRC response
Definitions (7), p.4	<p>(7) “Mineral growing medium” means a growing medium composed in majority by mineral components.</p> <p>Explanation: Mineral growing media are composed of more than 90% of mineral wool fibres, the material balance is composed of a cured binder helping the product to sustain its properties.</p> <p>Suggestion to add the definition of soil improver in line with Regulation EU 1009/2019 FPR regulation – Annex1 – Part 2 – PFC 3: A soil improver shall be an EU fertilising product the function of which is to maintain, improve or protect the physical or chemical properties, the structure or the biological activity of the soil to which it is added.</p> <p>Suggestion to add the definition of inorganic soil improver in line with EU 1009/2019 – annex 1 – Part 2 – PFC 3(B): An inorganic soil improver shall be a soil improver other than an organic soil improver</p> <p>Suggestion to add the definition of Growing Medium in line with EU 1009/2019 FPR regulation – annex 1 – Part 2 – PFC(4): A growing medium shall be an EU fertilising product other than soil in situ, the function of which is for plants or mushrooms to grow in.</p>	<p>REJECTED</p> <p>The EU Ecolabel, unlike FPR, does not establish the distinction between organic and non-organic soil improvers. According to Criterion 5.3. organic matter as loss on ignition of soil improver shall not be lower than 15% dry mass (% DM) or 8.5 % of organic carbon (Corg) content by mass. The dry matter content of the product shall not be lower than 25% fresh weight (% FW).</p> <p>There was general agreement in the sub-group meeting of 4th June that it would be better to leave the term “soil improver” as in the present criteria. If the term “organic soil improver” is not used in the EU Ecolabel, there is no need to define it or to align the definition to the FPR.</p>
Annex: definitions page 4	<p>Specify that the definition for bio-waste is similar as in the Waste Directive.</p> <p>(3) ‘Bio-waste’ means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises and comparable waste from food processing plants [according to the Waste directive]</p>	ACCEPTED

Subject	Comment	JRC response
Definition Page 4 (10)	Replace “constituents” with ‘components’. Check the whole document. Sometimes the term ‘ingredients’ is used which is also confusing.	ACCEPTED WITH COMMENT The term “constituents” is replaced with ‘components’. Nevertheless, for the requirement on the provision of information, the use of term ingredient is harmonised with terminology of the FPR. It refers to components and substances and mixtures use in a final product.
Definition Page 4	A definition for the term ‘organic’ is missing. Please insert.	ACCEPTED WITH COMMENT More specific definition of organic component is proposed
Definition of “component”	<p>This definition can be too restrictive for products that do not fall under the scope of the regulation EU 2019/1009 (FPR). Indeed, this regulation does not repeal any existing European or national regulation in relation with growing media or soil improvers. In this context, it will remain a possibility to place growing media or soil improvers on the market under national regulation. In that case, there is no obligation to fulfil with the requirements of the FPR in terms of CMC. Restricting the definition of components to the definition of CMC will not enable products placed on the market under national regulations to fulfil with the Ecolabel criteria.</p> <p>Proposal : ‘Component’ means the input material that is used as an ingredient of the product and :</p> <ul style="list-style-type: none"> - that complies with the requirement for Component Material Categories (CMCs) specified in Annex II to Regulation (EU) 2019/1009 of the European Parliament and of the Council(3) for products placed on the market under this regulation - that complies with the requirement specified in the corresponding regulation for products placed on the market under national rules. 	<p>REJECTED</p> <p>The EU Ecolabel establishes pass/fail requirements.</p> <p>The stringency level across national regulations might not be comparable, and so would represent different ambition level for different countries.</p> <p>The PREAMBLE to the proposed Annex: the product must meet all respective legal requirements of the country (countries) in which the product is intended to be placed on the market. (...)</p> <p>Referring to the provision of the FPR when establishing the base for the criteria e.g. definitions) allows to introduce the level playing field for all companies across and outside the EU. The EU Ecolabel criteria might be similar in some aspects but are not reproducing the requirements laid down in FPR.</p>

Subject	Comment	JRC response
<p>Page 4</p> <p>Definition (4)</p> <p>Bio-waste definition</p>	<p>There is a contradiction with the Waste framework Directive 2019. The term “bio-waste” is generally used by experts and professionals of this sector to cover all organic/compostable waste from households (apart from paper and cardboard going to recycling).</p> <p>This term was coined in 2008 to distinguish this stream of organic waste from other streams such as agricultural and forestry waste and sewage sludge. However, some countries are interpreting the term in a very restrictive sense, covering, apart from garden waste, only food and kitchen waste from households (as marked in the original definition). This excludes other compostable household waste commonly collected with food and kitchen waste such as paper hankies, pot plants, plant-based litter from domestic animals, small amount of paper or cardboard soiled with food etc.</p> <p>Article 22 of the Directive 2008/98/EC updated in 2018, mentions that waste with similar biodegradability and compostability properties may be collected together with bio-waste. Clearly, it is not expected that this waste will be separated from the bio-waste, so it is important to clarify the fact that the “similar” waste can be assimilated to bio-waste for practical purposes.</p> <p>It would be helpful to remove this uncertainty, possibly by modifying the definition of bio-waste in the Directive, but this is outside the scope of the Ecolabel.</p> <p>PROPOSAL</p> <p>Either a) modify the definition (4) ‘bio-waste’ by adding at the end “and similar waste from households collected together with bio-waste”, OR</p> <p>b) modify criterion 1.1 (b) to read “materials derived from the recycling of the bio-waste including similar household waste from separate collection...”</p>	<p>ACCEPTED WITH CLARIFICATION</p> <p>Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste (OJ L 150, 14.6.2018, p. 109–140) defines bio-waste as ‘<i>biodegradable garden and park waste, food and kitchen waste from households, offices, restaurants, wholesale, canteens, caterers and retail premises and comparable waste from food processing plants;</i>’</p> <p>The definition of bio-waste is proposed to accordingly harmonise. As suggested by the comment, it is considered appropriate to include waste that can be assimilated to bio-waste, thus the definition will be expanded to “and similar waste from households collected together with bio-waste”</p>

Subject	Comment	JRC response
Page 4 –Definitions (4) “Bio-waste” Coherence with existing regulation	“Bio-waste” is defined in the Waste Framework Directive (WFD). We suggest to refer to this definition, not to include here a different text (delete the definition here and refer to the WFD definition). Unless we are mistaken, the WFD definition includes “from offices” whereas the proposed text page 4 does not. If the WFD is updated, then further discrepancies may develop. This will lead to confusion and is not helpful.	ACCEPTED See above
Page 4 –Definitions (4) “Bio-waste” Unjustified exclusion of secondary material	What is the justification of exclusion of food and kitchen wastes from “offices” in the EU Ecolabel?	CLARIFICATION See above

Subject	Comment	JRC response
<p>Page 4 Definition (9) Organic soil improver definition</p>	<p>PROPOSAL: Remove this definition.</p> <p>RATIONALE</p> <p>It is essential to modify this definition. The inclusion in the Fertilising Products Regulation of “95% of solely biological origin” was a mistake for the following reasons:</p> <p>1) It is unclear what the definition actually means. What is biological origin? When plants are composted, there is often soil on their roots: soil is not usually considered as of biological origin. How will it be measured?</p> <p>2) Compost, which is commonly the main ingredient of a soil improver, cannot necessarily prove that it consists of material 95% of which is of biological origin.</p> <p>3) Keeping the reference to 95%, means that any soil improver with 94% or less of biological origin would have to be labelled as “inorganic”. Many soil improvers are a blend between compost and sand or another mineral substrate, added to improve physical or other properties. They are still considered as “organic” soil improvers. To call them “inorganic” would make no sense: it would be untrue and would confuse producers and consumers.</p> <p>4) The present Ecolabel criteria cover organic soil improvers and not liming materials, even if “organic” is not specified. There are no inorganic soil improvers within the label. It would be inappropriate to modify the scope without discussion.</p> <p>67) There was general agreement in the sub-group meeting of 4th June that it would be better to leave the term “soil improver” as in the present criteria. If the term “organic soil improver” is not used in the EU Ecolabel, there is no need to define it or to align the definition to the FPR.</p>	<p>ACCEPTED</p> <p>Following agreement of technical sub-group the definition of organic soil improvers was removed.</p> <p>Additionally, to address ambiguity of the current definition of organic components, the revised definition has been proposed. It was consulted with the technical sub-group after the closure of the open-consultation.</p> <p>CLARIFICATION to point 4)</p> <p>There are no changes in the scope of the product group. The only change is incorporation of mulch as soil improvers sub-category.</p> <p>During the previous revision, the specific exclusion was considered relevant to avoid misunderstanding of the phrase: to improve the physical or chemical properties. Hence Liming materials are excluded from soil improvers category (Art 2.(b))</p> <p>Additionally, liming material according to FPR (PFC 2), is an EU fertilising product the function of which is to correct soil acidity.</p> <p>The additional clarification on exclusion might indeed be introduced into the UM, if requested.</p>

Subject	Comment	JRC response
Definition of Organic soil improver	This definition can be too restrictive too, if the definitions in national regulation are not exactly the same than in the FPR. It could exclude some product that are currently covered by the Ecolabel, put on the market under national rules.	ACCEPTED See above
Page 4 –Definitions (9) “Organic soil improver Define what is meant by “solely biological origin”.	<p>This was discussed in the EU Fertilising Products Regulation 2019/1009 (FPR), because crude oil and sedimentary mineral phosphate rock (amongst others), and hence most synthetic plastics and mineral phosphate fertilisers (derived from sedimentary rock phosphate and from sulphuric acid from crude oil refining), are both of “solely biological origin”.</p> <p>The FPR (in Annex I) clarifies the term “of solely biological origin” as follows: “An organic fertiliser may contain peat, leonardite and lignite, but no other material which is fossilized or embedded in geological formations.”</p> <p>We do not know whether your intention is to include peat here or not, and this is not ESPP’s competence (ESPP has no position on peat, because it does not significantly contain phosphorus). We do however suggest that you make a similar clarification to that in the FPR to exclude fossilised biological materials, such as crude oil and sedimentary rock phosphate, because these can be considered to be of “solely biological origin”.</p> <p>If peat is excluded, it should be clear that this exclusion refers to deliberate addition of “new” peat, not to “secondary peat” (e.g. in the root ball of an end-of-life plant).</p>	ACCEPTED The revised definition of organic components has been proposed.

Subject	Comment	JRC response
<p>Pages 4 and 5</p> <p>Definition of "Organic"</p>	<p>The term "organic" is not defined in the definitions pages 4-5. Only "Organic soil improver" is defined.</p> <p>What is the definition therefore of "organic" as used for example in Criterion 1.1 (introduction "organic components of a final product ..."; point (j) "any other organic component ...")? Does the 95% "solely biological origin" requirement apply when the term "Organic" is used in Criterion 1.1? Is a biochar (produced entirely from biological materials) considered "Organic", if it contains 70% organic carbon based materials and 30% mineral materials ?</p>	<p>ACCEPTED</p> <p>The revised definition of organic component has been proposed</p> <p>Additional reference to CMC 14 has been introduced under criterion 1.1.</p>
<p>Inorganic Mulches</p>	<p>The PUBSY technical report explains (page 32) that inorganic mulches are not permitted in the EU Ecolabel. It would seem logical to extend that restriction to all soil improvers. It is understood to be the case. Has there been any problem with misunderstanding of the present criteria on this point?</p>	<p>CLARIFICATION</p> <p>During the previous criteria revision, it was concluded that soil coverings with stone chips or pebbles might have the same function as a semi-permanent covering and, although this would suppress weeds and retain moisture, it is not mulch, as it has a decorative function. For this reason, an inorganic materials and especially extracted minerals are not permitted to be present in the EU Ecolabel mulch (Rodrigues-Quintero et al, 2015). The incorporation of mulches into soil improvers categories clearly specifies that the function of the product is to maintain or improve its physical and/or chemical and/or biological properties, with the exception of liming materials.</p> <p>Soil improvers needs to meet requirement 5.3. on minimum content of organic matter. It is straightforward that criteria target organic soil improvers</p>

Subject	Comment	JRC response
Definitions, p.4	<p>Suggestions to add the definition of soil improver in line with Regulation EU 1009/2019 FPR regulation – Annex1 – Part 2 – PFC 3: A soil improver shall be an EU fertilising product the function of which is to maintain, improve or protect the physical or chemical properties, the structure or the biological activity of the soil to which it is added.</p> <p>Suggestion to add the definition of inorganic soil improver in line with EU 1009/2019 – annex 1 – Part 2 – PFC 3(B): An inorganic soil improver shall be a soil improver other than an organic soil improver.</p> <p>Suggestion to add the definition of Growing Medium in line with EU 1009/2019 FPR regulation – annex 1 – Part 2 – PFC(4): A growing medium shall be an EU fertilising product other than soil in situ, the function of which is for plants or mushrooms to grow in.</p> <p>Explanations: such definitions would clarify the meaning of the products.</p>	<p>PARTIALLY ACCEPTED</p> <p>The revised definition are now largely harmonised with those established by the FPR. The key difference is the removal of the reference to “EU fertilising product”. ‘As stipulated by Art 2 point (2) of Regulation (EU) 2019/1009 (FPR): <i>EU fertilising product</i>’ means a fertilising product which is CE marked when made available on the market. Accordingly, defining the EU Ecolabel growing media or soil improver products as EU fertilising product would allow to address by the scope only these product that are CE marked. This is not an intention of the current revision.</p> <p>There was general agreement in the sub-group meeting of 4th June that it would be better to leave the term “soil improver” as in the present criteria. If the term “organic soil improver” is not used in the EU Ecolabel, there is no need to define it or to align the definition to the FPR.</p>
Page 4 Definition (10) Product family	<p>Is it necessary to define “product family”?</p> <p>If it is to be defined, we do not think that the proposed definition is adequate. The family refers to the end use rather than to the constituents. Two soil improvers may have totally different constituents but still have a similar effect on the soil.</p> <p>PROPOSAL</p> <p>Remove this definition</p>	<p>REJECTED</p> <p>Referring to “product family” is relevant for the clarity purposes. Appendix 1 and 2 to the Annex specify the testing frequency rules. Referring to the product family and annual input/output simplify the way to communicate what is requested from the applicant. It also streamline the calculations included in the UM.</p>

Subject	Comment	JRC response
<p>Page 5 – Definitions (13) “total organic carbon (TOC)”.</p> <p>Coherence with other regulation</p>	<p>We suggest to ensure coherence with the definition of “organic carbon” content in fertilisers in the FPR 2019/1009 Annex III (labelling) part II, PFC1 point 4 (definition of the term ‘Mineral Fertiliser’: organic carbon < 1%).</p> <p>Also refer to the European Standard “European Standard: Organic fertilisers - Determination of the organic carbon content” (to be based on EN 15936 or VDLUFA method), currently under development in the FPR standards development mandate to CEN (verify with DG GROW for status and update).</p>	<p>REJECTED</p> <p>PFC1 is out of the scope of the product group growing media and soil improvers. According to FPR organic carbon (Corg) content in an organic soil improver shall be at least 7.5 % by mass.</p>
<p>Definitions (7), p.4</p>	<p>(7) “Mineral growing medium” means a growing medium composed in majority by mineral components.</p> <p>Explanation: Mineral growing media are composed of more than 90% of mineral wool fibres, the material balance is composed of a cured binder helping the product to sustain its properties.</p>	<p>REJECTED</p> <p>The definition used for mineral growing media has not been updated/changed, this means that it reflects the currently valid definition established by Commission Decision (EU) 2015/2099. No standardised definition of mineral growing media that could support the proposal has been found.</p>

4 Scope

Subject	Comment	JRC response
Non- inclusion in the scope	<p>As manufacturer of fertilising products, including organic based fertilisers and biostimulants, we regret that these products are not covered by the scope of the Ecolabel criteria.</p> <p>Indeed, with the entry into force of the Fertilising Product Regulation (REU 2019/1009), there will be a requirement that environmental claims can be done only if a legislation or guidelines enable them. Therefore, only growing media and soil improver will have the possibility to claim their sustainability or the respect of the environment.</p>	ACKNOWLEDGED
Non- inclusion in the scope	<p>We still regret that the scope of Ecolabel is unchanged. Most of the changes proposed in the annex are related to the new FPR UE 2019/1009. It would have been a great opportunity for Ecolabel to enlarge the scope to all fertilizers included in the FPR, especially organic and organo-mineral fertilizers! Like that, visibility and notoriety of Ecolabel would have been drastically improved!</p>	ACKNOWLEDGED
Article 1 Scope	<p>We generally support the proposal to delete the category "organic mulch" in order to put it as a subcategory of the category "organic soil improvers" in an effort to harmonise the different classifications.</p>	ACKNOWLEDGED

5 Criterion 1. Components

Subject	Comment	JRC response
Peat exclusion	Denmark suggests to keep the present wording and set a strict ban on using peat. This will enable license holders (and CB 's) to communicate more clearly in regard to peat. An alternative could be the following wording "Peat shall not be intentionally added to any ingoing components or the final product". Referring to the example in the Technical report (p31) this will not hinder peat from being a part of the input to the compost, but peat can not be added to the final compost and then this will be used as a "component" to the final product.	ACKNOWLEDGED WITH CLARIFICATION <u>There is no change in the subject matter of the requirement, in this sense: peat shall not be used in EU Ecolabel product.</u> Nevertheless, JRC recognises the situation in which peat might be present in a product as being used as an additive during the composting process. Controlling of using peat as an additive is out of the control of a potential applicant.
Text reads: "A final product shall not contain intentionally added peat."	<p>The text refers to composts that in many cases will contain peat. The peat will be part of the input material (e.g. root balls of disposed potted plants) used to manufacture a compost.</p> <p>Since the publication of the 1st edition of the ecolabel criteria peat has been excluded as a growing media component. For that reason, the ecolabel has never gained relevance within the industry and ecolabeled growing media will never come close to becoming mainstream. This is a missed opportunity because peat is the only component that can dilute the negative characteristics of composts and other secondary materials on a large scale.</p> <p>Unfortunately, during the stakeholder consultation the discussion on Responsibly Produced Peat (RPP) was strictly rejected. We doubt that the responsible editors of the criteria and the internal services of the EC are even aware of the RPP scheme. The RPP scheme requires certifies peat only if it comes from degraded peatlands which are usually and currently used for agriculture. These agriculture areas constantly emit GHG and most likely will not be rewetted/restored. So they will emit until the peat layer is totally decomposed. Scientific evidence shows that it is more reasonable to use the peat from such areas than to just let it decompose and emit CO2.</p> <p>The acceptance of RPP-certified peat in the criteria would surely promote the use of recycled materials – an objective of the Ecolabel.</p>	ACKNOWLEDGED

5.1 Criterion 1.1 Organic components of the final product

Subject	Comment	JRC response
<p>Criterion 1.1 Coherence with EU Fertilising Products Regulation 2019/1009 (FPR)</p>	<p>Most of the text in Criterion 1.1 points (a) – (i) seems to be copied from the FPR Annex II (CMCs). As above, we recommend to avoid such duplication, which can lead to inconsistencies if the FPR annexes are updated. In this case, this is particularly logical in that point (j) states that “any other organic material complying with ... Annex II” [of the FPR] is also eligible.</p> <p>We suggest to therefore simply state for Criterion 1.1 that any organic material complying with annex II of the FPR is eligible.</p>	<p>CLARIFICATION</p> <p>The admitted list of organic components mainly corresponds with CMC 2 (Plants, plant parts or plant extracts), CMC3 (Compost), CMC4 (Fresh crop digestate), CMC5 (Digestate other than fresh crop digestate, and CMC6 (Food industry by-products). Addition of CMC14 has also been proposed. In principle, it ensures the consistency with requirements regulated under the FPR. The revision does not introduce major changes in a list of components that are admitted/excluded under EU Ecolabel scheme at the moment, but rather accommodates the currently valid requirement (Criterion 2) to the specification, terminology, and regulatory changes established by the FPR.</p> <p>Adding the sentence: <i>Any other organic component materials complying with the requirements specified in Annex II to Regulation (EU) 2019/1009 of the European Parliament and of the Council</i> is meant to address a dynamic nature of a list of component materials admitted under the FPR, the following components category is proposed to be added. To accommodate the misleading structure of the requirement that was notified, we propose add more specific definition of what is organic components under the Meaning of Commission Decision that establishes EU Ecolabel criteria for the given product group</p>

Subject	Comment	JRC response
Criterion 1.1.	<p>We support the modification and the fusion of the previous Criterion 1 and 2 under the common denominator Components, and the modification of the list of authorised components.</p> <p>Indeed, we are in favour of excluding materials from sludge recycling for which European regulations provide for rules on not mixing with source-separated waste and whose image is incompatible with the ambition of a quality label.</p> <p>However, the text of the Criterion 1.1 seems to be a copy of Annex II of the new Regulation No 2019/1009. To avoid inconsistency, if the text of the new Regulation is to evolve, we propose to simply refer to the new regulation n°2019/1009 in Criterion 1.1 by indicating that any material of organic origin complying with Annex II of regulation n°2019/1009 is eligible.</p>	<p>CLARIFICATION</p> <p>See above.</p>
<p>Criterion 1.1 Post- processing of compost, digestate</p>	<p>We note that Criterion 1.1 specifies that the listed (organic) materials are eligible if unprocessed or after “biological transformation through anaerobic digestion or composting” but that this excludes pyrolysis / biochar materials.</p> <p>We suggest that this is unclear or possibly misleading. The materials cited will often undergo some kind of processing before use in growing media or soil improvers: solid-liquid separation, drying, sieving, grinding or chopping ...</p> <p>Coherent with the FRP, we suggest to specify that materials can be mechanically processed as defined in Annex II, CMC2 of the FPR.</p>	<p>CLARIFICATION</p> <p>Criterion 1.1(a) accommodates plants, plant parts or plant extracts having undergone heat treatment. Here the wording has been revised and harmonised with Commission Delegated Regulation (https://op.europa.eu/en/publication-detail/-/publication/9b072a5f-d412-11eb-895a-01aa75ed71a1/language-en)</p> <p>Use of pyrolysis products are also proposed to be included CMC 14.</p>

Subject	Comment	JRC response
<p>Criterion 1.1 (b)</p> <p>Use of the term bio-waste</p>	<p>PROPOSAL</p> <p>modify criterion 1.1 (b) to read “materials derived from the recycling of the bio-waste including similar household waste from separate collection</p> <p>RATIONALE</p> <p>See explanation for page 4 definition (4)</p>	<p>ACCEPTED WITH COMMENT</p> <p>The definition of bio-waste has been modified, It is now fully harmonised with the revised WFD to accommodate the proposal i.e. <i>For the purpose of this Decision, bio-waste shall include similar waste from households collected together with bio-waste</i></p>
	<p>How does the requirements for “all organic components” according to CMC 2 parameters be proofed?</p>	<p>CLARIFICATION</p> <p>For the assessment and verification of EU Ecolabel (Criterion 1) it is necessary to The provide the Competent Body with the list of all components of the final product supported by the information about the origin of each organic component of the product and a declaration of compliance with the requirement.</p> <p>To accommodate the misleading structure of the requirement that was notified, we propose add more specific definition of organic components.</p>
<p>Allowed org. components either unprocessed from or through composting/digestion</p> <p>(e) food factory lime</p> <p>(j) any other organic component complying with requirements of Annex II CMCs</p>	<p>1. According to EU-FPR is must be clearly determined, that the material (a)Plant ..., (b) biowaste, (c) living or dead organisms, (d) ABP can only be used in the treated form by composting or anaerobic digestion.</p> <p>Here a mixture of CMC 2 and CMC 3 of EU-FPR (treated /unprocessed) is set which will lead to uncertainties. A clear new structure of these Criterium 1.1 is necessary to ensure that green waste (falls under the definition of the EU 2008/98 definition of bio-waste) is treated accordingly in composting or AD plants.</p>	<p>CLARIFICATION</p> <p>The revision does not introduce major changes in a list of components that are admitted/excluded under EU Ecolabel scheme at the moment. The admitted list of organic components mainly corresponds with CMC 2 (Plants, plant parts or plant extracts), CMC3 (Compost), CMC4 (Fresh crop digestate), CMC5 (Digestate other than fresh crop digestate, and CMC6 (Food industry by-products). it ensures the consistency with the FPR. Also CMC 14 has been proposed.</p> <p>The definitions of bio-waste and organic component have been revised.</p>

Subject	Comment	JRC response
Admitted sludge	<p>c) materials originating from mixed municipal waste; and sewage sludge should be excluded</p> <p>→ We agree that it is difficult to produce high quality products from those types of constituents, but we see a need to differentiate between sewage sludge and industrial sludges. Sludges from food and feed industry are included in the Ecolabel Decision (Commission Decision (EU) 2015/2099 of 18 November 2015 establishing the ecological criteria for the award of the EU Ecolabel for growing media, soil improvers and mulches) under Criteria 2.3 of the Annex:</p> <p>Materials derived from recycling or recovery of sludges are only allowed if the sludges comply with the following requirements:</p> <p>(a) they are identified as one of the following types of waste according to the European List of Wastes, as defined by Commission Decision 2000/532/EC (2) presented in Table 2:</p> <p>(b) they are single-source separated, meaning that there has been no mixing with effluents or sludges outside a specific production process.</p> <p>→ These sludges should be kept as input materials in the revision of the Ecolable Decision</p>	ACCEPTED

Subject	Comment	JRC response
Admitted sludge	<p>We support the exclusion of sewage sludge and dredging sludge, but do not think that the removal of some of the food industry sludges is justified.</p> <p>The criteria include molasses, vinasse etc. which are already in CMC 6 of the FPR, so are covered by the clause (j) = any other organic component materials... However, sludges from the categories 0203 05, 0205 02, 0206 03 and some of 0207 05 are not mentioned. Does this mean they are excluded, or are they in another category? Was this discussed? Have there been problems with these materials, or are there studies indicating their danger? If not, on what grounds are they excluded?</p> <p>We do not support the modification of the current scope by excluding certain food industry sludges. The term “sludge” has unpleasant connotations because of its use in “urban sewage sludge”, but in fact it is simply a term to describe the process and the material, which is neither solid nor liquid. If there are to be exclusions of materials which have been part of the Ecolabel from its beginnings, they should be justified.</p> <p>PROPOSAL</p> <p>Restore the missing food industry sludges as in table 2 of the present criteria.</p>	ACCEPTED

Subject	Comment	JRC response
Admitted sludge	<p>The current ecolabel rule allows Materials derived from recycling or recovery of sludges are only allowed if the sludges are from the agri-food industry process. But, in this revision that criterion is erased, and their use is banned based on JRC126068_Draft_Technical Report_PUBSY. However, I think it 's not based on technical or scientific criteria (healthy or safety), otherwise, it is based on legal harmonization criteria with EU fertilizers rule (Stakeholders also proposed to harmonise the requirement for sludges with the prescription of the FPR as to CMC 6 (by-products of the food industry, page 32.), and indeed it is a simple copy and paste of the EU fertilizing rule.</p> <p>As said in (5) Regulation (EU) 2019/1009does not prevent non-harmonised fertilisers from being made available on the internal market in accordance with national law and the general free movement rules of the Treaty on the Functioning of the European Union (TFEU). In view of the very local nature of certain product markets, this possibility should remain. Compliance with harmonised rules should therefore remain optional, and should be required only for products, intended to provide plants with nutrient or improve plants' nutrition efficiency, which are CE marked when made available on the market. This Regulation should therefore not apply to products which are not CE marked when made available on the market. So, we can make the best soil improvers with Ecolabel but without CE mark, allowing rural regions and SMEs development and thriving.</p> <p>The sewage sludge from the agro-food industry is a source rich in organic matter including other nutrients (N, P, etc.), even with a lower content of contaminants, mainly traces, than other materials allowed in this revision. The agri-food industry produces better sewage sludge because they don't usually use dangerous or harmful substances for processing food. I think we waste a great chance to recover these materials with a low carbon footprint to produce the best quality soil improver, which is not aligned with Circular Economy, Green Deal and Farm2Fork strategy. I mean, other components need more recovery processes, increasing the carbon footprint when we want to use them</p>	ACCEPTED

instead of sewage sludge from the agro-food industry.

We suggest keeping the current text because Ecolabel criteria are complementary and not opposite the EU fertilizers rule:

Current Criterion 2.3 Materials derived from recycling or recovery of sludges are only allowed if the sludges comply with the following requirements:

(a)they are identified as one of the following types of waste according to the European List of Wastes, as defined by Commission

Decision 2000/532/EC (5) presented in Table 2:

Table 2 Sludges allowed and their codes according to the European List of Wastes

020305 sludges from on-site effluent treatment in the preparation and processing of fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco, conserve production, yeast and yeast extract production, molasses preparation and fermentation;

020403 sludges from on-site effluent treatment in sugar processing;

020502 sludges from on-site effluent treatment in the dairy products industry;

020603 sludges from on-site effluent treatment in the baking and confectionery industry;

020705 sludges from on-site effluent treatment in the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa).

(b)they are single-source separated, meaning that there has been no mixing with effluents or sludges outside a specific production process.

Assessment and verification: The applicant shall provide the Competent Body with the information about the origin of each organic constituent of the product and a declaration of compliance with the above requirement

In my opinion, even if it keeps on maintaining the criterion of harmonization with the EU fertilizers rule with a simple copy/paste revision, maybe the Ecolabel criteria for media and soil improvers

	should be repealed, then integrated into the Regulation (EU) 2019/1009.	
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Subject	Comment	JRC response
Sludges	In the EU 2015/2009 the sludges from food, beverage, sugar processing are listed under Criterium 2,3. Table 2. These sludges should be listed again under Criterion 1.1 (see comment above).	ACCEPTED
	“Food industry factory lime” as component is in so far confusing, according to the definition of “soil improver” in Article 2, (2) which explicitly excludes liming materials.	ACCEPTED WITH COMMENT Liming material is a separated product group as reflected by the FPR, i.e. product function category (PFC 2). This product is out of scope of the product group soil improvers and growing media. By contrast, <i>Food industry factory lime</i> i.e. a material from the food processing industry obtained by carbonation of organic matter, using exclusively burnt lime from natural sources; This component is specifically mentioned as an input material of CMC 6 of FPR (Food industry by products).
	Are also polymers for water retention permissible because these are organic polymers?	CLARIFICATION The FPR does not introduce a clear definition of organic material. To add the clarity revised definition of organic components has been added.
Text reads: “...anaerobic digestion or composting”	I suggest to write ‘...composting or anaerobic digestion’ because composting is a much more applied process than digestion and composts are of higher relevance in growing media and soil improvers.	REJECTED Digestion is always anaerobic as composting is aerobic process. The oxygen supply is one of the main differences between both processes. This is why using terminology anaerobic digestion or aerobic composting seems superfluous. The terminology used is harmonised with wording established by FPR.

Subject	Comment	JRC response
<p>End point Pag 6</p>	<p>In the same way of the previous comments, the restriction of use to animal by products (ABPs) that have reached the end point can be restrictive for products under national regulations. Indeed, the requirement in the national regulations for ABPs is to be treated according to the REU 142/2011, not to have reached the end point. It would be better to enlarge the scope to also cover growing media and soil improvers containing ABPs conform to the ABP regulation and put on the market under national rules.</p>	<p>REJECTED</p> <p>Referring to national rules does not establish the level playing field across applicants that operate in different Member States. The EU Ecolabel criteria presents the pass/fail approach and need to be clearly specified independently on the national rules. Still, the Competent Body may recognize the sampling and testing frequencies within the national or regional legislation and standards as valid to ensure the compliance with the EU Ecolabel criteria of the suppliers of waste or animal by-products derived materials.</p> <p>Any animal by-product that is placed on the market as a soil improver should be compliant with Article 32 of Regulation (EC) 1069/2009.</p> <p>Additionally, as the prerequisite and as laid down in the PREAMBLE to the proposed Annex: <i>the product must meet all respective legal requirements of the country (countries) in which the product is intended to be placed on the market. (...)In case when a product constitutes or contains material of animal origin reference shall be done to microbiological standards and animal and public health controls set out in Regulation (EU) No 142/2011⁽²⁾.The applicant shall declare the product's compliance with this requirement.</i></p>

² Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive. OJ L 54, 26.2.2011, p. 1-254.

Subject	Comment	JRC response
Unprocessed materials	<p>We are concerned that any organic component may be unprocessed. This is not appropriate: shredded green waste which has not undergone biological transformation carries a high risk of spreading plant diseases.</p> <p>It appears that the Ecolabel has lifted criteria from the FPR without giving them sufficient consideration. There are some ambiguities in the FPR concerning organic components, and it may not be appropriate for the Ecolabel to copy them.</p>	<p>REJECTED</p> <p>The component category specified under Criterion 1.1a.(i.e. <i>plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, milling, fiberization, sieving, sifting, centrifugation, pressing, drying, frost treatment, freeze-drying, extraction with water or supercritical CO2 extraction, or heat treatment. For the purpose of this point, plants include mushrooms and algae and exclude blue-green algae (cyanobacteria)</i>), is meant to harmonise the terminology used with the FPR. The proposed text is meant to be more specific and to replace the following category</p> <p>– Materials derived from faecal matter, <u>straw and other natural non-hazardous agricultural or forestry material</u> as defined in Article 2(1)(f) of Directive 2008/98/EC.</p> <p>In this sense shredded green waste which has not undergone biological transformation are already accepted under the currently valid criteria. The FPR should be considered as a standard to assure product safety.</p>

5.2 Criterion 2.1. Energy consumption and CO₂ emissions

Subject	Comment	JRC response
	<p>Denmark can support the stricter requirement on CO₂-emissions and energy consumption, e.g. in the form that only the EU Energy mix shall be used and not alternative energy sources on less it is a renewable energy source build, owned and provided - within one year of the application - by the production site, where the actual energy is used. Allowing the use of so-called “green” electricity/energy provided via green certificates is not correct in an LCA perspective.</p>	<p>PARTIALLY ACCEPTED</p> <p>Limit values set by the proposed criterion 2.1 have been set back to current values due to restrictions in the current technologies, which were underlined by producers. Please, see following comments.</p> <p>Considerations about the value of the average carbon intensity (FEgrid) were accepted. The proposed criterion 2.1 now defines FEgrid as follows:</p> <p>“FEgrid is the EU average carbon intensity of the electricity grid based on Art 22, Point 3 of Commission Delegated Regulation (EU) 2019/331 (9) and equal to 0.376 tCO₂/MWh^e”.</p> <p>The previously proposed option (b) has been removed mainly because the current Renewable Energy Certificates based on Guarantees of Origin (GO) do not allow using the same approach in all Member States. Additionally, currently available GO certificates make difficult to relate the provided carbon intensity value to the specific product meant to be ecolabelled.</p> <p>This is an important aspect to be faced in the following revision of the criteria because EU-wide recognised certificates or labels could be a valid instrument to incentive the production and use of renewable energy. The European Commission is already investigating the possibility to establish an EU-wide green label with a view to promote the use of renewable energy coming from new installations.</p> <p>For more information, please consult the report from DG ENER (2021) ⁽³⁾.</p>

³ Directorate-General for Energy (European Commission), LBST, Trinomics, Öko-Institut. Technical assistance for assessing options to establish an EU-wide green label with a view to promote the use of renewable energy coming from new installations. ISBN: 978-92-76-39080-0, DOI: 10.2833/266012, Catalogue number: MJ-02-21-796-EN-N. Available at the following link: <https://op.europa.eu/en/publication-detail/-/publication/6a1261f7-d951-11eb-895a-01aa75ed71a1/language-en>

Subject	Comment	JRC response
<p>Mandatory CO2-emissions and energy consumption for expanded minerals and mineral wool manufacturing</p>	<p>This criterion only applies to mineral growing media – referring to definition, that means growing media totally composed of mineral components.</p> <p>Such criteria are not set for recycled organic materials are recovered fertilizers from organic materials (STRUBIAS products); even if these materials are mixed with mineral components these final products are not affected by the requirement determining CO2-emissions and energy consumption.</p>	<p>ACKNOWLEDGED.</p>
<p>3.4. Key environmental aspects and relation to the proposed criteria, page 19</p> <p>Criterion 2.1 Energy consumption and CO2 emissions, a.o. page 19</p>	<p>We endorse that the criteria should target the best growing media and soil improvers on the market in terms of environmental performance. The question for the stone wool growing media industry is not whether the aim is appropriate, but when targets have to be achieved. So, the timing of when to achieve these highest levels should also be taken into account. The growing media producing industry does investments for further improvement and needs time for these to be implemented.</p> <p>The proposed limit value is considered too challenging and beyond the scope of what is feasible today. By setting this new value, a positive incentive to raise the game of at least a substantial part of the industry will be out of reach.</p> <p>We recommend having a broader scope for calculating CO2 emissions by including certificates that compensate, e.g. Renewable Energy Certificates (RECs).</p> <p>Also, it should be taken into account that higher yields can be reached whilst using mineral growing media, compared to growing in soil in situ. Consequently, the total CO2 emissions per kg of produce is reduced considerably when growing with such products.</p>	<p>PARTIALLY ACCEPTED.</p> <p>Please, see answer to the first comment to this criterion.</p> <p>Additionally, the performances of the product are out of the scope of this criterion. Maybe, this aspect could be faced in the following revisions when and if the Product Environmental Footprint (PEF) analysis will be integrated in the EU Ecolabel criteria, as mentioned in the Circular Economy Action Plan (COM/2020/98 final).</p>

Subject	Comment	JRC response
<p>3.4. Key environmental aspects and relation to the proposed criteria, page 19</p> <p>Criterion 2.1 Energy consumption and CO2 emissions, a.o. page 7</p>	<p>The limit value of 0.7 t CO2/t is currently unrealistic for the mineral growing media industry. We would invite the European Commission and JRC to maintain the current threshold of 0.8 and envisage a reduction of this level in a subsequent revision of the criteria, when technological developments will make it possible. We would appreciate receiving clarification on the evidence that has motivated this proposal.</p> <p>Furthermore, we recommend having a broader scope for calculating CO2 emissions by including certificates that compensate, e.g. Renewable Energy Certificates (RECs).</p> <p>Also, it should be considered that higher yields can be reached whilst using mineral growing media, compared to growing in soil in situ. Consequently, the total CO2 emissions per kg of produce is reduced considerably when growing with such products. Mineral wool applications used as green roofs and green wall applications also help to capture carbon from the atmosphere. Such benefits could be compensated in the definition of the thresholds.</p>	<p>PARTIALLY ACCEPTED.</p> <p>Please, see answers to previous comments to criterion 2.1.</p>

Subject	Comment	JRC response
General comment	<p>Knauf Insulation endorses most of the criteria proposed by JRC and the European Commission for this proposed revision of the EU Ecolabel criteria for growing media and soil improvers.</p> <p>We support the thresholds of heavy metals defined, as this will ensure the EU Ecolabel remains the premium voluntary tool for the placing on the market of ecological growing media products.</p> <p>We would however suggest the European Commission and JRC not to amend the level of energy consumption to 0.7 t CO₂/t. Such a level would render any registration to the EU Ecolabel impossible for mineral growing media, at this moment in time. However, such a level could be proposed in a subsequent revision of the criteria when the industry will have achieved the necessary technological developments.</p>	<p>ACCEPTED</p> <p>Please, see answers to previous comments to criterion 2.1.</p>
assessment / calculation of CO ₂ emissions	<p>The CO₂ emission calculations doesn't include transport only production, this doesn't give proper picture on the total emissions</p>	<p>REJECTED</p> <p>The aim of the criterion is to assess the CO₂ emissions during the production stage. Transport is not included because previous LCA studies showed that production phase is the most relevant within the life-cycle of the mineral growing media for accounting the impacts in the Climate Change category (Rodríguez Quintero et al., 2013) ⁽⁴⁾.</p>
Text reads: “Where “finished product” refers to the mineral wool in sheets.”	<p>Note that mineral wool products are placed on the market not only as sheets (mats or slabs would be better terms) but also in other forms i.e. cubes and plugs.</p>	<p>ACCEPTED</p> <p>New phrasing is suggested: “Where <i>finished product</i> refers to the mineral wool in any of the form placed on the market (e.g. slabs, cubes, plugs)”.</p>

⁴ Preliminary report of revision of European Ecolabel criteria for soil improvers and growing media. September 2013. Simon Gandy, Andrew Godley, Rocío Rodríguez Quintero, Elena Garbarino, Hans Saveyn, and Oliver Wolf. Available at <https://susproc.jrc.ec.europa.eu/product-bureau//product-groups/450/documents>.

5.3 Criterion 2.2. Sources of mineral extraction

Subject	Comment	JRC response
	Subject to parliamentary reservation and control – we will return with comments.	ACKNOWLEDGED
Criterion 2.2 Sources of mineral extraction,	<p>With a view to minimise the administrative burden, we propose the Commission to maintain the present requirement of the Ecolabel: not to extract from Natura 2000 areas or if one does extract from these areas to follow the conditions considered in this draft technical report.</p> <p>Also, to create a level playing field, it is necessary to apply biodiversity criteria to all growing media – both mineral and organic - imported from outside the EU. The use of plant-based commodities can be harmful to landscape and life.</p> <p>Also, the EU Ecolabel can further support the placement of products associated with risks of deforestation and forest degradation, in line with the upcoming Commission proposal expected by late 2021 on “Minimising the risk of deforestation and forest degradation associated with products placed on the EU market”.</p>	<p>CLARIFICATION</p> <p>The aim of the Natura 2000 network is to ensure the long-term survival of Europe’s most valuable and threatened species and habitats, listed under both the Birds Directive (2009/147/EC) and the Habitats Directive (92/43/EEC). Natura 2000 is not a system of strict nature reserves from which all human activities would be excluded. The approach to conservation and sustainable use of the Natura 2000 areas is much wider, largely centred on people working with nature rather than against it. However, Member States must ensure that the sites are managed in a sustainable manner, both ecologically and economically. To this end, the extraction of raw materials from Natura 2000 sites to make EU Ecolabel products is not expressly forbidden. Raw materials can be supplied from outside of the EU as well. Consequently, some form of equivalence is needed to ensure that raw material extraction for the production of EU Ecolabel products is not disturbing protected areas outside of the EU. Specific reference is made to Emerald sites and general reference is made to nationally protected areas.</p> <p>The criterion addresses mineral component of an EU Ecolabel growing media and soil improvers. Regulated use of forestry products is out of the scope of this requirement.</p>

Subject	Comment	JRC response
<p>SOURCES OF MINERAL EXTRACTION</p>	<p>We generally support the proposed evolutions. Indeed, all products containing mineral components (sand, clay, limestone) will be concerned by this criterion and we consider that this strengthening of the requirements of the standard is relevant.</p> <p>The only point to be confirmed would be that the manufacturers actually have this documentation available; if the mineral materials used in the composition of growing media comes from recycling, the documentation can be hard to obtain. Recycled materials can come from a recycling sector, or from "terril" (a waste rock heap) located in quarries or former quarries, where they are stored, sometimes for decades. For example, Florentaise, a French license holder, produces mineral mulch from slate production waste. The mine that produced them has been closed for more than 20 years and there are thousands of m³ of material to be recovered. To date, they do not use this product to make growing media, but it could be considered, and, in that case, it would be difficult to provide documents. As the Ecolabel favours recycling, this should also be possible for mineral components. Hence, we would like to have an explicit confirmation that mineral materials from recycling or reuse are allowed.</p>	<p>ACKNOWLEDGED</p> <p>The requirement is harmonised with EU Ecolable criteria for Hard Floor Coverings, and aims at ensuring that appropriate measures are taken to minimise biodiversity losses and ensure appropriate recovery of the areas where extraction activities take place. These can only be verified by providing full documentation of the extraction activity including the environmental recovery plan and the environmental impact assessment report. Rehabilitation may be progressive or only at the end of the quarry life. In all quarries some degree of progressive rehabilitation should be possible.</p> <p>Some quarries are hundreds of years old and most pre-date the 2011/92/EU EIA Directive and even the 2001/42/EC Directive on Strategic Environmental Assessments. Consequently, not all quarries will have an EIA, and it is possible that the result of an EIA screening procedure will be that an EIA is not needed. In such cases, the results of the screening procedure should be provided.</p> <p>Criterion 3 addresses recycled/recovered materials used in growing media.</p>

Subject	Comment	JRC response
<p>Page 10</p> <p>Clarify application of the requirements</p>	<p>It should be clarified how Criterion 2.2 is applied.</p> <p>The text refers to “extraction of minerals to be used as component ...”.</p> <ul style="list-style-type: none"> • Does this apply to a mineral phosphate fertiliser included as a component, e.g. mono-ammonium phosphate? Such a chemical is derived from an extracted mineral (phosphate rock) but is not itself extracted. We suggest to specify that Criterion 2.2 includes chemicals derived from extracted minerals. • On the other hand, it seems not feasible and not proportionate to apply the demanding documentation requirements of Criterion 2.2 to chemicals (or minerals as such) which are only included in the final product at low levels: for example trace elements as inorganic chemicals, technical additives for processing ... We suggest to specify that these obligations are only applicable to minerals (or chemicals derived from minerals) present at (e.g.) >1% or >10% w/w in the final product (we have not position on the level of the cut-off %). • It should be clarified that these requirements do not apply to secondary or recovered minerals (or chemicals derived from these), for example recovered sulphur from flue gas treatment or recovered struvite (magnesium ammonium sulphate) from sewage. This is logical, in that these are not “extracted” in the sense of “mined”, but we nonetheless suggest to make this explicitly clear. 	<p>REJECTED</p> <p>The criterion <u>addresses mineral components</u> used in an EU Ecolabel growing media and soil improvers., and <u>does not refer to</u> chemicals derived from extracted minerals. The EU Ecolabel criteria accommodate PFC 3 and PFC4 categories, according to FPR.</p> <p>The function of mineral phosphate fertilisers is to provide nutrients to plants or mushrooms. This fertilising product is <u>out of the scope</u> of EU Ecolabel criteria for soil improvers and growing media given that it represents separated category under FPR: organo-mineral fertilisers – PFC (1B).</p>

Subject	Comment	JRC response
<p>Mineral raw materials</p> <p>This applies also to 5.3</p>	<p>When mineral raw materials are coming from recycling, it would be almost impossible to trace the sources as requested on §2.2. Ecolabel will miss its target if such materials can not be used. The Ecolabel emphasises the recycling of organic raw materials, the same idea shall be followed for minerals (by the way this is done for mineral wools and should be extended for all minerals). So, we suggest adapting the §2.2 to open the door to recycled mineral raw materials.</p> <p>In addition, 2 points should be clarified:</p> <ul style="list-style-type: none"> - Is that possible to market mineral mulches under Ecolabel? It should be possible, as it is within UE 2019/1009, but current criteria 5.3 does not open that possibility. Criteria of §5.3 should be adapted - As said before, the possible use of recycled mineral materials should be explicit. 	<p>REJECTED</p> <p>Criterion 3 addresses recycled/recovered materials used in growing media.</p> <p>Currently valid EU Ecolabel criteria excludes 100% mineral and synthetic mulches from the scope of the product group. Following Rodrigues-Quintero et al. (2015)⁵ <i>“The definition of organic mulch aligned to the definition of organic soil improvers allows the use of mineral constituents while the minimum organic content is fulfilled, which respects the EU Ecolabel principle of promotion of recycled/reused/renewable materials”</i>.</p> <p>The current revision does not introduce any modification of the current scope. Additional clarification will be added to the User manual.</p>

⁵ Rodriguez Quintero R, Garbarino E, Saveyn H, Wolf O. 2015. Revision of the EU Ecolabel Criteria for Soil Improvers and Growing Media - Technical report and draft criteria proposal. EUR 27490. Luxembourg (Luxembourg): Publications Office of the European Union; 2015. JRC97410.

5.4 Criterion 2.3. Mineral growing media use and after use

Subject	Comment	JRC response
<p>Criteria 2.3 Mineral growing media use and after use</p>	<p>Add the following reference: “The mineral growing media shall only be offered for use for professional horticultural applications, green walls and green roofs”.</p> <p>Explanation: this additional reference would enable to align the EU Ecolabel with the amended version of the Fertilising Products Regulation (delegated act amending the provisions for Annex I, Growing Medium).</p>	<p>ACCEPTED WITH CLARIFICATION</p> <p>At the technical meeting held on June 2021, there was a consensus about awarding the EU Ecolabel only to mineral growing media used by professionals.</p> <p>The suggestion implies to include green walls and green roofs used by non professionals. After consultation with producers, the following expression has been proposed: “The mineral growing media shall only be offered for use for professional horticultural applications, as green walls and/or green roofs”.</p> <p>Notice that the specification of the mineral growing media only for professional use has been moved to the section about definitions.</p>
	<p>Add the following reference: “The mineral growing media shall only be offered for use for professional horticultural applications, green walls and green roofs”.</p> <p>Explanation: this additional reference would enable to align the EU Ecolabel with the amended version of the Fertilising Products Regulation (delegated act amending the provisions for Annex I, Growing Medium).</p>	<p>ACCEPTED WITH CLARIFICATION</p> <p>Please, see comment above.</p>

Subject	Comment	JRC response
<p>Page 11</p> <p>Criterion 2.3</p> <p>Recycling ratio for growing media</p>	<p>PROPOSAL</p> <p>Replace 70% by 80%</p> <p>RATIONALE</p> <p>The EEB has always considered 70% recycling to be insufficient since that leaves 30% of the production with an unknown end-of-life. This is unacceptable for a product claiming to be environmentally responsible. The mineral growing media producer present at the meeting on 4th June indicated that 70% seemed low to them, and that they achieve 90% collection for recycling.</p>	<p>REJECTED</p> <p>The value reported by the comment refers only to one mineral growing media producer. Direct consultation with the industry association revealed that the limit value of 70% is already an ambitious target for other producers in the market. EU Ecolabel tries to set thresholds that are reachable by many actors in the market.</p>

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6 Criterion 3. Recycled/recovered materials in growing media

Subject	Comment	JRC response
<p>Text reads:</p> <p>(b) “The growing medium shall contain mineral components manufactured from a process using at least 30% of recycled/recovered materials (expressed as the dry weight of recycled/recovered materials per total dry weight of the input materials)</p>	<p>It would be most unusual to express any amount as dry weight. In practice all amounts of organic and inorganic components (i.e. expanded perlite, expanded clay, expanded vermiculite) are labelled on a volume basis.</p>	<p>REJECTED</p> <p>The criterion refers to the material used for the production of the mineral growing medium, and it does not refer to the final product. The reference to the dry weight is the suitable option because recovered and recycled material used in the production of the mineral growing media have very different specific weight. These materials contain in small part stone wool, but mainly by-products and waste from the production of aluminium and other metallurgical products.</p>
	<p>We would recommend raising the minimal value for organic component content or recycled/recovered materials proportion. By sampling 20 certified products (potting soils), we obtain an average value of 97,85% for the volume of organic components per total volume of the product, which is much higher than the actual 30 % minimal value for organic components.</p> <p>We would also like to be given an explanation as to why this criterion only applies to growing media and not to soil improvers.</p> <p>Also, we consider the idea of setting a minimum threshold of mineral constituents from recycling for mineral growing media very relevant. We would be in favour of extending the requirement for a minimum of recycled constituents to organic soil improvers.</p>	<p>REJECTED</p> <p>For growing media, the threshold of 30% was based on a study performed during last criteria revision. Common formulations of expanded minerals and organic constituents were found to vary from 1:1 v/v to 1:3 v/v. The figure of 30% was proposed to provide enough margins in the formulations considering that there were different formulations depending on the constituents and applications.</p> <p>Soil improvers (SI) are not included in this criterion because the minimum organic content of SI is defined by criterion 5.3.</p> <p>No threshold was set for organic recycled/recovered material in growing media and soil improvers, because a consultation with producers revealed quality restrictions in the final product. However, the promotion of recycled/recovered materials is included in Criterion 1. In the list of admitted organic components, 8 out of 10 categories are recycled/recovered materials.</p>

Subject	Comment	JRC response
<p>Promotion of circular economy</p>	<p>ESPP welcomes the announced aim “In particular ... to promote the use of recycled or organic materials for fertilising purposes and allow a more resource-efficient general use of nutrients ... to this end the criteria (1) incentivise the circularity of the nutrients by incorporation of the secondary raw materials into the EU Ecolabel soil improvers and growing media”</p> <p>However, we note and regret that in reality the proposed criteria</p> <ul style="list-style-type: none"> - promote recycled/recovered materials in Growing Media only, not in Soil Improvers (Criterion 3 in table, page 2), - for Growing Media, use of “organic” components (e.g. virgin plant material grown specifically for this purpose) can avoid any use of secondary or recycled material (see comments on Criterion 3, page 12). 	<p>REJECTED</p> <p>Same answer given to the comment above.</p>
<p>Page 12 – Criterion 3 Circular economy for soil improvers.</p>	<p>ESPP recommends that this criterion encouraging use of recycled materials be widened to cover also Soil Improvers.</p> <p>Not covering Soil Improvers under this criterion is contradictory to the Aims announced on page 1, which explicitly refer to “circularity of nutrients ...[in] soil 12improvers and growing media”.</p> <p>It is also contradictory to the overall nutrient recycling objectives of the EU Circular Economy Action Plan, Green Deal and Fertilising Products Regulation.</p>	<p>REJECTED</p> <p>Soil improvers are not included in this criterion because the minimum organic content of soil improvers is defined by criterion 5.3.</p> <p>No threshold was set for organic recycled/recovered material in soil improvers, because a consultation with producers revealed quality restrictions in the final product. However, the promotion of recycled/recovered materials is included in Criterion 1. In the list of admitted organic components, 8 out of 10 categories are recycled/recovered materials.</p>

Subject	Comment	JRC response
<p>Page 12 – Criterion 3.</p> <p>Clarify wording defining recycled materials</p>	<p>We recommend to modify / clarify the wording of point (a) page 12. At present, a product containing 30% “virgin biomass” (e.g. maize, where the whole maize plant is used and the maize is grown for the specific purpose of use in [growing media]), would be eligible, whereas this is not recycling, not recovery, not circularity.</p> <p>We suggest to modify point (a) to read “at least 30% of secondary organic components”. A definition of “secondary” could be specified as: recycled/recovered, waste-derived or by-product-derived.</p> <p>We also note that at present a product would achieve conformity to Criterion 3 (by fulfilling point (b) as written) if it includes 0.1% w/w of added recycled fertiliser (e.g. struvite, see above), if this added fertiliser is 100% recycled, even if the remaining 99.9% w/w of the product (organics and minerals) is not recycled.</p> <p>We suggest to complete Criterion 3 with a point (c) specifying that, in addition to (a) or (b), the product must contain a total of at least 20% secondary materials.</p>	<p>REJECTED</p> <p>No threshold was set for organic recycled/recovered material in growing media and soil improvers, because a consultation with producers revealed quality restrictions in the final product. However, the promotion of recycled/recovered materials is included in Criterion 1. In the list of admitted organic components, 8 out of 10 categories are recycled/recovered materials.</p> <p>Fertilisers are out of the scope of this Commission Decision.</p>

Subject	Comment	JRC response
<p>Page 12 – Criterion 3. Nutrient circular economy</p>	<p>ESPP notes that at present a product would achieve conformity to Criterion 3 (by fulfilling point (b) as written) if it includes 0.1% w/w of added recycled fertiliser (e.g. struvite, see above), if this added fertiliser is 100% recycled, even if the remaining 99.9% w/w of the product (organics and minerals) is not recycled.</p> <p>We suggest to complete Criterion 3 with a point (c) specifying that, in addition to (a) or (b), the product must contain a total of at least 20% secondary materials.</p> <p>We also note that Criterion 3 as written does not address the stated Aim [page 1, point (1)] to “incentivise the circularity of the nutrients ...”, in that a product containing 30% secondary wood bark (i.e. an “organic”, so fulfilling point (a)) or containing mineral fibres of which 30% are recycled (point (b)) would be eligible, but would contain nearly zero circular nutrients.</p> <p>We therefore suggest to add an additional point (d): at least 30% of P and/or N and/or K in the product should be recycled / secondary, applicable where the nutrient in question is present at least at the level indicated in Criterion 7.1 point (n), page 20 or 7.2 points (m), (n) and (o) page 21.</p>	<p>REJECTED</p> <p>Fertilisers are out of the scope of this Commission Decision.</p> <p>The circularity of the nutrients is promoted by Criterion 1. In the list of the admitted organic components, 8 out of 10 categories are recycled/recovered materials.</p>

7 Criterion 4. Restricted substances

Subject	Comment	JRC response
General comment	<p>We support a protective framework ensuring good quality of soil improvers but consider that there should not be too much focus on end-of pipe testing. Quality schemes may produce better and more consistent results than occasional product testing. We recommend targeting requirements focussing on upstream quality (at least in the next revision).</p> <p>Compost, a majority component of many soil improvers, is a carrier, not a generator of pollution: if there is a diffused pollution, that must be addressed at source, not at the end of the pipe, lest we ban compost and give up its benefits, whilst most pollutants come to our soils through other routes.</p> <p>Composting must avoid all the pollutants it may avoid through separate collection. It cannot take out of the system the pollutants which are in our food, and come to our soils through atmospheric fall out, water, rainfall, other fertilisers etc. Application of compost can however have the beneficial effect of reducing the bioavailability of metals so that there is less uptake by plants (cf. PUBSY technical report, page 62).</p>	ACKNOWLEDGED

7.1 Criterion 4.1. Limits for heavy metals

Subject	Comment	JRC response
General	<p>Limits for heavy metals in soil improvers and in growing media</p> <p>Globally, we would like to be provided more information on how these thresholds have been set, including whether they are based on studied health issues or on products currently on the market.</p> <p>Moreover, we wish to make the following comments:</p> <p>A French stakeholder would like to point out that, for "multi-labelled" operators, it would be practical to align the Ecolabel requirements with the FPR or with the "Fertilisers and growing media for use in organic farming" reference system, the latter being much more selective. Another possibility is to place the cursor of the set of the Ecolabel requirements on heavy metals at a median level between the two above standards, so that the Ecolabel appears as a step between the FPR and organic farming, and not as a random mix. On the basis proposed here, it is difficult to say that an Ecolabel product is much better than a product that simply respects the FPR basis, since several thresholds are common (e.g. the copper threshold is raised to the FPR level).</p>	<p>CLARIFICATION</p> <p>It is assumed that FPR accommodates the average European product that is available on the soil improver and growing media market, whereas the EU Ecolabel targets 10-20% of the best performing products (from the environmental perspective).</p> <p>The main objective of the harmonisation with FPR is to ensure that EU Ecolabel is not awarded to products with the higher PTEs content that admitted under FPR. The objective was also to require verification by means of test methods notified as proof of compliance by that Regulation. Hence, for a product that is CE marked, test analysis could be performed once, while the results could be serve to demonstrate the compliance with the criterion as well as with the FPR.</p> <p>More information on methodology used for the revision of threshold values is display in Chapter 5.4.1 of Technical report.</p>

Subject	Comment	JRC response
<p>Criterion 4.1.(a)</p> <p>Limits for heavy metals in soil improvers</p> <p>Mercury</p>	<p>Our stakeholder informs us that Italian soils have a very high natural mercury content (approx. 1 mg/Kg DM), so it is impossible to comply with the limit currently proposed in the growing media.</p> <p>With this limit, the stakeholder currently interested in the EU Ecolabel could not comply with criterion 4.1.</p>	<p>REJECTED</p> <p>The proposed value is harmonised with European Quality assurance scheme for compost and digestate (ECN-QAS) of European Compost Network. Italian Composting and Biogas Association (Consorzio Italiano Compostatori CIC⁶) continuously surveys the quality of the organic waste collected in Italy. CIC's QAS procedures meets the conformity assessment of the ECN-QAS scheme. Indeed, increasing the value to 1 mg Hg/kg DM would harmonise the requirement with FPR, but would not correspond to the best practice for compost and digestate in Europe.</p>
<p>Mercury – detection limit</p>	<p>As for Mercury, we would like to point out that it is important to ensure that an analytical method is available to detect low levels of mercury.</p>	<p>ACKNOWLEDGED</p>
	<p>Denmark suggests maintaining the level at 100 ppm for Cobber, and align the Nikkel content with other organizations at 40 ppm. Releasing heavy metals is a problem and if one metal is needed locally this should be solved by local actions and not a higher level at the EU level.</p>	<p>PARTIALLY ACCEPTED</p> <p>The threshold value for nickel content in soil improvers is proposed to be harmonised with ECN-QAS which is European Quality assurance scheme for compost and digestate. The new proposed revised value is 40 mg/kg DM. This can be allocated into the lower range requirement (25-50 mg/kg DM) for Ni content across Member States and QAS.</p> <p>The increase of the threshold value for copper was agreed during the stakeholders technical sub-group meeting, due to the relevance of copper for plant growth and development. Equally, the reference value of 200 mg/kg DM is harmonised with ECN-QAS Quality Standard.</p>

⁶ https://www.compost.it/wp-content/uploads/2019/08/CIC-Key-Data-2018-ENG_web-version_protetto.pdf

Subject	Comment	JRC response
<p>Maximum content changed to EU 2015/2009,</p>	<p>Hg content decreased from 1 ppm to 0,45 ppm. Cr VI are new added, Cu 200 ppm (EU FPR Cu 300 ppm) Zn 300 ppm (EU –FPR 800 ppm), New parameter inorganic As 10 ppm (EU FPR 40 ppm), Pb 100 ppm (EU FPR 120 ppm)</p> <p>REMARK: No Harmonisation with EU FPR.</p>	<p>ACKNOWLEDED WITH CLARIFICATION</p> <p>It is assumed that FPR accommodates the average European product that is available on the soil improver and growing media market, whereas the EU Ecolabel targets 10-20% of the best performing products (from the environmental perspective).</p> <p>The main objective of the harmonisation with FPR is to ensure that EU Ecolabel is not awarded to products with the higher PTEs content that admitted under FPR. The objective was also to require verification by means of test methods notified as proof of compliance by that Regulation. Hence, for a product that is CE marked, test analysis could be performed once, while the results could be serve to demonstrate the compliance with the criterion as well as with the FPR.</p>
<p>Limit Value for Zinc</p>	<p>The EU EcoLabel limit value of 300 mg/kg for Zn is out of alignment with the Fertiliser Products Regulation 2019. It is important to recognise that, as an essential element and micronutrient, Zinc is deliberately added to Fertilisers and Soil/Plant improvers. We strongly recommend, therefore, that the EcoLabel limit values should be fully aligned with the maximum permitted values as stated in the FPR 2019. These are much higher, with a range of 800-1500mg/kg, depending on additive type.</p>	<p>REJECTED</p> <p><i>See above</i></p>
<p>Limit values for Copper and Zinc</p>	<p>The limit values for Copper and Zinc should be the same as in the EU fertilizer regulation. Zinc and copper are It should also be added to the criterion that the limit values may be exceeded if a deficiency is identified on the basis of a soil analysis.</p> <p>Zinc and copper are also trace elements needed by plants.</p>	<p>REJECTED</p> <p><i>See above</i></p>

Subject	Comment	JRC response
<p>Criterion 4 – Excluded and restricted substances – 4.1 limits for heavy metals</p>	<p>The Cadmium heavy metal limit is different for Growing Media i.e. 1.3mg/kg than for soil improver 1.0 mg/kg. The criteria should be aligned between both products to a unique value of 1 mg/kg</p>	<p>REJECTED</p> <p>In line with FPR, for organic soil improvers the maximum allow content of Cd is 2 mg/kg DM, whereas for inorganic soil improvers and for growing media it is 1.5 mg/kg DM.</p> <p>The distinction in the threshold values for soil improvers and growing media proposed under revised EU Ecolabel criterion respects the differences between two product types that are also recognised by FPR. This has as an objective to stimulate the inclusion of bio-waste in soil improvers category. The proposed value of 1.3 kg/mg DM is harmonised with ECN-QAS quality standard.</p>
<p>Criterion 4 – Excluded and restricted substances – 4.1 limits for heavy metals</p>	<p>The Cadmium heavy metal limit is different for Growing Media i.e. 1.3mg/kg than for soil improver 1.0 mg/kg. The criteria should be aligned between both products to a unique value of 1 mg/kg.</p>	<p>See above</p>
<p>limit value for As</p>	<p>The value of 10 mg/kg DM is unnecessarily low compared to the value of the EU fertilizer regulation (10 mg/kg DM)</p>	<p>REJECTED</p> <p>Already the former EU Ecolabel criteria for Soil improvers (Decision 2006/799/EC) and Growing media (Decision 2007/64/EC) required product to contain no more than 10 mg As/kg DW.</p> <p>The maximum permitted content of As in growing media and soil improvers across some Member States varies between 10 and 50 mg/kg DM. Considering arsenic toxicity and its route of exposure (i.e. non-essential metal that occurs in food because it is present in soil and water and is taken up by plants), and also having in mind the permitted maximum arsenic content in soil improvers across several countries the proposed reference value l of 10 kg/kg DM seems justified.</p>

Subject	Comment	JRC response
	<p>Regarding inorganic Arsenic, two French stakeholders have indicated that the limit value seems too low. On the other hand, we consider the threshold of 10mg/kg for inorganic Arsenic seems very demanding based on the analytical returns from our a priori uncontaminated products. A short explanation of the reasons for analysing inorganic or total arsenic would be useful to understand this choice.</p>	<p>CLARIFICATION See above</p>
Chromium content	<p>An international scientific consensus tends to validate that Cr VI is more toxic and ecotoxic than Cr III. Nevertheless, some recent studies question on this affirmation. Cr III, depending on the conditions, can be bio-accumulable and ecotoxic. Therefore, it would be better to have a limit for Cr III too to guaranty a higher level of protection.</p>	<p>ACCEPTED</p> <p>Based on additional information exchange with technical sub-group experts that were conducted after the open-consultation, it is proposed to maintain the currently valid requirement on Cr_{total} for soil improvers and growing media. This could serve as a safeguard for Cr(III) content. The verification of Cr(VI) content is only proposed for mineral growing media.</p> <p>The reference value for Cr total is proposed based on requirements across several Member States. See Table 10 in the Technical Report.</p>
	<p>We would recommend keeping the limit for maximum content in the product for total Chromium as well as adding the limit for maximum content in the product for Chromium VI. Indeed, although Chromium VI is the most toxic form of Chromium to humans and the environment, more and more studies show that Chromium III can also have significant harmful effects. Furthermore, some French stakeholders consider that the threshold is not demanding enough and would recommend that it be lowered.</p>	<p>ACCEPTED See above.</p>

Subject	Comment	JRC response
<p>Page 13 Crit 4.1 (a) Heavy metals limits</p>	<p>We welcome that some of the limits have been made more ambitious but are alarmed by the change for chromium.</p> <p>We are opposed to substituting a level for CrVI to the total chromium limit. For organic materials such as soil improvers, it is meaningless to seek to measure CrVI as it is virtually all “captured” by the organic matter and converted to CrIII, and the result is nearly always zero. It is not even sure that a reliable test can be developed for matrices containing organic matter. There is simply no point in requiring a test of a non-existent parameter.</p> <p>We are also opposed to removing the limit for total chromium. Due to redox reactions, there is always a balance between the different valencies of the chromium. If there are large quantities of chromium III, they may be transformed into Cr VI in certain circumstances (such as an acidification of the soil). It is therefore important to limit total chromium.</p> <p>For mineral growing media it could be useful to fix a limit for Cr VI, but there must also be a limit for total Cr. It should be noted that in the FPR the Cr level must be indicated if it is above 200 mg/kg. The EU Ecolabel must not be more lenient on that point than the FPR.</p> <p>The Organic farming implementing act fixes the total chromium limit at 70 mg/kg.</p> <p>PROPOSAL:</p> <p>Retain the existing limits for total Cr (100 and 150 mg/kg). Add the limit for CrVI for mineral growing media, but not for organic GM or SI.</p>	<p>ACCEPTED See above.</p>

7.2 Criterion 4.2. Limits for Polycyclic Aromatic Hydrocarbons (PAHs)

Subject	Comment	JRC response
Text reads: “The applicant shall provide the Competent Body with test reports conducted in accordance with the testing procedure indicated in EN 16181.	Note that EN 16181 has not been validated for soil improvers and growing media but only for soil, treated biowaste and sludge and results may be misleading. CEN TC 223 is now working on an appropriate standard.	ACKNOWLEDGED
	We would recommend lowering the limit for Polycyclic Aromatic Hydrocarbons even more, in both growing media and soil improvers, as labelled products always present values well below the limit defined in the standard. The products with the highest levels are composts, are around 4 mg/kg (dry weight).	REJECTED The main concern of PAH16 substances is long-term gradual accumulation through repeated application. Following Wood these substances are considered a lower priority for risk management. Safe limit concentration across Members States for PAH16 is: 3-10 mg/kg DM.

7.3 Criterion 4.3. Restrictions on substances classified [...]

Subject	Comment	JRC response
	We would like to know why the following classifications have been removed: <ul style="list-style-type: none"> - EUH070 — ‘Toxic by eye contact’ - H317 – ‘May cause an allergic skin reaction’ - H334 – ‘May cause allergy or asthma symptoms or breathing difficulties if inhaled’ - H420 – ‘Harms public health and the environment by destroying ozone in the upper atmosphere’. 	CLARIFICATION The listed hazard statements codes were removed from that list based on findings of the EU Ecolabel Chemicals Task Force . Depending on the nature of the product group and its normal use, the potential to restrict category 1 skin sensitisers (H317) or category 1 respiratory sensitisers (H334) may be considered. These hazard statement codes <u>are far more relevant</u> in products such as textiles and rinse-off cosmetics, due to the higher degree of skin contact.

7.4 Criterion 4.4. Restrictions on substances of very high concern

Subject	Comment	JRC response
	<p>We would recommend keeping the actual limit for this criterion or else to justify the proposed evolution, as the reason for the modification is not clear.</p>	<p>CLARIFICATION</p> <p>Verification of SVHCs concentrations in any product can only be verified by declarations from suppliers of ingoing ingredients, chemicals or materials. REACH only requires to declare if there is an SVHC above 0.1%. In this sense revise requirement on the SHVC restriction ensures that all ingoing ingredients are meeting the cut off limit of <0.10% w/w.</p>

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7.5 Criterion 4.5. Pathogens

Subject	Comment	JRC response
Criterion Pathogens	E. coli on the final product is no identification of bad hygienisation -> regrow is possible	ACKNOWLEDGED
Table 6. Standard test method for the detection of specific pathogens	<p>The limit values have been copy/pasted from the FPR. The limit values in the FPR have been copy/pasted from other regulations for totally different matrices i.e. food stuffs and milk products. Non of the listed methods have been validated for soil improvers and growing media (with the exception of treated biowaste).</p> <p>CEN TC 223 WG 5 is currently working on the development of suitable methods for the detection of the listed pathogens.</p> <p>Also note that some of the referenced methods (e.g. CEN/TR 16193) refer to the Most Probable Number (MPN) of pathogens and not - as required in the Ecolabel criteria - to Colony Forming Units (CFU) resulting in different results.</p> <p>Furthermore, the Annex does not consider when the pathogen tests are to be conducted. They are to be conducted before placing a product on the market because microbial populations always change in the supply chain.</p>	<p>CLARIFICATION</p> <p>The proposed criterion largely reflects currently valid requirement. Test on Enterococcace a (EN 15788 or EN ISO 7899-1 or BEA method) has been added based on stakeholder feedback to harmonised the requirement with FPR.</p>
Title "pathogens"	Salmonella is incontestably a pathogen, but E.coli is a common environmental micro-organism and is not necessarily pathogenic. It would be preferable to name the criterion "Microbiological criteria" or similar. However, we appreciate that at present the term pathogens is used in the FPR, so any change could await the next revision.	ACCEPTED
Table 5 Clarification	Please add the explanation of what n, c, m, and M signify	ACCEPTED

Subject	Comment	JRC response
Sample numbers	<p>The EEB consider as unnecessary to use the same sampling plan as the FPR, where the frequency of analysis is not necessarily as high as in the EU Ecolabel. In the present criteria only one sample is required at each analysis. Multiplying by 5 the number of tests without reducing their frequency will considerably increase the cost of analyses.</p> <p>It is important to bear in mind the disproportionate burden that a multiplication of tests will place on small producers. The cost of complying to the Ecolabel is likely to discourage smaller potential applicants.</p> <p>As an indicator, one microbiological test (Salmonella & E.coli) costs about 200 euros in France; 5 tests will therefore cost 1000 euros. This is for just the microbiological tests, which are of limited use. Depending on how samples are conditioned and transported, the results can be extremely variable. Compost is not a foodstuff, but a living material where micro-organisms are necessarily a part of its composition.</p> <p>Salmonella: An absence in 25g is required. This is the level required for baby food, whereas soil improvers are not designed to be eaten! Also, in the present criteria one sample is required; why increase this to 5 samples?</p> <p>E. coli or Enterococcaceae: this is a process indicator rather than a check of sanitary status of the product. Why increase the number of samples to 5?</p> <p>PROPOSAL</p> <ul style="list-style-type: none"> • Reduce the number of samples to 2 for Salmonella, and to 1 for E.coli or Enterococcaceae. For Salmonella, make it clear whether 5 (2) samples or needed, or whether 5 (2) tests are made from the same sample. • For Salmonella indicate “absence in 5 g”. 	<p>REJECTED</p> <p>The proposed criterion is in line with the Fertilising Product Regulation (EU) 2019/1009. It is required one test for each sample. Additionally, the cost of the test for Salmonella does not increase with the tested quantity.</p> <p>Currently there is no set of values, recognised by the scientific community, which strictly refers to growing media and soil improvers. Any change of the current values would not be supported by scientific proofs.</p>

8 Criterion 5. Fitness for use

8.1 Criterion 5.1. Stability

Subject	Comment	JRC response
<p>Requirements of soil improver for non-professional and professional applications Respirometer index /Rottegrad</p>	<p>The strict and higher requirement for non-professional application - 15 mmol/kg organic matter/h is not justified opposite to professional use (25 mmol/organic matter/h). New assessment and harmonisation with EU FPR is recommended.</p>	<p>REJECTED Stability is considered a key property that a mature compost should possess. During the technical sub-group meeting, stakeholders decided to maintain the division between the reference values for professional and non-professional use. The proposed criterion reflects currently valid requirement.</p>
	<p>One of the French stakeholders would like to point out that achieving a Rottegrad IV for non-professional applications may be a rather demanding criterion compared to Rottegrad III for professional applications. It seems to be a suitable but very demanding criterion if one considers that maximum protection for non-professional applications is imperative. Bulk sales from a batch intended for professionals and private individuals are therefore only possible when Rottegrad IV is reached. This double standard implies real constraints on the management of the platform, which is not really justified with regard to this criterion. It also implies that it is considered that professionals are capable of using less stable products.</p>	<p>ACKNOWLEDGED This division between professional and not-professional used is introduced based on stakeholders input.</p>

8.2 Criterion 5.2. Physical contaminants

Subject	Comment	JRC response
Physical Contaminants	Definitions for glass, metal and plastics could be helpful, in particular for plastics. Some plastics are biodegradable. Are these included? Cigarette butts are often considered as plastics. Are these included?	CLARIFICATION The criterion is harmonised with the requirements, terminology and definitions established by FPR (as of July 2026).
Physical contaminants	A clarification is required to indicate that the limit of 3 g/kg applies to each of glass and metal separately – if that is the intention.	ACCEPTED

8.3 Criterion 5.3. Organic matter and dry matter

Subject	Comment	JRC response
Criterion applies to soil improver	The EU-FPR makes a differentiation between organic and inorganic soil improvers. / Criterion 5.3 is only to organic soil improvers. This have to be added. Or in the Article 2 the definition of soil improvers has to be more precise in this point.	REJECTED During the technical sub-group meeting it was agreed to refer only to soil improvers and withdraw the definition of organic soil improvers. In line with Criterion 5.3 soil improvers must contain at least 15% of organic matter on dry matter.
minimum value for dry matter content: 25% fresh weight	This excludes the utilization of digestate.	REJECT The revision does not introduce any change to the currently valid requirement that is built based on End-of-waste criteria for compost and digestate. The inclusion of digestate is one of the objectives. FPR requires an organic soil improver for the product function category (PFC 3(A)) to contain at least 20% dry matter and at least 7.5% by mass of organic carbon (Corg) content. The dry matter content of the digestate varies significantly depending on the product, from high water content sludge to more solid materials similar to digestate from source separated biowaste. The method for spreading will vary accordingly. Following information collected, the dry matter content of a crude digestate may vary between ca. 2% to more than 20% depending on the source (Wood, 2019).

Subject	Comment	JRC response
Organic matter content	<p>We generally disagree with the 15 % threshold for organic matter. Indeed, this requirement seems too low and very unselective, compared to the usual profile of organic soil improvers, which are mainly composed of materials of organic origin. In standard NF U44-051: Organic amendments, an organic amendment must contain a minimum of 30% dry matter and 20% organic matter on gross matter. Hence, at least 35% dry organic matter would correspond much more to a quality organic amendment. Hence we would like to know what other components of the products studied would have such values. This may be a unit error between dry weight and wet weight. Indeed, a French stakeholder has specified that for their composts, the organic matter value varies between 30% and 40%. We would like to ensure that the value under consideration should be given as a percentage of the dry weight and not wet weight.</p> <p>We would also like to know if it is possible to make soil improvers, and in particular mulches, solely from minerals as it is foreseen in the EU regulation 2019/1009, because criterion 5.3 seems to be in contradiction.</p>	<p>CLARIFICATION</p> <p>The organic matter as loss on ignition of the product shall not be lower than 15% dry mass (% DM) or 8.5 % of organic carbon (Corg) content by mass.</p> <p>The dry matter content of the product shall not be lower than 25% fresh weight (% FW). % dry mass is equivalent to dry weigh.</p> <p>The minimum organic matter content was discussed and verified during the technical sub-group meeting.</p> <p>The proposed criterion maintain the currently valid requirement as to the OM content.</p> <p>Mineral mulches are out of the scope of the currently valid criteria. In line with Criterion 5.3 soil improvers (so mulches) must contain at least 15% of organic matter on dry matter.</p>

Subject	Comment	JRC response
	<p>The proposed criterion only applies to soil improvers and states that the organic matter as loss of ignition of the product shall not be lower than 15% dry mass (%DM) or 8.5% of organic carbon (Corg) content by mass.</p> <p>Knauf Insulation places on the EU market soil improvers composed of mineral wool fiber only, with no or very low (~5%) organic content. The soil improvement benefit is delivered by the increase of the water retention capacity of the soil, improves soil tilth, and improves soil aeration. The criterion as proposed in the draft technical report would refrain the access to ECOLABEL for those soil improvers that have low, to no organic content.</p> <p>Proposal: the criterion 5.3 shall not be applicable to soil improvers composed of mineral wool fiber only or soil improvers composed of mineral wool fiber and low organic contents (below 5%).</p>	<p>REJECTED</p> <p>The scope of the current EU Ecolabel criteria for growing media, soil improvers, and mulch does not include mineral soil improvers. Only mineral growing media falls under the scope of the currently valid criteria.</p> <p>The intention of the revised criteria is to accommodate soil improvers which organic matter content as loss of ignition shall not be lower than 15% dry mass (%DM).</p>
OM content	<p>Criterion 5,3 stipulates that the soil improvers must contain at least 15% of organic matter on dry matter. It is therefore obviously referring to “organic” soil improvers.</p>	<p>ACKNOWLEDGED</p>

8.4 Criterion 5.4. Viable weed seeds and plant propagules

Subject	Comment	JRC response
Assessment	Testing should not be required for products where the probability of the presence of such contaminants is very low. For example, manufacturing process has high temperatures or mechanical crushing or similar. This would decrease the costs by skipping unnecessary assessments.	REJECTED During the technical sub-group meeting it was agreed to maintain the requirement.

8.5 Criterion 5.5 Plant response

Subject	Comment	JRC response
	We agree with the non-evolution of this criteria. However, we would like to ensure that this criterion and the previous one (5.4 – Viable weed seeds and plant propagules) do not apply to mulch as this kind of product is now classified as a soil improver	CLARIFICATION The criterion addresses mulches as sub-category of soil improvers. The proposed applicability of the criterion was discussed and verified during the technical sub-group meeting.

9 Criterion 6. Growing media features

Subject	Comment	JRC response
Criterion 6.2. Sodium content	<p>Our stakeholder informs us that Italian soils have a very high natural sodium content (approx. 450 mg/l), so it is impossible to comply with the limit currently proposed in the growing media.</p> <p>With this limit, the stakeholder currently interested in the EU Ecolabel could not comply with criterion 6.2.</p>	<p>REJECTED</p> <p>The reference value has been revised based on stakeholder feedback, and it is proposed to maintain the currently valid requirement: 150 mg/l fresh product.</p>
6.1 EC / 6.2 / Na	<p>The EC is reduced from 100mS/m to 60mS/m and the Na-content is reduced from 150 mg/l to 100 mg/l; this have to be cancelled.</p> <p>These limits will make the use of recycled organic materials, like compost or digestate in growing media impossible.</p> <p>For these parameters the limits for compost set in the ECN guidelines 'Specification for the use of quality compost in Growing media' are: EC < 190mS/M, Na <250mg/l and Cl < 750 mg /l.</p>	<p>ACCEPTED WITH COMMENT</p> <p>Based on stakeholders feedback it is proposed not amend currently valid threshold values: EC <100 mS/m , Na <150 mg/l</p>
6.1 - ELECTRICAL CONDUCTIVITY	<p>We generally disagree with the threshold for electrical conductivity and we would suggest defining an intermediate threshold between the current threshold and the proposed evolution which seems too demanding. We have looked at two certified soils and found that their electrical conductivity values were of 65 mS/m and 72 mS/m respectively. They are therefore above the new threshold of 60 mS/m and will not be able to comply with this criterion. A threshold of 90 mS/m would be more acceptable. Moreover, as an example, in the NF142 standard for growing media in which we certify potting soils, the limit value for geranium and balcony potting soils is 90 mS/m.</p>	<p>ACCEPTED</p>
6.1 Conductivity	<p>Proposed value of 60 mS/m is relevant for average fertilization level. But some plants need higher levels (see for example the French referential NF142, with 3 values 45, 65 90 mS/m, depending on plants). Then a maximum value of 90 mS/m should be more relevant to cover all purposes.</p>	<p>ACCEPTED</p>

Subject	Comment	JRC response
6.3 -pH	We fully agree on the suppression of this criterion, especially given the fact that this criterion was problematic in the current version of the standard.	ACKNOWLEDGED

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10 Criterion 7. Provision of information

Subject	Comment	JRC response
Provision of information	Which information is mandatory and which is voluntarily? If the nutrient content of a soil improver is low in Belgium you cannot give information about the quantities.	<p>CLARIFICATION</p> <p>The criterion is mandatory in its entire form.</p> <p>The information shall be provided with the product either on the packaging or in accompanying fact sheets or in the technical documentation, which accompanies the product.</p>
Pages 20 and 21 Criterion 7.1 and 7.2	It would be helpful if the methods acc. to which parameters have been determined would be given in the label. E.g. pH 5,5 (EN 13037) and so on.	<p>REJECTED</p> <p>The Competent Bodies that evaluate the application will need to be informed about the test methods used. The requirement on information provision is harmonised with the FPR to allow the compliance of EU Fertilising product falling within product function category soil improvers or growing media in the meaning of Regulation (EU) 2019/1009. FPR does not require identification/revealing of test method used on the information provision label. The recognition of the possible differences between test methods used might also be considered as beyond the knowledge of the end-user, especially the non-professional ones. Still, the information on test methods used might be additionally (optionally) requested in the User manual.</p>
Criterion 7.2 Growing media Text reads: “A list of all ingredients above 5 % by product weight in descending order of magnitude by dry weight;...”	Ingredients are components. Components of growing media are always labelled in % by volume !	<p>REJECTED</p> <p>The wording used for requirement on provision information are harmonised with Annex III Part I (1) (h) to FPR, as follows:</p> <p><i>(h) a list of all ingredients above 5 % by product weight in descending order of magnitude by dry weight, including the designations of the relevant CMCs as referred to in Part I of Annex II to this Regulation; where the ingredient is a substance or a mixture, it shall be identified as specified in Article 18 of Regulation (EC) No 1272/2008.</i></p> <p>In this sense ingredient will refer to components (input material), and additives (substances and mixtures) used for processing.</p>

Subject	Comment	JRC response
	<p>We suggest that the European Commission clarifies the expectations regarding the added information to be provided to be compliant with this criterion in the user manual (the obligation to add a statement about the professional horticultural application; any relevant information on measures recommended to manage risks to human, animal or plant health, to safety or to environment, etc.) . As it is, there is a risk that each manufacturer will proceed in a different way. In addition, for products that are not hazardous, there will be little information on risks to human, animal or plant health or the environment to share. Given this risk, more precisions need to be added concerning the expectations on the provision of information.</p>	ACCEPTED
<p>Pages 20-21 Expression of levels of phosphorus</p>	<p>In order to ensure coherence, we suggest to express the phosphorus limits in the same terms as in the FRP 2019/1009 (see e.g. PFC1(A)(I) point 2b), that is “% by mass of total phosphorus pentoxide (P2O5)”.</p> <p>The European Standard for assessing this can then be the same as that developed for the FRP (CEN mandate from DG GROW underway).</p>	<p>REJECTED</p> <p>PFC1(A)(I) is out of the scope of the product group.</p>

11 Sampling and testing frequency

Subject	Comment	JRC response
Test frequency	For big plants, the number of samplings and the test frequency for the application year (appendix 1) can be a heavy burden for applicants. This is especially true for "Type 1: Treatment plants for waste or for animal by-products" where it is not always clear how to sample during the application year.	ACKNOWLEDGED The sampling shall be carried out according to EN 12579 (Soil improvers and growing media. Sampling). Samples shall be prepared according to EN 13040 (Soil improvers and growing media). The Additional clarification on how to perform an on-going compliance check will be introduced into the User manual.
Test frequency	All samples should be taken from the product, not from the input. The test frequency should be regulated according to the output amount. The input volumes don't reflect the volumes of production of final products.	ACKNOWLEDGED See above

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