Contents

Appendix Table of Comments to Technical Report 2 for Absorbent Hygiene Products [AHP] (OCTOBER 2022)

Act

Comments received in AHWG2/written form	JRC Dir. B response
We agree on including them in the scope as long as they are not medical devices.	**COMMENT ACKNOWLEDGED**
We believe that the proposed validity period is too long and we suggest to limit the validity period to maximum 6 years Many developments can be expected at European level within the framework of the Circular Economy Package: - EU Strategy for Plastics in a Circular Economy - Framework for bio-based plastics (BBP) and biodegradable & compostable plastics (BDCP) - Chemicals Strategy for Sustainability Those developments can also impact this product group e.g. on chemical substances (e.g. endocrine disruptors,...) as well as on recyclability and bio-based materials,....	**COMMENT REJECTED** In principle 8 years will be requested.

Scope and definitions

Comments received in AHWG2/written form	JRC Dir. B response
Scope: Inco products *Clarification: Since most of the Incontinence products for adults are marketed in the EU as medical devices, we don't understand the need to include them into scope. What is the market rate of incontinence products in the EU outside the medical device scope?*	**COMMENT REJECTED** There is no incompatibility between the CE mark and the EU Ecolabel. Indeed, the CE mark indicates that the product is in conformity with the applicable requirements set out in any Community legislation harmonising the conditions for the marketing of products. Moreover, Regulation (EC) No 765/2008 states that 'other markings may be used as long as they contribute to the improvement of consumer protection and are not covered by Community harmonisation legislation'. The Medical Devices Regulation (MDR) states that the CE marking indicates the conformity of the product with the MDR, so that the products can move freely within the Union and be put into service in accordance with their intended purpose. According to Article 2 of the EU Ecolabel Regulation, products that are registered as medical devices cannot bear the EU Ecolabel. However, this does not mean that products with a CE mark cannot bear the EU Ecolabel, as not only medical devices are CE marked. If a product is registered as a medical device, it shall bear the CE mark. However, manufacturers of incontinence products are not obliged to register their products as medical devices. Unfortunately, information on the share of incontinence products not registered as medical devices could not be retrieved. However, this share is estimated by the JRC to be small. Nevertheless, documents such as the Green Deal and the Circular Economy Action Plan clearly show the commitment of the Commission to reduce the environmental impact of as many products as possible. This is confirmed by the recent proposal for an Ecodesign for Sustainable Products Regulation, which aims at making sustainable products the norm in the EU. This policy framework confirms and strengthens the role of the EU Ecolabel to identify the leader products on the market from an environmental point of view.
We would like to remind you that, as for every kind of products destined for incontinence, they are classified as medical device in France.	
Incontinence products *Although we regret that incontinence material in general cannot be part of the scope, we do not think that it is a good idea to extend the scope to incontinence material without CE mark.* *[Suggestion] inclusion of all incontinence material in the scope or exclusion of all incontinence material* *[Rationale] In our opinion that gives a sign to the consumer that he has to choose between environment and safety and that is not the message that we would like to give.*	

	Even if only few incontinence products were to be able to be awarded the EU Ecolabel, this should be seen as a step towards staying within the safe operating zone of the planetary boundaries. Incontinence products' composition is very similar to the one of some absorbent hygiene products included in the EU Ecolabel scope. Indeed, incontinence products are registered under the same PRODCOM code as baby napkins (code 17.22.12.30 – "Napkins and napkin liners for babies and similar sanitary articles of paper pulp, paper, cellulose wadding or webs of cellulose fibres, (excluding toilet paper, sanitary towels, tampons and similar articles))". Similarly, EDANA considers baby and adult incontinence products as part of the same "diapers" category. Some stakeholders commented that obliging manufacturers to choose between the CE marking of conformity with the MDR and the EU Ecolabel for environmental excellence may create distortions in the market, as it would look as if the consumer had to choose between safety and environmental performance. Given the low percentage expected of incontinence products not registered as medical devices, the risk of a distortion of the market is very low. Moreover, the EU Ecolabel is a voluntary label and the inclusion of incontinence products in its scope would be a signal that more and more products should take environmental considerations into account.
We support the present scope but to avoid misunderstandings we recommend having a clear wording excluding all products covered by the Medical regulation. This will be in line with the regulation.	**COMMENT ACCEPTED**
Incontinence products *We welcome the changes proposed to allow introducing in the scope incontinence products which are not CE marked. We regret though that incontinence products for use in hospitals are left out, given their relevance for green public procurement.* *[Suggestion] Reconsider the inclusion of all incontinence products. Incontinence products can be bought by consumers also without medical prescription, so it is unclear whether they should strictly be considered as a medical device.*	**COMMENT REJECTED** According to Article 2 of the EU Ecolabel Regulation, it is not possible to award the EU Ecolabel to products falling under the Medical Devices Regulation thus leaving out for GPP the utilisation of EU ecolabelled incontinence products if registered as medical devices.
- *We would like to draw attention to the fact that reusable AHP will be integrated in the textile product standard as JRC proposed. We suggest adding in the title "Disposable AHP" in the title to avoid confusion.*	**COMMENT REJECTED** Criterion 5 on biodegradability and compostability means that some product would not be disposable but valorised in another way for so this comment is rejected.
[Decision Article 1. (2) vs TR2, p. 12] Clarification of the scope Discrepancy between TR2 ("scope & definition", 2nd proposal) and Decision (draft, article 1 (2)). The scope must be clarified: textile articles (reusable AHP) are not intended to be comprised in this product group. An explicit reference to the EE "textile products" (2014/350/EU) should be added. In the same way, clarification is also necessary for hybrid products: the dispatching between reusable textile parts (Textile ECOLABEL) vs the single-use part (AHP ECOLABEL).	**COMMENT REJECTED** **To check decision and TR2 text.** An explicit reference that reusable (textile) products can be awarded the EU Ecolabel for textile products cannot be added because the current EU Ecolabel criteria for textiles lack a requirement for the fitness for use specific to absorbent hygiene products (e.g. leaking prevention). The clarification for hybrid products will be provided in the user manual.
[Technical report version 2.0 (May 2022; Section "Scope and definition"; Page 12-14] Extension of the scope We wish to make the following comments:	

- We would like to point out that the case of hybrid products that consist of a disposable part as well as a reusable part. In which product group should they be classified? It seems consistent to assess the disposable part under this product group and it therefore appears necessary to deal with the reusable part when revising the textile product group as JRC proposed. However, could you confirm that it will be possible to have this distinction for a same product?	
Excluding textile products *We regret that textiles products are explicitly excluded without further explanations in the draft decision. It gives the impression that reusable alternatives are out of the scope of the EU Ecolabel. The promotion of reusable alternatives by the EU Ecolabel brings environmental benefits and would be in line with the EU goals to achieve a circular economy and the mandate set by the CEAP to enhance EU Ecolabel requirements that promote circularity and durability of products as well as minimizing waste. Parents and women are also increasingly interested by the use of reusable alternatives, changing consumption behaviors to avoid waste. If reusable diapers and female protections can be certified through the EU Ecolabel for textiles, there should be an explicit reference within the introduction chapter of this decision explaining this possibility and referring to the EU Ecolabel for textiles. However, the EU Ecolabel for textiles should be complemented with specific performance requirements for reusable products.* *[Suggestion] We strongly recommend making an explicit reference within this decision acknowledging the benefits of using reusable textile alternatives and providing the reference that they can be certified through the EU Ecolabel for textiles. Another option could be setting specific performance requirements for reusable textiles products within this decision and referring to the relevant requirements included in the EU Ecolabel for textiles (adopting a modular approach).*	**COMMENT PARTLY ACCEPTED** It is proposed to add in the preamble part of the legal act that the inclusion of textile AHP will be investigated for the future EU Ecolabel for textiles
[Technical Report.2 Section 3, p 16] Scope: Inco products *When explaining the rationale for the proposed scope text, there is a reference missed ("**Error, reference not found**"). Please modify.*	**COMMENT ACCEPTED** Modified.
[TR 2.0 p.14, definition of recycled content] technical What do you mean with "item". For me it is not clear what is the basis of the recycled content – the original product, the used product, the before mentioned "article"? The term "item" should be defined.	**COMMENT ACCEPTED** Addition in the definition of 'recycled content': 'Item can refer to the product or packaging in this case'. Item here shall not be mistaken to 'item' as in the definition (8) 'Product unit' means the smallest item that can be used by the consumer and that fulfils the product's function.
[Annex1 Definitions "ingoing substance"] Interpretation of the wording (4) 'Ingoing substance' means all substances included in the final product, including additives (e.g. preservatives and stabilizers) in the raw materials. Substances known to be released from ingoing substances (e.g. formaldehyde and arylamine) are also regarded as ingoing substances. From the AHWG comments, it seems clear that "ingoing substance included in the final product …" is to understand as "intentionally added substance". The second part of the definition is not contradictory, while the potential release from an ingoing substance - in stabilized manufacturing conditions - is already known. To avoid any misinterpretation, the definition must be clarified, and the "intention" should be explicitly mentioned. <u>Proposed amended definition</u>:	**COMMENT REJECTED**

Ingoing substance means all **intentionally added** *substances included in the final product, including additives (e.g. preservatives and stabilizers) in the raw materials. Substances known to be released from ingoing substances* **in stabilized manufacturing conditions** *(e.g. formaldehyde and arylamine) are also regarded as ingoing substances.*	
(4) ingoing substances To remain consistent with what the IT CB proposed for cosmetic products, we should limit the definition to the ingredients in the formulation. As an alternative, the manufacturer should ensure that ingoing substances do not form other restricted substances according to their limit of detection and quantification. We know it is a demanding requirement, as already pointed out for cosmetics.	**COMMENT REJECTED**
Definition of primary and secondary packaging *Some criteria mention "individual wrapping" and it is not clear whether it is primary or secondary packaging. For example, in a cardboard box with several AHPs individually wrapped it is not clear which is the primary packaging. This is important for the correct understanding of criterion 8.*	**COMMENT REJECTED** (7) 'Primary packaging', also known as sales packaging, means packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase. It is stated in the criteria that the individual wrapping of the product is called additional component (please, check definition 1 and body of the criteria text where it is mentioned… 'additional component (being individual wrapping of the product)…).
[Presentation 2AHWG meeting – day 1 – AHP, P18] Clarify *It would be beneficial to clarify definition of "components, materials, additives". Indeed, several terminologies are explained in the part "group scope & definition" (p15/16). These words "components, materials, additives" deserve as well some explanations.*	**COMMENT REJECTED**
[ANNEX I - Assessment and verification requirements] *Description of the product, packaging, components and material* *We think it is more correct to ask for this information in a specific criterion (that is criterion 1 deleted after de 1st AHWG)as it is a pass-fail requirement*	**COMMENT REJECTED**
[Decision/Annex1/Annex2 User manual] Translations Pay a special attention to translations into European languages. (e.g. "fluff pulp" into common professional French is not "pâte en flocons", but "pâte fluff", etc.) Especially for Definitions, risk of misinterpretation.	**COMMENT ACKNOWLEDGED**

Assessment and verification (including *Product Description*)

Comments received in AHWG2/written form	JRC Dir. B response

Dear AHP team, *…* *But to illustrate our point on having separate requirements on materials (articles) and chemicals I have attached the declarations we ask the suppliers to fulfill.* *A short introduction: the declarations are linked to the criteria listed in the document, and you will find a reference in the assessment/verification section.* *You find the declarations here:* *https://www.ecolabel.dk/-/criteriadoc/5629* *To approve materials, we will need the following:* *Film (PE): form 11* *Film with added chemicals (surfactants): form 11 and form 2a for the surfactant* *NW (polymers): form 11 (for the polymer), form 16 for the nw process and form 2a if any chemicals have been added.* *A separate chemical (adhesive): form 2b and MSDS* *I think we* [redacted] *follow the same principle and focusing on the chemicals added to the material to give a function.* *To make the criteria clearer I suggest you have 2 set of chemicals requirements:* *1) The general chemical requirement linked to the regulation and link to the final product and articles* *2) Separate chemical requirements linked to the chemicals added and not final product nor articles (own MSDS). This way you do not have to link percentage weight to the final product – you only look at the chemical product.* *Your proposal will not have to change much (not level, not the wording nor the intention) but by dividing the requirement it will be much clearer how to document and verify the requirement.* *I hope this input will help you, and just to repeat my self – this input is purely to make the requirements more understandable - this intention is not to alter the meaning or the ambition level.*	**COMMENTS REJECTED**
[Criterion 1 List of materiale (now removed)] *The information on the products composition is needed to ensure correct verification. To ensure consistency the Criterion 1 should be reintroduced. This requirement is needed, and supplementary documentation is needed (BOM for all products) hence this is naturally to have this as a requirement and not as a part of the Assessment and verification section.*	**COMMENT REJECTED**
[Assessment and Verification; Removal of criterion 1; *The criterion 1 (now 5.2) should be kept. The text passages should not be moved to the general assessment and verification section.* *[Rationale) When checking applications we (CB) always look at the criterion and the corresponding assessment and verification part. The general (introductory) assessment and verification text is not explicitly checked every time. It is more like a general guideline.*	**COMMENT REJECTED**

[Assessment and Verification; Removal of criterion 1 *To facilitate the check of the application by CBs, these requirements should be moved back to criterion 1 of the respective criteria.* *[Suggestion] Move the whole part back to criterion 1.* *[Rationale] When checking applications we (CB) look at the criteria and the corresponding "assesment and verification" part. This important information/requirement should be listed there.*	**COMMENT REJECTED**
[Assessment and Verification; Removal of criterion 1 *Without this information (the components, materials and additives used in the product with their respective weights and, whenever applicable, their respective CAS numbers) it is very difficult for a CB to assess the product and verification. You just don´t know if you have received all verifications for all components in the product, therefore this sentence should be the first one in the list to be submitted to the CB.*	**COMMENT REJECTED**
[Technical report version 2.0 (May 2022); Section "1: Product description", Page 26] Removal of the criterion *We support the removal of criterion 1.*	**COMMENT ACKNOWLEDGED**
[Assessment and Verification] Removal of criterion 1; *I don´t understand this sentence (A written confirmation from the applicant stating that all the criteria are fulfilled shall also be required for the assessment) because it is the CB who decides whether the criteria are fulfilled or not. The applicant can only state that they have submitted all documentation needed to verify the fulfilment.*	**COMMENT CLARIFIED** This a standard sentence that is used in all EU Ecolabel products. Its meaning is that the applicant declares that he/she has made sure that all EU Ecolabel criteria have been implemented, and that the CB can start checking that all criteria have been correctly fulfilled. If everything is correct, the CB can award the EU Ecolabel.

CRITERION 1: Fluff Pulp

Comments received in AHWG2/written form	JRC Dir. B response
We are in favour of more ambitious criteria, but already existing shortages in fluff pulp supply should be considered. Thus, we would rather support containing a broad spectrum of possible global suppliers, not excluding specific markets	**COMMENT ACKNOWLEDGED**
We are concerned regarding more stringent criteria, because 85% of fluff pulps currently came comes from the US market	**COMMENT CLARIFIED** Discussions with the US industry suggests that the some US mills would be able to comply with the new stringent limits. The values proposed in the TR3 are a compromise between a high environmental excellence and the availability of materials.
EU Ecolabel criteria should ensure that only the best performing mills from the USA should be able to comply, without excluding the US producers completely, in order to ensure security of supply with fluff pulps. The EU Ecolabel LHs of AHPs would also compete with Nordic Swan LHs for material supply	
using the wording wood raw materialfluff fibresinclude Eucaliptus and Bamboo as	

Sub-criterion 1.1 Sourcing of fluff pulp

Comments received in AHWG2/written form	JRC Dir. B response
[Criterion 1 and 2: fluff] [redacted] *support 70%. This is also in line with many countries GPP requirements.*	**COMMENT ACKNOWLEDGED**
[TR 2.0 p. 35-36] Technical *We again suggest to ask for 100 % of certified products. If you use FSC or PEFC as a proof for sustainable forestry management you will not reach the 70 % target. This is because FSC, for examples, includes only 70 % wood coming from sustainable managed wood. This means that in the end less than 50 % of the whole material comes from sustainably managed forests.* *The Blue Angel also demands for 100 % and the latest certifications shown that this level is feasible.* *We do not support the idea to use both systems: the mass balance/credit principle and the percentage system. We recommend to use the balance/credit system – it is more reliable and trustworthy regarding the real share of sustainable managed wood.*	**COMMENT REJECTED** As explained in the Table of Comment attached to the Second Technical Report (TR2), there seem to be a misunderstanding with the interpretation of the label. Criterion 1.1 refers to the percentage of wood raw materials used for the production of fluff pulp. The stakeholder is instead referring to the FSC or PEFC 'claim' for 70% sustainable fibres. In the case of criterion 1.1 of the EU Ecolabel, 70% of the wood materials used for the fluff pulp in AHP would be from SFM, and not 50%. Please also check Section 5.3.1 of the TR2
We support the 70% proposal for wood material covered by Sustainable Forest Management (SFM) certificates but as a minimum, suggesting raising the ambition level to 100%. In their opinion, it was feasible and desirable given the EU Ecolabel aspiration for environmental excellence.	
[Sub-criterion 1.1 – Sourcing of fluff pulp; ->SFM certification ambition *We welcome that the JRC proposes to increase the ambition level of the amount of pulp fibres that shall be covered by Sustainable Forestry Management certificates (from 25% to 70%). However, we consider that 70% is not a very ambitious requirement but rather the minimum level that should be used as a reference. In 2014 a very unambitious threshold was set at 25%, as fluff pulp suppliers from the US argued that it was not possible to match enough offer of certified fluff pulp from sustainable managed forests. However, already in 2014 we could find in shops nappies certified with FSC (which sets the threshold at 70%). The offer of such nappies has kept growing since then. The EU Ecolabel should require 100% pulp fibres from certified Sustainable Managed Forests, as the protection of forests is essential to curb climate change and biodiversity loss. It is important to consider that we are developing criteria for single use products, and that EU Ecolabel criteria to reward such products should be strict and really differentiate products of better environmental performance.*	**COMMENT REJECTED** As explained in Section 5.3.1 of the TR2, the vast majority of the fluff pulp is produced in the US (75-85% of global fluff pulp market), where only 13% of US forestry is covered by a SFM certification scheme. While EU has a higher share of certified forests, only 5% of global fluff pulp is supplied by the EU. In order to achieve a relevant uptake of the EU Ecolabel, it is important to ensure a solid supply chain for the market.
1. The way the minimum requirements are written is unclear at best. Clarifications to be requested as follows:	

a. All pulp suppliers need to have a valid chain of custody certificate for sustainable forest management. *b. A minimum of 70% of the wood raw materials has to be certified according to FSC, PEFC or equivalent.* *c. The rest has to be as a minimum controlled wood.* *2. The sentence on air-laid fluff pulp credits is unclear:*	
[Annex I; TR2 Sub-criterion 1.1 - Sourcing of fluff pulp]; -> Ambition targets wording *The requirement first for 100% and then 70% certified amount appear confusing as the texts are too similar* *[Suggestion]* *Suggest rephrasing the text as follows: " Annex I: Second proposal for sub-criterion 1.1: Sourcing of fluff pulp All (100%) wood raw materials used for the production of the fluff pulp shall be covered by valid chain of custody certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent. Replace with: All (100%) fluff pulp suppliers shall have a valid Chain-of-Custody certificate issued by an independent third party certification scheme such as FSC, PEFC or equivalent. Moreover, a minimum of 70 % of the wood raw materials used for the production of the fluff pulp shall originate from SFM certified sources be covered by valid Sustainable Forestry Management certificates issued by according to an independent third party certification scheme such as FSC, PEFC or equivalent. The remaining proportion of the wood raw materials used for the production of the fluff pulp fibres shall be controlled material covered by a verification system which ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material. The certification bodies issuing forest and/or chain of custody certificates shall be accredited/recognised by that certification scheme. Assessment and verification: The applicant shall provide the competent body with a declaration of compliance supported by a valid, independently certified chain of custody certificate and for all wood raw materials used in the product or production line. FSC, PEFC or equivalent schemes shall be accepted as independent third-party certification. In addition, the applicant shall provide audited accounting documents that demonstrate that at least 70 % of the wood raw materials used for the production of the fluff pulp is defined as certified material according to valid FSC, PEFC or equivalent schemes. If the fluff pulp is used in air-laid, then the air-laid supplier shall allocate credits to the air-laid delivered to the product, providing invoices to support the number of credits allocated. If the product or production line includes uncertified virgin material, proof shall be provided that the content of uncertified virgin material does not exceed 30 % and is controlled material covered by a verification system that ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material. In case the certification scheme does not specifically require that all virgin material is sourced from non-GMO species, additional evidence shall be provided to demonstrate this."* *[Rationale]The text is confusing as the sentences requiring first 100% certified content and right after 70% are almost identical.*	**COMMENTS ACCEPTED**
Annex I: Second proposal for sub-criterion 1.1: Sourcing of fluff pulp (please find my proposal in blue for rewording slightly the certification requirement) *All (100%) wood raw materials used for the production of the fluff pulp shall be covered by valid chain of custody certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.* *Replace with:* *All (100%) fluff pulp suppliers shall have a valid Chain-of-Custody certificate issued by an independent third party certification scheme such as FSC, PEFC or equivalent.* *Moreover, a minimum of 70 % of the wood raw materials used for the production of the fluff pulp shall originate from SFM certified sources be covered by valid Sustainable Forestry Management certificates issued by according to an independent third party certification scheme such as FSC, PEFC or equivalent. The remaining proportion of the wood raw materials used for the production of the fluff pulp fibres shall be controlled material covered by a verification system which ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material. The certification bodies issuing forest and/or chain of custody certificates shall be accredited/recognised by that certification scheme.* *Assessment and verification:*	

The applicant shall provide the competent body with a declaration of compliance supported by a valid, independently certified chain of custody certificate and for all wood raw materials used in the product or production line. FSC, PEFC or equivalent schemes shall be accepted as independent third-party certification. *In addition, the applicant shall provide audited accounting documents that demonstrate that at least 70 % of the wood raw materials used for the production of the fluff pulp is defined as certified material according to valid FSC, PEFC or equivalent schemes. If the fluff pulp is used in air-laid, then the air-laid supplier shall allocate credits to the air-laid delivered to the product, providing invoices to support the number of credits allocated.* *If the product or production line includes uncertified virgin material, proof shall be provided that the content of uncertified virgin material does not exceed 30 % and is controlled material covered by a verification system that ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material.* *In case the certification scheme does not specifically require that all virgin material is sourced from non-GMO species, additional evidence shall be provided to demonstrate this.*	

Sub-criterion 1.2 Bleaching of fluff pulp

Comments received in AHWG2/written form	JRC Dir. B response
About AOX, considering our available data, we believe that 0.15 kg/ADT may be a more appropriate value for Italian companies. We point out that, in general, test reports of these analyses have hardly ever been provided by the pulp producers in our applications on tissue paper products: please consider this aspect in order to implement correctly this requirement	**COMMENT REJECTED** According to the data received, an AOX of 0.14 kg/ADt would be feasible for the mills investigated.
No comments. 0,14 kg/ADt is OK.	**COMMENT ACKNOWLEDGED**
[5.3.2 Sub-criterion 1.2 (pp. 37-43 of technical report v.2. 0)] Bleaching of fluff pulp – AOX *AOX is sometimes considered a measure of the generation of toxic, chlorinated substances. There was some historic validity to this position when use of chlorine for pulp bleaching was commonplace (ca. 1990s and prior). However, following conversion to ECF bleaching in the early 2000s, studies of effluent characteristics at ECF mills have suggested little or no evidence of ecotoxicity related to AOX.1* *Although chlorine bleaching has been replaced with ECF bleaching, and there is little or no evidence of ecotoxicity related to AOX, AOX remains a stand-alone criterion in the EU Ecolabel.* *We do not advocate for reducing the AOX limit beyond current levels (0.17 kg AOX/ADt) because it would not likely achieve significant reductions in environmental impact to aquatic ecosystems. Regardless of whether the revised AOX criteria is set at 0.17 or 0.14 kg/ADt, EU Ecolabel should take undue emphasis off AOX while maintaining a high standard of environmental performance, and the following is suggested: incorporate AOX into the aggregate calculation for emissions that currently include COD, P, S, and NOx.*	**COMMENT REJECTED** It is not proposed to incorporate AOX limits with current criterion 1.3 on emissions of COD, P, S and NOx, in order to align with recent EU Ecolabel criteria for graphic paper.
Brightness – suggest a brightness target instead of AOX limit *Modern ECF processes virtually eliminate, not just reduce, dioxin, furans and other persistent chlorinated organics. Those chemicals of concern are no longer detectable in mill effluents and, consequentially, the EU Commission recognized ECF bleaching as the Best Available Technology. Thus, scientific evidence does not support the proposal to lower the AOX limit, which has high levels of measurement uncertainty.* *If AOX is of significant concern to the credibility of the EU Ecolabel criteria, we suggest a brightness limit of the fluff pulp instead of an AOX effluent limit which has not been proven to positively affect water quality. Producer specifcations for high bright fluff pulp requires more bleaching. To get to the source of the AOX generation, a requirement for lower brightness may be warranted. Consider limiting the brightness limit to TAPPI T 452 84 or lower.*	**COMMENT REJECTED** While in theory a lower brightness level would require a lower AOX value in the effluent, the brightness of the fluff pulp would not provide information of the technique used to bleach the pulp, and could imply a higher AOX limit. In order also to harmonise with the EU Ecolabel for graphic paper, a change is not proposed in this respect.

[TR2, Sub criterion 1.2- Bleaching of fluff pulp; Major comment->AOX emissions *During the 2nd AHWG meeting it was suggested by industry to use a brightness limit instead of an AOX limit. This is not a good option as it will disregards the level of chlorinated substances used in the manufacturing process and also different species need different amounts of bleaching substances to achieve the same level of brightness.* *[Suggestion] Maintain an AOX threshold instead of setting a brightness level*	**COMMENT ACCEPTED**
[TR2, Sub criterion 1.2 - Bleaching of fluf pulp; Consideration of US tests *Consider American (US) requirements for the testing.* *[Suggestion] Naming of (alternative) EPA standards, which can be accepted. Required test intervals should be such that they are compatible with national regulations.* *[Rationale] As the majority of fluff pulp is produced in the US, the requirements for the testing should be compatible with national requirements. EPA standards and test requirements should be considered as well.*	**COMMENT REJECTED** US conditions were already taken into account when setting a measurement frequency of 1 month.
[TR2, Sub criterion 1.2] Bleaching of fluff pulp; AOX emissions *The measurement frequency should be once a week. The variations in the AOX emission levels during a continuous production may be some big that a single sample every month does not give a representative picture of the emissions.*	**COMMENT REJECTED** It is important at this stage to consider also US conditions, which have very stringent national requirements that in some cases do not allow more frequent testing.
We support the approach of setting more stringent levels for bleaching of AHPs in order to align the EU Ecolabel with the Zero Pollution Action Plan. The EU Ecolabel should reward flagship actions by European manufacturers that are taking extra steps to improve their production processes, by not setting criteria that are of lower ambition that than EU -based best available techniques. Furthermore the demand for pulp for EU Ecolabel awarded nappies could be met by the production volumes from European manufacturers and that many EU producers were increasing their production volumes. Bleaching processes in the USA was different from European standards leading to a risk of generation of dioxins	**COMMENT ACKNOWLEDGED**
[TR2, Sub criterion 1.2 - Bleaching of fluff pulp; AOX emissions [redacted] welcome that the AOX limits for fluff pulp and man-made cellulose have been aligned as there is no reason to differentiate them. We also welcome slight reduction of the AOX value to 0.14 kg/ADt compared to TR1, but consider that the limit could be even lower. Making AOX emissions stricter (and aligned with EU BAT) is the right approach to align the EU Ecolabel with the goals of the Zero Pollution Action Plan. Manufacturers can apply to the EU Ecolabel to show their commitment towards zero pollution. The criteria of the label should reward those that are taking extra steps to improve their production processes and improve their environmental footprint. We would prefer that only TCF pulp is used in the long term, especially for hygiene products with important skin contact. As an intermediate goal we can accept ECF bleaching from well performing manufactories. [redacted] recommend setting the AOX value at 0,10 kg/ADt. The Blue Angel criteria for sanitary products are require an AOX value of 0.12. In response to concerns that a low limit would reduce the offer of fluff pulp available for the EU Ecolabel, we would like to highlight the following aspects: Today, EU produced fluff pulp of TCF quality can support approximately 30% of EU demand. We should not ask US if they can meet our criteria instead put pressure on them. This will spare the environment, babies and women from being exposed to toxic hygiene products. There are pulp mills producing good fluff pulp in the US also and they would have no problem in reaching the new criteria. But we know that in the US there were fluff pulp mills using chlorine gas still in 2017. North American pulp mills must be more transparent and show to the public they are fulfilling clean production even on BAT levels. Pulping techniques are well known around the world and modern mills are often transparent regarding effluent parameters. The problem is mills with older techniques. We should not adopt EU Ecolabel criteria in line with old mills. Instead, the EU Ecolabel should incentivize and reward modern less polluting techniques. In 2015, already 19 out of 35 EU pulp mills can deliver AOX emission levels at or below 0,10 AOX. Since 2015 until 2020 pulp capacity in the EU has increased by around 3 million tonnes. All extra capacity is from modern ECF mills that can meet this target. EU demand of fluff pulp was in 2019 1,6 million tons. The two largest fluff pulp producers in EU are Stora Enso and UPM. Together they have a fluff pulp capacity of app. 500 000 tonnes/y. They should be able to support producers that want to get the EU Ecolabel. Both also produce TCF fluff pulp. Moreover, recently EU Stora Enso has announced an investment of 40 million € in increasing their capacity of fluff pulp produced without bleaching. This will allow an increase in the offer of more environmentally friendly fluff pulp in the EU. We would not support increasing the AOX above 0.14 to enable use of fluff pulp manufactured with higher emissions than EU BAT. This would undermine the efforts done by	**COMMENTS PARTIALLY ACCEPTED** The AOX limit is not proposed to be relaxed. However, it is also not proposed to be made stricter. Instead, it is proposed to be set at 0.14 kg/ADt, as proposed in the TR2. While it is acknowledged that EU production of fluff pulp can meet very ambitious AOX limits (as many mills have switched to TCF bleaching), 2017 data show that Europe represents only 5% of the supply of global fluff pulp. Even if production is projected to increase, it is currently not demonstrated that European production can meet European demand for fluff pulp (also considering that absorbent hygiene products are not the only product including fluff pulp). An AOX threshold of 0.14 kg/ADt represents a good compromise between the characteristics of the fluff pulp market and the environmental excellence of the EU Ecolabel. Please note that additional thresholds are set for dioxins levels in AHP through criterion 7.3.h

companies engaged in reducing emissions and carbon footprint. We disagree with making the AOX value less ambitious as a response to Ukraine war and suggested shortages of raw materials. As far as we are aware Russia is not an important provided of fluff pulp. The US is the biggest provider, but the EU has also increased its capacity through new production facilities (as mentioned above). Also, South America has and will start new fluff pulp production. We are aware of Russian mills for paper pulp, but they are not modern. If the problem of a shortage of fluff pulp is an issue due to disruption of supply chains and transport this is not specific to the AOX value but a general problem as a result of COVID. It should not lead though to weaker requirements for the EU Ecolabel. Last but not least, there are reusable alternatives for this product groups which are better aligned with the Circular Economy. If single use products are to be rewarded, the criteria should truly differentiate products which have better environmental excellence.	
While we would like the set the threshold of the AOX at 0.10, we can support the proposed threshold of AOX of 0.14 as the minimum compromise for the reasons expressed above. In addition to the arguments provided above, another important consideration is that lowering AOX levels and using only oxygen bleaching leads to lower CO_2 emissions. This has been demonstrated through the new pulp production from STORA ENSO showing that oxygen bleaching lowers the carbon footprint and saves chemicals. Modern pulp mills with low kappa numbers can easily adopt the same technique. Older mills with higher kappa numbers must invest in new cooking techniques to reduce the environmental impacts. As EU average of AOX is 0,14, this should be the minimum limit proposed, although we support totally chlorine free bleaching. Now this is achieved by two of the biggest fluff pulp producers in EU (Stora Enso and UPM).	
[TR2, Sub criterion 1.2 - Bleaching of fluff pulp; AOX emissions The limit should be 0.12 as in Blue Angel	**COMMENT REJECTED** As explained in previous comments and in Section 5.3.2 of the TR2, amount of pulp produced in ECF sequences is more than 10 times the amount produced in TCF sequences, worldwide. Therefore, setting an AOX limit based only on TCF conditions or EU conditions would not be appropriate in the case. Without extra justification it seems not appropriate to further lower the AOX value
[TR2, Sub criterion 1.2 - Bleaching of fluff pulp; AOX emissions The BREF document proposed much higher AOX limits for sulphite pulp (0.5-1.5 mg/l). Should the EU Ecolabel differentiate between these two types of processes (kraft vs sulphite), similar to the approach in sub-criterion 1.3? The use of ECF bleaching by sulphite meals is not relevant. Industry representatives confirmed in the working group meeting that there are no sulfite mills in the US producing fluff pulp. If there were, the production processes that they use can easily rely on oxygen bleaching. TCF bleaching for sulphite mills should be the standard.	**COMMENTS ACKNOWLEDGED**
[Technical Report.2 Section 5, sub-criterion 1.2, p. 37-38] Point for discussion AOX limits for sulphite pulp (0.5-1.5 mg/l) Should the EU Ecolabel differentiate between these two types of processes (kraft vs. sulphite) similar to the approach in sub-criterion 1.3? EDANA perspective: there is an Incongruence between the question asked in this point of discussion and the data shared on the criterion 1.2 of the technical report. We consider this question should be removed.	

Sub-criterion 1.3: Emission of COD and phosphorous (P) to water and sulphur (S) compounds and NOx to air from the production of fluff pulp

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, sub-criterion 1.3, p. 45] Pulp, emissions to air and water	**COMMENTS PARTIALLY ACCEPTED**

It is suggested to bring in renewable materials as a requirement for the AHPs. It is hard to understand the constantly tougher criteria for the only renewable material (Fluff pulp) in an AHP as of today. The emissions to air and water are regulated locally with permits, and to introduce many new costs caused by demands on lower levels or other ways/increased frequency to measure should be avoided.	We agree that the criterion on fluff pulp is only one of the many criteria on AHP and that was not identified as a hotspot by the PEF. However, being a renewable material does not necessarily mean that the material is sustainable, and a high level of ambition should be ensured in order to single out EU Ecolabel products from the rest.
[Suggestion] Keep required levels of emissions harmonized with the Nordic Swan. *[Rationale] It is important to acknowledge the situation of fluff pulp production which is different from European pulp producers, with 85 % of the pulp being sourced from South East USA. There are other legal pre-requisites, other environmental conditions, other test methods, etc. This is the only renewable material that has been used for many, many years in the products and is well proven and has a stable availability as compared to many renewable materials that are more newly developed.*	
[5.3.3 Sub-criterion 1.3 (p. 46 of technical report v. 2.0)] Emission from production of fluff pulp; *We welcome that in general the emission values have been made stricter*	**COMMENT ACKNOWLEDGED**
COD 16 kg/ADT for bleached and 6,5 kg/ADt for unbleached OK.	**COMMENT ACKNOWLEDGED**
Would you agree with introducing a higher P limit emission for loblolly pine in case negligible amount of P is added during the effluent treatment? *Would you rather prefer to set a value of P naturally contained in the wood that can be subtracted, with the value being higher than current 0.01 kg P/ADt.* *Or should none of the above being taken into consideration?* ***EDANA perspective:*** *there is already in place an exception for the Eucalyptus from the Iberian Peninsula, so we agree to introduce a higher P limit emission.* *We want a clarification about this higher P limit emission is just for loblolly pine.*	**COMMENTS PARTIALLY ACCEPTED** In order to set strict limits on the amount of supplemental P which is added, but not to the wood species used for the fluff pulp production, it is here proposed that mills using loblolly pine must meet the same limit as eucalyptus mills (0.09 kg P/ADt), provided that their supplemental addition of P during the wastewater treatment is lower than 0.03 kg P/ADt. The 0.03 kg P/ADt has been chosen as it would be the same limit for kraft pulp.
We agree with the proposal that the loblolly pine fluff pulp products should be exempt from the EU Ecolabel phosphorus limit especially if mills can show that they do not add a large amount of phosphorus to the process either in the mill or in water treatment. I think the negligible amount should be the proposed reference value (in this case 0.03 kg/ADMT total). *Nordic Swan AHP criteria does allow for the total amount of phosphorus and COD in intake water to be subtracted from the outgoing phosphorus and COD. This would also be acceptable and would be consistent with the intent of the requirement to limit "added" phosphorus emissions to the environment.* *There is already an allowance in the draft for Iberian Eucalyptus based fluff to have a higher phosphorus reference value due to concentrations in the wood – it would make sense to include a similar allowance for Southeastern pine sourced fluff because the phosphorus in wood is the primary source of phosphorus in the process.*	
We support a Loblolly pine exemption from the P-limit, as well as for Eucaliptus	
Introducing a P exemption not only for Loblolly pine, but Southern in general (including Loblolly pine), since Loblolly pine is the primary species used in fluff pulp production in the US but a variety of Southern pine pulp species are pulped at US mills to produce fluff pulp.	

All eucalyptus species (not only Iberian) should have a higher phosphorus limit due to their inherently higher P values. Southern pines should have a higher P limit due to the same reason. We do not prefer having a set value to be subtracted for the P limit based on species. The limits should simply be higher for eucalyptus and southern pine. Table 8 on page 52: Eucalyptus P-factors are too small and should be corrected: 0,008 --> 0,08 and 0,009 --> 0,09	
Concerning phosphorus emissions, • *All eucalyptus species (not only Iberian) should have a higher limit due to their inherently higher P values.* • *Southern pine species should have a higher limit due to the same reason* • *We do not prefer having a set value to be subtracted for the P limit based on species. The limits should simply be higher for eucalyptus and southern pine.* • *Table 8 on page 52. Eucalyptus P-factors are too small and should be corrected: 0,008 à 0,08 and 0,009 à 0,09.*	
We do not support excluding loblolly pine/southern pine species from the phosphorus limit. This would create a very strange criterion as most species have different production demands in the process to achieve the same results. For instance, eucalyptus has a lower demand of chlorine dioxide to reach the same level of brightness. Should there be stricter demands for bleaching of eucalyptus?	**COMMENT REJECTED** In this TR3 it is proposed to set a higher P limit for eucalyptus and loblolly pine species. However please note that: 1- the higher limit is anyway stricter than the BAT-AELs 2- the company must demonstrate that less than 0.3 kg P/ADt is added in the process/wastewater treatment. This ensures that the higher P limit refers to the P naturally occurring in the wood, and not to chemicals added during production.
Introducing exemptions based on different species and/or criteria might impair whole system acceptance and usage	**COMMENT REJECTED** It must be taken into account that some species of wood naturally contain higher levels of some compounds, P in this case. This is also acknowledged in the BAT-AELs for pulp and paper, where eucalyptus species are granted a higher limit in order to face different conditions. Please note that the company must demonstrate that less than 0.3 kg P/ADt is added in the process/wastewater treatment, ensuring that the higher P limit refers to the P naturally occurring in the wood, and not to chemicals added during production.
The higher value refers to mills using eucalyptus from regions with higher levels of phosphorous (e.g. Iberian eucalyptus). *This exemption was discussed in CB Forum and the conclusion was that the exemption was also valid for some parts of Brazil under certain conditions. It is also written in the UM for paper products.*	**COMMENT ACKNOWLEDGED**
[5.3.3 Sub-criterion 1.3 (p.62 of technical report v. 2.0)] Emission from production of fluff pulp; *Phosphorus (P) limit for unbleached kraft pulp should be changed to 0,3 kg/Adt.* *[Suggestion] Change to 0,3 kg/ADt for P.* *[Rationale] Unbleached fluff pulp produced at non-integrated mills uses as raw material specific unbleached pulp, which can guarantee required performance and purity. Emission reference levels should be adjusted according to these unbleached grades (UKP-E). This action is relevant in case separate reference values for the converting process at non-integrated mills are not implemented.*	**COMMENT REJECTED** The value proposed by the stakeholder is one order of magnitude higher than the one proposed in the TR2. Such a high value cannot be accepted.

NOx limit for bleached chemical kraft pulp should remain at 1,6 kg/ADt. [Suggestion] Leave at 1,6 kg/ADt for NOx. [Rationale] The limits should allow operating room for non-integrated fluff pulp producers, i.e. buying pulp from the market and fluffing for resale. This action is relevant in case separate reference values for the converting process at non-integrated mills are not implemented. This factor refers specifically to TCF bleached pulp where the amount of raw material pulp producers is limited and their NOx emissions are not in line with the new criteria proposal. Note, that for example the ANSES report is guiding the market towards products with less chemical treatment and supports end-products based on TCF bleached and/or unbleached pulp. In this case, EU Ecolabel with the new reference values would push the trend in the other direction.	**COMMENTS REJECTED** As illustrated in the TR2, the data received across a number of EU and non-EU mills show that a limit of 1.5 kg NOx/ADt is achievable by companies, and also in line with the Nordic Swan and the Blue Angel ecolabels.
NOx limit should remain at 1,6 kg/ADt	
NOx limit for CTMP should be changed to 1,6 kg/Adt [Suggestion] Change from 0,3 to 1,6 kg/ADt for NOx. [Rationale] There are specific CTMP fluff pulp mixtures on the market, which are based on specific CTMP grades that can guarantee required performance and purity. Emission reference level should be adjusted according to these CTMP grades. This action is relevant in case separate reference values for the converting process at non-integrated mills are not implemented.	**COMMENT REJECTED** The rationale provided does not substantiate the request of relaxing the NOx limit for CTMP pulp by 5 times, while the Nordic Swan also sets a 0.3 kg NOx/ADt. Please provide more data in order to be able to address the request.
Sulphur limit at 0,36 kg/ADT is OK.	**COMMENT ACKNOWLEDGED**
In this Technical Report are proposing to reduce the sulfur limit by half from 0.6 kg/ADMT to 0.3 kg/ADMT. *Nordic Swan and Blue Angel both use the sulfur reference value of 0.6 kg/ADMT.* *If the idea is to harmonize with the other fluff pulp requirements, maintaining the current limit is justified.* *Additionally, the 0.3 kg/ADMT limit, which is what the graphic paper criteria uses is consistent with BAT standards for the pulping process and does not include power and other diffuse sources. The draft criteria propose the limit for all sources in the mill, creating a situation where the list of sources is not equivalent.* *We suggest keeping the 0.6 kg/ADMT limit as it is and keeping it consistent with other AHP criteria.*	
The reference value for phosphorus was lowered from 0.6 kg/ADMT to 0.35 kg/ADMT, a 42% reduction, and it was clarified that the sulfur value should be reflective of all sources in the mill including diffuse sources. It isn't clear that the 0.35 kg/ADMT from BREF document reflected for pulp and paper mills is inclusive of all pulp mill sources. The BREF document only refers to TRS and SO2 emissions from weak non-condensable gas collection, NCG burners, lime kilns and recovery boilers. In fact, the number of diffuse and point sources in the mill where sulfur can be measured is much more numerous and at some mills the number of sources reaches 80-100. It is burdensome to require every six month testing of all these sources and inconsistent to require reporting all sources against a reference value with a basis in 3 or 4 sources. *BREF also discusses inconsistencies with mills reporting non-condensable gas collection or destruction in their sulfur emission profiles. "Differences seem to exist between mills and countries in Europe with regard to reporting of emissions of uncollected and/or untreated non-condensable gases (NCG)." Pg. 248 This shows that even the limit cannot be sure to encompass all the emission sources in the mill. We suggest maintaining the previous reference value of 0.6 kg/ADMT which can include all mill sources, or limit the number of sources that must be included under the 0.35 kg/ADMT limit to the four source types included in the BREF document.* *As with previous comment rounds, it has been commented on that the US fluff pulp dynamics must be considered and the 0.35 kg/ADMT reference value doesn't seem to have any basis in the United States. It should also be noted that the Nordic Swan sulfur reference is 0.6 kg/ADMT. Please note that the unbleached sulfur reference should be equal to the bleached sulfur reference.*	**COMMENTS PARTIALLY ACCEPTED** In the TR3 it is proposed to maintain the limit of 0.35 kg S/ADt and limit the S sources considered to TRS and SO2 emissions from weak non-condensable gas collection, NCG burners, lime kilns and recovery boilers.

The current criteria has the following requirements: *NOx: EN 14792, ISO 11564, We would propose to include EPA Method 7e* *Sulfur Oxides: EN 14791 or EPA No. 8, we would propose to include EPA Method 6c* *Reduced Sulfur: EPA no 15A, 16A or 16B, we would propose to include EPA Method 16c* *We consider that these test methos need to be up to date and aligned with the US based test methods and they need to be consistent with the regulatory and permit requirements.*	**COMMENTS ACCEPTED**
The current criteria has the following requirements: NOx: EN 14792, ISO 11564 would propose to include EPA Method 7e Sulfur Oxides: EN 14791 or EPA No. 8 would propose to include EPA Method 6c Reduced Sulfur: EPA no 15A, 16A or 16B would propose to include EPA Method 16c This would be to have up to date US based test methods consistent with regulatory and permit requirements.	
"S and NOx shall be measured at least every six months, in addition to any measurements stipulated in regulatory requirements". *We suggest: "S and NOx shall be measured twice per calendar year separated by four months unless local regulatory requirements do not permit such testing. Written verification must be provided if the production site for the fluff pulp is exempt from this requirement for twice per year measurements."* *There is similar language than the one proposed in the Blue Angel criteria for this measurement.* *Our concern is on a mill that operates with a continuous emission monitoring device to regulatory standards, there is no reason the mill should have to mobilize a stack testing team to come out and test, we consider it redundant testing, adds no extra value and increase the costs associated.* *Additionally, there are some places (US) where stack testing is not permitted outside the regulatory approved frameworks, so a mill may be unfairly penalized because they are prohibited by the local regulators to conduct stack testing in accordance with the EU Ecolabelling requirements.* *We propose a phrasing change on the frequency because the technical difficulty to schedule stack tests exactly six months apart, it takes months to schedule and plan and if an unexpected outage occurs, it can take months to get back on schedule.*	**COMMENTS PARTIALLY ACCEPTED** The following wording is proposed: "Unless the regulatory requirements at the site of the fluff pulp production prohibit such measurements, emissions of S and NOx shall be measured at least twice per calendar year (separated by four-six months), in addition to any measurements stipulated in the regulatory requirements. Written verification must be provided if the production site for the fluff pulp is exempt from this requirement for twice per year measurements."
Consider American (US) requirements for the testing. [Suggestion] Naming of (alternative) EPA standards, which can be accepted. Required test intervals should be such that they are compatible with national regulations. [Rationale] As the majority of fluff pulp is produced in the US, the requirements for the testing should be compatible with national requirements. EPA standards and test requirements should be considered as well.	
The draft criteria states that "emissions of S and NOx shall be measured at least every six months, in addition to any measurements stipulated in the regulatory requirements" The monitoring frequency is very burdensome for most mills to keep up with. The most frequent stack testing regularly required in the U.S. is annually – asking companies to pay for the mobilization of stack testers every six months will cost close to $100,000 extra per year depending on the number of sources and pollutants required. This additional cost is very high for an activity that doesn't generate any environmental benefit. Stack testing results to not vary much year to year and there are permit requirements in place to prohibit mills from operating equipment differently than during stack tests. *Additionally, scheduling in a manufacturing environment can be very difficult. If there is a weather related event or operational upset that forces the site to postpone testing, it may be months before stack testing can be scheduled again and the six month window could have ended.*	

If the true desire is to have stack testing twice per year, it should be stated that the test frequency is twice per calendar year separated by at least four months. This will allow for much needed flexibility in mobilizing stack testers. *It is also unclear which sources must be included in the monitoring. If all sulphur emission sources must be tested every six months, the testing requirements alone would be prohibitive to all mills seeking approval with this Ecolabel criteria.*	
The requirement that "emissions of S and NOx shall be measured at least every six months, in addition to any measurements stipulated in the regulatory requirements" may not be possible at some sites. Air Emission testing and requirements in the United States is highly site-specific and permitting is conducted on a site by site basis. In some cases, mills are not able to conduct additional testing from what is required in the permit. There should be an allowance for mills to provide a written and signed explanation for how their permit required testing does not allow for compliance with the EU Ecolabel AHP criteria and allow case by case exceptions to the monitoring frequency and testing requirements. *Additionally, the way the draft requirement is written can be interpreted to mean that if a mill already tests annually, they will need to test two more times per year to meet the EU Ecolabel criteria. The mills' regulatory required testing should be able to "count" towards the EU Ecolabel required testing frequency. Furthermore, if a mill uses a continuous emission monitoring device, they shouldn't be required to have a stack test team mobilized for stack testing to meet the EU Ecolabel testing frequency because the tests are required in addition to their permit required monitoring.* *We suggest amending the criteria to read: "Unless the regulatory requirements at the site of the fluff pulp production prohibit such measurements, measurements of the emissions to air must be completed [at frequency (suggest annually)]. Written verification must be provided if the production site for the fluff pulp is exempt from this requirement or if an amendment due to regulatory needs is required."*	
"Unbleached" fluff pulp is an emerging product, and the process for making it is still in development. We suggest using bleached fluff pulp criteria for the "unbleached" fluff products until the next revision of the AHP criteria. Delaying criteria setting will allow fluff pulp producers time to develop a process and product that meets the needs of their customers without running the risk of setting criteria that may not be applicable to the final process.	**COMMENTS REJECTED** The criteria for newly introduced pulp types were aligned with Nordic Swan and the Blue Angel
For the emission values, we ask to align them with the criteria currently in force for tissue paper; for the NSSC pulp, as it seems not included in the paper fabric and since we have no historical emission data, we cannot express an opinion.	
Fluff pulp is produced both by integrated and non-integrated pulp mills. Non-integrated mills are operations with market pulp as raw material and converting it to fluff pulp. Non-integrated mills can provide special fiber mixtures and tailor-made grades for specific applications which otherwise would not be available. Current criteria do not acknowledge at all this separate process (which includes a separate/additional drying stage), hence it makes it extremely difficult to fulfil the tightened criteria. [Suggestion] Create additional reference values for the separate converting process. [Rationale] Separate reference values for both raw material pulp and converting process will help to monitor and guide both of these steps and areas when evaluating a non-integrated mill and its fluff pulp products. Emission data regarding these different factors has been provided to EU Ecolabel on an annual basis, but can separately be provided for this project as well in order to create relevant reference values.	**COMMENT ACKNOWLEDGED** **Contacted them.**
There appear to be incorrect values for NSSC in page 62: 0,02 kg P/ADt should be in the second paragraph and 11 kg COD/ADt in the upper one. [Suggestion] Correct; [Rationale]The P and COD emission value limits for NSSC have changed places and should be put in their right places.	**COMMENTS ACCEPTED**
There appear to be incorrect values for NSSC in page 62: 0,02 kg P/ADt should be in the second paragraph and 11 kg COD/ADt in the upper one.	

• To set the following limits for **COD emissions to water**: 16 kg COD/ADt for bleached kraft pulp, 24 kg COD/ADt for bleached sulphite pulp, 15 kg COD/ADt for CTMP, 6.5 kg COD/ADt for unbleached kraft pulp and 0.02 kg P/ADt for NSSC pulp; • To set the following limits for **P emissions to water**: 0.03 kg P/ADt for bleached kraft pulp, 0.03 kg P/ADt for bleached sulphite pulp, 0.01 kg P/ADt for CTMP, 0.02 kg P/ADt for unbleached kraft pulp and 11 kg COD/ADt for NSSC pulp;	

Sub-criterion 1.4 Emissions of CO_2 the production

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, sub-criterion 1.4,] CO2-emissions; The limit should be reduced from 450 to 300.There has been progress even in the US fluff production as regards the emissions of climate gases since the Nordic Swan established their CO2 limit.	**COMMENT REJECTED** Evidence could not be found on the feasibility of a new limit of 300 kg CO2/t. Hence the old limit of 450 kg CO2/t stands
[Technical report 2, Section 5, sub-criterion 1.4, p. 64] CO2-emissions *The Nordic Swan opens for the use of certified, renewable electricity which allows for using a lower number than 376 g CO2/kWh in its new criteria for tissue.*	**COMMENT REJECTED** Evidence could not be found on the feasibility of a new factor lower than 376 g CO2/kWh. Hence the old limit of 376 g CO2/kWh stands
Concerning a set value of 376 g CO2 for grid electricity in all countries cannot be accepted. We propose to be able to use the country specific value in each country. Understanding though that this is a complex issue.	**COMMENT CLARIFIED** Country specific electricity CO2 factors are not proposed here, but the applicant can present documentation establishing that energy from renewable sources is purchased, in which case the applicant may use the factor for the purchased electricity
A set value of 376 g CO2 for grid electricity in all countries is not acceptable. We propose to be able to use the country specific value in each country. [Suggestion] Allow the use of country specific value for grid electricity. [Rationale] Several producer countries are using electricity from much cleaner sources that indicated by the set value. The set value forces the producer to a more disadvantageous position.	
[Suggestion] Change text to open for supplier specific data, if the electricity is certified and the certification is handled according to schemes. *[Rationale] If a mill invests in buying certified, renewable electricity it should be able to use the achieved supplier specific emission factor.*	**COMMENT CLARIFIED** It is already allowed for the applicant to use the CO2 factor of the electricity purchased based on the contract for the specific electricity or the certification. See the assessment and verification of criterion 1.4
Using national CO2emissions factors shall not be possible. *In Denmark, this is subject to parliamentary scrutiny.*	**COMMENTS ACCEPTED** The reference to using national inventories has been removed, and the applicant can use a different CO2 factor for grid
[Annex1 Criterion 1.4. CO2 Assessment & Verification] European reference factor	

For grid electricity, the value provided above (the European average) shall be used unless the applicant presents documentation establishing that energy from renewable sources is purchased, in which case the applicant may use the factor for the purchased electricity (contract for specified electricity or National Inventories), instead of the value quoted in Table 2. *As mentioned [redacted], it is not relevant to offer the possibility to use the national factor for purchased electricity. This is keeping inappropriate discrimination between applicants because European electricity grid is generally interconnected. Therefore, the advantage to have operations in a low-carbon country e.g. France or Norway, is not relevant when France or Norway are also buying electricity from other countries, with higher CO2 emissions.* *We recommend to use the European emission factor.*	electricity only when demonstrated by contracts or certifications for specific electricity.
National CO_2-factors should not be accepted because there are no such things	
Nuclear power is not renewable or otherwise sustainable and only energy from renewable sustainable sources should be rewarded	**COMMENTS ACCEPTED** The sentence on nuclear power has been removed, as it was anyway not applicable to the criterion. Indeed, for electricity, the reference value in Table 2 is allowed not to be used only when presenting documentation establishing the average value for its suppliers of electricity (contracting suppliers or certified electricity).
Nuclear power energy is not special and better, and must be treated as every other energy source. Reduction factors for nuclear power is included for the first time, which should be discussed at the EUEB level.	
We have strong concerns with the proposed derogation for energy derived from nuclear plants. This derogation has not been proposed in other EU Ecolabel criteria and it should not be integrated here. All plants should refer to the EU average factor, and only deduct any energy that is derived from renewable energy sources. The EU Ecolabel should promote the use of renewable energies but not that of nuclear energy.	
Fluff: CO2 emissions [redacted] *suggests focusing on the reduction on energy consumption, and not only CO2 emissions.*	**COMMENT ACCEPTED** A new sub-criterion 1.5 has been proposed, focusing on the energy use during fluff pulp production. See section 5.3.5 in the TR3

CRITERION 2: Man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate)

Sub-criterion 2.1 Sourcing of man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate)

Comments received in AHWG2/written form	JRC Dir. B response
TR; 36 Criterion 2.1 We are in favour	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. A minimum of 70 % wood raw materials used for the production of dissolving wood pulp shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.
[Annex I, page 9, criterion 2.1] Criterion 2.1: Sourcing of man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate) *MMCFs are one of the fastest growing fibres and as such there has been an increase in demand for them. To ensure better forest protection, MMCF should come from FSC certified sources, and currently only 50% of MMCF are certified. Hence, FSC recommends that 70% (instead of the proposed 60 %) wood raw materials used for the production of dissolving wood pulp shall be covered by valid Sustainable Forestry Management certificates issued by an independent third-party certification scheme such as FSC. Moreover, 70% would ensure harmonization with criterion 1 too, as well as with many other EU Ecolabel product groups.*	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. A minimum of 70 % wood raw materials used for the production of dissolving wood pulp shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.
Chapter on viscose: In our opinion the minimum certified share should be harmonized to the same 70% as with fluff pulp.	
[Page 9 on Criterion 2.1: Sourcing of man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate)] Proposal to increase the percentage of wood raw materials used for the production of dissolving wood pulp that shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent *The increased percentage would correspond to the percentage already proposed in the wood raw materials used for the production of the fluff pulp that should be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent. This percentage is 70%.* *Suggestion to increase the proposed 60% of wood raw materials used for the production of dissolving wood pulp that should be covered by valid SFM certificates such as FSC, PEFC or equivalent to minimum of 70% .*	
[Criterion 2, man made viscose] [redacted] *supports a level at 70% for sustainable grown fibers.*	
Technical report version 2.0 (May 2022); Section "2.1: Sourcing of man-made cellulose fibers"; Page 67-68] % of the wood raw materials defined as certified material *We support to keep a minimum threshold of 70 % for the SFM certification.*	
[Sub-criterion 2.1 – Sourcing of man-made cellulose fibres; TR2] The level of certified wood raw material should be 70%	

[Sub-criterion 2.1 – Sourcing of man-made cellulose fibres; TR2 p67] [redacted] strongly disagree with setting a lower threshold for the certification of fluff pulp to produce man-made cellulose. [Suggestion] Increase the threshold from 60% to 70% at leaset [Rationale] Please see arguments provided in criterion 2.1 supporting a minimun threshold of 70% as a compromise. 70% is the threshold which is used as a reference by FSC and PEFC. It will make the verification process easier relying on FSC and PEFC certificates. There should be an harmonisation with criterion 2.1, as well as with other EU Ecolabel products. In the meeting all member states present in the working group who took the floor supported the 70% threshold, including Sweden.	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. A minimum of 70 % wood raw materials used for the production of dissolving wood pulp shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.
[Sub-criterion 2.1 – Sourcing of man-made cellulose fibres; TR2 p67] In [redacted] opinion the minimum certified share for viscose should be harmonized to the same 70% as with fluff pulp. [Suggestion] Harmonization at 70% for certified share. [Rationale] Wood fiber-based products should come from sustainably managed forests without exceptions.	
[ANNEX I – criterion 2] 60% SFM for man made cellulose fibres *In the absence of information from SHs, we propose to confirm 60% of fibres from sustainable forestry Management*	**COMMENT REJECTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. A minimum of 70 % wood raw materials used for the production of dissolving wood pulp shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.
[Sub-criterion 2.1 – Sourcing of man-made cellulose fibres; TR2 p68] No timeframe given. [Suggestion] Add e.g.: "..provide audited accounting documents for one year.." or "..that demonstrate that in the periode of one year..." In addition, the applicant shall obtain provide audited accounting documents that demonstrate that at least 60 % of the wood raw materials used for the production of the from the dissolving wood pulp manufacturer(s) valid, independently certified chain of custody certificates demonstrating that wood fibres is defined as certified material according to valid FSC, PEFC or equivalent schemes [Rationale] Which timeframe should be checked by the auditor? Usually a timeframe of 1 year (annual data).	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. It is added: The audited accounting documents shall be valid for at least one year prior to the application date.
[Sub-criterion 2.1 – Sourcing of man-made cellulose fibres; TR2 p70] Clarification: In Principle the Blue Angel does not discriminate between fluff pulp (for direct use in AHP) and fluff pulp as a raw material for MMCF. [Rationale] It was not relevant so far, but also in the PG AHP the fluff pulp that is used for MMCF production would have to comply with the normal fluff pulp criteria. Even if it is processed further, it is still fluff pulp. In the new criteria for textiles (still in the revision process) the requirements for fluff pulp (as raw material for MMCF) will be included almost 1:1 from the AHP criteria.	**COMMENT REJECTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. Fluff pulp is not used for the production of MMCF. In any case, the sourcing sub-criterion for both fluff pulp and MMCF has been aligned to 70% from SFM sources.

Please check this wording [*If the dissolving wood pulp is used in air-laid or nonwoven, the air-laid or nonwoven supplier shall allocate credits to the air- laid or nonwoven delivered to the product, providing invoices to support the number of credits allocated*] because dissolving pulp is not directly used in NW or airlaid. You make the viscose first and then it is the viscose fibres, that contain the dissolving pulp with the certified fibres, that are used in NW .	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 2.1 as specified in Technical Report 3. Clarified as: If the man-made cellulose fibres are used in air-laid or nonwoven, the air-laid or nonwoven supplier shall allocate credits to the air- laid or nonwoven delivered to the product, providing invoices to support the number of credits allocated.

Sub-criterion 2.2 Bleaching of man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate)

Comments received in AHWG2/written form	JRC Dir. B response
TR2 p72; We welcome that JRC has set a lower AOX value at 0.14. This should be the minimun compromise, as we think that 0.10 is feasible (see arguments provided for criterion 1.2).	**COMMENT REJECTED** Please, refer to the proposal for sub-criterion 2.2 as specified in Technical Report 3.

Sub-criterion 2.3 Production of man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate)

Comments received in AHWG2/written form	JRC Dir. B response
We welcome that the limit value of sulphur emissions to air has been made stricter, aligning it with the Nordic Swan Ecolabel. We welcome the inclusion of requirements on COD, zinc emissions and CS2 as the production of viscose is a very polluting process as this has been identified as one of the most important hotspots by the PEF study. These parameters are integrated in the Nordic Swan Ecolabel and the Blue Angel Ecolabel. In the working group meeting (contrary to the technical report) it was proposed to measure sulphates instead of sulphides, but we were not able to understand the reasons of this change. We would prefer keeping the reference as proposed in BREF and the Blue Angel Ecolabel. We will follow up on this question and provide further feedback. We would like to drawn the attention of the JRC to the Changing Markets Fundation report which challenged the EU Ecolabel for Textiles, for setting less ambitious emissions of sulphur than EU BAT and for not addressing address COD and zinc emissions. Their Roadmap Towards Responsible Viscose and modal fibre manufacturing, requires compliance with EU BAT emission standards for viscose staple fibre production in relation to air pollution, water pollution and treatment of solid non-hazardous waste: Sulphur to air (kg/t) = 12-20 Zinc to water (g/kg) = 0.01-0.05 COD (g/t) 3,000-5,000 https://changingmarkets.org/wp-content/uploads/2018/02/Roadmap_towards_responsible_viscose_and_modal_fibre_manufacturing_2018.pdf https://changingmarkets.org/wp-content/uploads/2018/06/THE_FALSE_PROMISE_OF_CERTIFICATION_FINAL_WEB.pdf	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 2.3 as specified in Technical Report 3. The limits specified here at the ones taken for the staple fibres (for which BAT exists) and for so the upper limit is the one referred to into the sub-criterion. Basically, we used the EU BAT emission standards for viscose staple fibre (Polymer BREF). S emissions to water are in the sulphate form, SO_4^{2-} (no sulphide, CS_2). Check Polymer BREF, where BAT summary for stable fibre is in table 13.13 (page 302). While there is not BAT for filament fibres, for this emissions, lower values from table 11.2 are used (page 208). The full explanation is within the rationale for sub-criterion 2.3 in TR3.

CRITERION 3 Cotton and other natural cellulosic seed fibres

Sub-criterion 3.1 Sourcing and traceability of cotton and other natural cellulosic seed fibres

Comments received in AHWG2/written form	JRC Dir. B response
Technical report version 2.0 (May 2022); Section "3.1: Sourcing and traceability of cotton and other natural cellulosic seed fibers"; Page 81-82 Regulatory update *We would like to point out that Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products has replaced Council Regulation (EC) No 834/2007.*	**COMMENT PARTIALLY ACCEPTED** Regulation (EC) No 834/2007 is repealed by Regulation (EU) 2018/848, however, it will continue to apply for the purpose of completing the examination of pending applications from third countries, as provided for in Article 58 of this Regulation. So two references have been added.
TR2, p81; [redacted] welcome the requirement to rely only on organic cotton and not BCI cotton.	**COMMENT ACKNOWLEDGED**

Sub-criterion 3.2 Bleaching of cotton and other natural cellulosic seed fibres

Comments received in AHWG2/written form	JRC Dir. B response
TR2, p83 There is no reason to use chlorinated substances for bleaching cotton. The EEB and BEUC propose only TCF bleaching. We had made this comment to the TR1 but it seems that it was not integrated in the list of comments submitted by stakeholders. [Suggestion] Exclude use of chlorinated substances for bleaching cotton [Rationale] Hydrogen peroxide is, by far, the most commonly used bleaching agent today. It is used to bleach at least 90% of all cotton and cotton blends, because of its advantages over other bleaching agents. https://www.fibre2fashion.com/industry-article/7071/problems-in-bleaching-for-cotton-textile-material The Blue Angel only accepts TCF bleaching processes for the bleaching of cotton fibres.	**COMMENT ACCEPTED** Please see Section 5.5.2

CRITERION 4: Synthetic polymers and plastic materials

Sub-criterion 4.1 Production of synthetic polymers and plastic materials

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, sub-criterion 4.1, p. 84] Production of synthetic polymers [redacted] *appreciates the international standards ISO 14001 and ISO 50001 can be used for verification. Important to notice that for some materials, use of water is not a significant issue which then is documented when using ISO 14001.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in relation to water in the discussion section.
[ANNEX I – Criterion 4.1] System for implementation of water-savings, integrated WM and optimisation of energy *We are in favour of requiring a comparison with consumptions and emissions to their last 5 years as a more solid proof of compliance to the criterion.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in relation to A&V in the discussion section.
Technical report version 2.0 (May 2022); Sections "4.1: Production of synthetic polymers and plastic materials"; Page 84] Implementation of a percentage reduction in water, waste and energy consumption energy consumption *We are not in favour of setting a percentage reduction in water, waste and energy consumption of synthetic polymer and plastic production sites. We would like to propose a reference to ISO 14001 or ISO 50001 on the same model as the criterion "5.1 Waste management system" of the standard on printed paper products, stationery products and paper bags.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in the discussion section.
Technical report version 2.0 (May 2022); Sections "4.1: Production of synthetic polymers and plastic materials"] Implementation of a percentage reduction in water, waste and energy consumption energy consumption – Assessment and verification feasibility The manufacturing site the criterion refers to belongs very often to a supplier's supplier or sometimes even their supplier. Neither the CB assessing the application nor the applicant has a relationship to that supplier. We know from our experience that we cannot get the detailed information that is required in the criterion. The manufacturing processes differ from each other and many times the requirement is not even relevant.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in the discussion section.
Technical report version 2.0 (May 2022); Sections "4.1: Production of synthetic polymers and plastic materials"] Implementation of a percentage reduction in water, waste and energy consumption energy consumption – Assessment and verification feasibility There is no water used in the process etc.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in relation to water in the discussion section.
Should sub-criterion 4.1 aim to reduce water, water and energy of synthetic polymer and plastic materials manufacturer sites to certain percentages compared to their last 5 years? *We consider that there is no need to prove extra information about the reduction on water and energy because it is already detailed when used ISO 14001 and ISO 50001.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.1 as specified in Technical Report 3. Find the explanation in relation to water, waste and energy in the discussion section and when requirements are fulfilled.

Sub-criterion 4.2 Bio-based plastic materials

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, sub-criterion 4.2, p. 88-89] Assessment and verification method *14C method can be applied only for "Pure" bio-derived materials, because mass balance material might not contain the indicated amount of bio-derived materials.* *If the new criteria allow to use mass balanced material, it would be preferable to admit another evidence (e.g. certificate by third party, chain of custody etc.).* *We need clarification about the need of C14 method, in which circumstances, and a clear statement on the use of mass balance.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. Instead of the CEN/TS 16137 – Plastics – Determination of bio-based carbon content (C14) which is withdrawn, the CSN EN 16640 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method shall be used. The use of mass balance is stated under the Assessment and Verification section of the criterion but it is not the preferred method.
[Technical report 2, Section 5, sub-criterion 4.2 p. 94] Bio-based plastic materials *Test for biogenic carbon shall also allow for the use of the CEN standard for biobased products: EN 16640:2017: Bio-based products – Determination of the bio-based carbon content of products using the radiocarbon method*	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. Instead of the CEN/TS 16137 – Plastics – Determination of bio-based carbon content (C14) which is withdrawn, the CSN EN 16640 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method shall be used.
[Technical report 2, Section 5, sub-criterion 4.2 p. 94] Point for discussion *Which should be the ambition level of sub-criterion 4.2? (A minimum of xx % w/w of the total synthetic polymers and plastic materials in relation of the total weight of polymers in the final AHP (including SAP) must be sourced from bio-based raw materials without counting packaging)* *Should criterion 4.2 be maintained? Or should it be made voluntary?* *The criterion 4.2 should be made voluntary.*	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. The sub-criterion is made voluntary.
[Criterion 4.2 Page 88] Bio based plastic materials *Ambition level should be minimum 30 % (w/w) and this criterion should be voluntary.*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. The ambition level of the criterion is not specified as it is proposed as a voluntary sub-criterion.

[Criterion 4.2 Biobased plastic materials] *Denmark do not suggest having a mandatory requirement on the use of biobased plastic. But if bio-based plastic is used the sourcing should be documented as proposed in the requirement. Book and claim shall not be accepted.*	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. The sub-criterion is proposed to be voluntary. Book and claim was not accepted in the first proposal and it is not accepted in the new proposal either. Radio carbon methods are preferred.
[TR 2.0 p. 94] Technical *Questions* *• Which should be the ambition level of sub-criterion 4.2? XX % w/w of the total synthetic polymers and plastic materials in relation to the total weight of polymers in the final absorbent hygiene product (including SAP) must be sourced from bio-based raw materials without counting packaging).* *We suggest to have this criterion for all inserted materials.* *• Should criterion 4.2 be maintained? Or should it be made voluntary?* *It should be a mandatory criteria.* *Certificates* *We suggest only to use the following certificates according to the Blue Angel:* *• International Sustainability and Carbon Certification (ISCC+),*26 • Roundtable on Sustainable Biomaterials (RSB), • Roundtable Responsible Soy (RTRS),* • Roundtable on Sustainable Palm Oil (RSPO),* • REDcert (EU-Abfall) – ausschließlich aus biobasierten Abfällen innerhalb der EU • Forest Stewardship Council (FSC), • Programme for the Endorsement of Forest Certification Schemes (PEFC) • Öko-Landbau-Siegel (deutsches Bio-Siegel oder EU-Bio-Siegel "Euro-Blatt")*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. This sub-criterion has been made voluntary. The accepted certificate schemes are the ones formally recognised by the European Commission and summarised in the European Commission webpage currently as: https://ec.europa.eu/energy/topics/renewable-energy/biofuels/voluntary-schemes_en.

[Annex1 Criterion 4.2: Bio-based plastic materials] Mandatory percentage of bio-based plastic materials *A minimum of XX % w/w of the total synthetic polymers and plastic materials in relation to the total weight of polymers in the final absorbent hygiene product (including SAP) must be sourced from bio-based raw materials (not counting packaging).* The progressive phasing-out of single-use plastic materials has led, among other things, to the emergence of new resins known as "bioplastics", as a substitute for 100% fossil-based plastics. These "bioplastics" due to the prefix BIO, can be understood and used either for plastic sourced from a minimum content of plant material (corn, wheat, sugar cane, sweet potato, etc.) or plastic that are bio-degradable. Thus, some bioplastics can be both bio-based and biodegradable, but not all bioplastics are necessarily bio-based and/or not necessarily biodegradable. This lack of clarity should lead to ban the term "bioplastics" in any technical or regulatory reference, in order to avoid any confusion on the real characteristics of these new plastics. Despite the interest of the rationale, the ecological benefit has not been always demonstrated and they lead to substantial issues for recycling industry as well as for agronomic recovery of biowaste. GROUP'HYGIENE is not in favour of the development of bioplastics but if they were to be used more widely, GROUP'HYGIENE recommends limiting the number of bio-based and biodegradable resins placed on the market, and taking into account their suitability for sorting and industrial processes. This could be done by the waste treatment sector's advisory bodies and further included in the specifications of relevant EPR schemes. These plastics could then be recovered in homogeneous batches by the suitable recovery process, namely recycling or the production of Refuse-Derived Fuels (RDF). We therefore recommend avoiding bio-based and biodegradable plastics. - As part of the Zero Pollution Strategy, bio-based and biodegradable plastics should be avoided. Indeed, they do not have any agronomic benefit and the safety of the additives they contain has not been demonstrated. - Plastics should be first recuperated for treatment and not be used for bio-waste collection in order to facilitate their agronomic recovery. We should promote the collection of biowaste in bulk or in paper containers (kraft bags), which better fits the natural cycle of the material. <u>Proposal</u>: Enable the optional use of bio-based plastics only where feasible and without fixing a min level. If added, the Mass Balance approach should be accepted and not only the norm CEN/TS 16137. Wording to be modified (e.g. to align with Blue Angel - 3.6.2 Origin of renewable raw materials for bio-based plastics). *If renewable raw materials are used to produce bio-based plastics for the product or packaging, these must be sourced from sustainable cultivation on cultivation areas that can verify that they are managed in an ecological and socially responsible manner.* *The origin of the renewable raw materials for the production of the bio-based plastics must be verified in the form of a certificate from one of the following certification systems: (…)*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. Instead of the CEN/TS 16137 – Plastics – Determination of bio-based carbon content (C14) which is withdrawn, the CSN EN 16640 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method shall be used. The use of mass balance is stated under the Assessment and Verification section of the sub-criterion but it is not the preferred method.
[Criterion 4.2] Optional or mandatory *Regarding the possibility that the sub criterion 4.2 could be a voluntary one, in this case there should be a "prize" for those who apply it, otherwise there would be no reason to do this. For example: the applicant could be allowed to use a specific claim on the label. We suggest to clarify how to make this criterion optional.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 4.2 as specified in Technical Report 3. Currently in the sub-criterion: 'The final product (and/or packaging) may be voluntarily labelled as containing "bio-based" plastic materials only if >50% by weight of the total weight of plastics originates from bio-based resources. The generic claim "bioplastics" shall not be used'.

[Presentation 2AHWG meeting – day 1 – AHP; P94: NEW sub-criterion 4.2] Revise criteria *"A minimum of % w/w of the total synthetic polymers and plastic materials sourced from bio-based raw materials (not counting packaging)"* *This requirement has some limits today. Indeed, some plastic materials do not have a bio-source supply yet. The requirement should be voluntary without mandating a min level.* *If added, mass balance approach should be accepted as proof and not only the norm CET/TS 16137.*	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 4.2 as specified in Technical Report 3. Instead of the CEN/TS 16137 – Plastics – Determination of bio-based carbon content (C14) which is withdrawn, the CSN EN 16640 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method shall be used. The use of mass balance is stated under the Assessment and Verification section of the sub-criterion but it is not the preferred method.
[Technical report version 2.0 (May 2022);Section "4.2: Bio-based plastic materials"; Page 88] Removal of criterion 4.2 *We are not in favour of the inclusion of this criterion. Indeed, as the environmental superiority of bio-based plastics over fossil plastics has not been fully demonstrated, it should be dangerous to include criteria without real proof of the environmental benefit. It will be contrary of the EU Ecolabel regulation (No 66/2010 of 25 November 2009):* *(1) The aim of Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme was to establish a voluntary ecolabel award scheme intended to promote products with a reduced environmental impact during their entire life cycle and to provide consumers with accurate, non-deceptive, science-based information on the environmental impact of products.*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for criterion 4.2 as specified in Technical Report 3. Currently in the text of the sub-criterion: All (100%) bio-based raw materials used for the production of bio-based plastic in absorbent hygiene products shall be covered by valid chain of custody certificates issued by an independent third party certification scheme officially recognised by the European Commission. In addition, bio-based raw materials used for the production of bio-based plastic in absorbent hygiene products shall align with the sustainability criteria similar to those applicable to the energy sector.
[Technical report version 2.0 (May 2022);Section "4.2: Bio-based plastic materials"; Page 88] Test method [Suggestion] Change reference to testing method [Rationale] Suggested method not valid anymore. There is an established CEN standard for biobased products: EN 16640:2017 for determination of biobased content.	**COMMENT ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. Instead of the CEN/TS 16137 – Plastics – Determination of bio-based carbon content (C14) which is withdrawn, the CSN EN 16640 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method shall be used.
Annex I: Proposal for sub-criterion 4.2: Bio-based plastic materials – NEW [Comment] This criterion should be put together with criterion 8 and be an option there	**COMMENT REJECTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. However, this sub-criterion also applies to packaging.

[Technical report version 2.0 (May 2022);Section "4.2: Bio-based plastic materials"; Page 88] X % content of renewable raw materials [Suggestion] Take away any specific level of content of renewable polymers, if not opening also for biomass balanced materials. [Rationale] To use renewable materials as part of the products should be encouraged, however the availability, technical properties, etc. are greatly varying and cannot make a stable enough material flow as it is today. To encourage the use of renewable resources in the material systems the use of biomass-balanced materials must be allowed. This will of course not give any specific content of renewable materials that can be claimed, but it is a necessary step in increasing the input of renewable resources in the product system and give time for the polymer industry to change their processes to create enough volumes of renewable material eventually.	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. This criterion has been made voluntary. The use of mass balance is stated under the Assessment and Verification section of the criterion but it is not the preferred method.
[Technical report version 2.0 (May 2022);Section "4.2: Bio-based plastic materials"; Page 88] X % content of renewable raw materials [redacted] do not support the inclusion of a mandatory content of biobased plastic materials within the EU Ecolabel for AHP. Instead of setting any threshold for mandatory use of BBP, the criterion should rather require that when BBP are used they should originate from sustainable sourcing. The list of certification schemes recognised by the EU Ecolabel should be assessed to ensure that only the most reliable are allowed, including notably those that avoid risk of indirect land use change. [Suggestion] 1) Do not set a mandatory content of biobased ingredients. 2) Assess the list of certification schemes allowed by the EU Ecolabel. 3) Consider eventually setting also requirements for the sourcing of fossil fuel based. [Rationale] Avoiding a mandatory content of biobased origin but requiring sustainable certification when renewable ingredients are used, is the approach applied by the EU Ecolabel for lubricants for which we had a similar discussion within the EU Ecolabelling board. The Blue Angel for Absorbent Hygiene Products also follows this logic. The environmental benefits of replacing fossil-based plastics with biobased plastics are unclear. Quoting the position of the Rethink Plastic Alliance of leading European NGOs on bio-based plastics: https://rethinkplasticalliance.eu/ressource/ecos-and-the-rethink-plastic-alliance-position-paper-on-bio-based-plastics/ Bio-based plastics (BBP) cover a broad range of materials and feedstocks, with wide variations in terms of their environmental impacts: some potentially innovative and promising processes (…) for example in the case of BBPs made from biogenic waste. However, the vast majority of BBPs today are produced from virgin raw materials, increasing pressures on land particularly where their production is supported by intensive and fossil-fuelled agriculture, and may not by default perform any better than their fossil-based counterpart from an environmental and circularity perspective. It should not be assumed that biobased plastics are by default carbon neutral, even more for single use products. Bio-based plastic production from agriculture also comes with the other forms of environmental degradation associated with industrial agriculture (biodiversity loss, soil depletion, water pollution, etc.). Indirect Land Use Change risks need to be integrated in the assessment. As well as biotic resource depletion effects, as renewable resources can also be depleted in a context of growing biomass use in many sectors. BBPs cannot be considered as inherently circular and sustainable. Introducing a mandatory content of BBP would apply simple substitution of one material by another maintaining the principles of the linear economy. To reduce the dependency on fossil fuels, it is more relevant prioritising resource efficient consumption patterns supporting the objectives of the circular economy by promoting the use of reusable products instead of single use products made of biobased materials. Another aspect to highlight is the lack of robust methodologies to account biobased content and ensure reliable and accountable certification: Products claiming to contain BBP can also be mixed with fossil-based plastics, sometimes present in greater shares (notably if using mass balance approach within the EN 16785-2 when determining the bio-based content). There is a challenge with respect to the selection of robust certification schemes for sustainable sourcing of biobased materials, as there is no yet EU sustainability criteria for bio-based plastics. The list of certification schemes acceptable for the Blue Angel is more restrictive than the JRC proposal for the EU Ecolabel. We would recommend further analysis and selection of the schemes with the highest sustainability performance. Notably: It should be ensured that bio-based plastics are not sourced from locations where there is no risk of indirect land-use change (e.g. Roundtable of Sustainable Biomaterials) Finally, we would also recommend the consideration of sustainability conditions for extraction and processing of materials derived from fossil fuels (e.g. avoid fracking, look at carbon footprint of processing to favour use of renewables).	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for sub-criterion 4.2 as specified in Technical Report 3. A mandatory content of bio-based ingredients is not set. All (100%) bio-based raw materials used for the production of bio-based plastic in absorbent hygiene products shall be covered by valid chain of custody certificates issued by an independent third party certification scheme officially recognised by the European Commission.

CRITERION 5: Compostability

Comments received in AHWG2/written form	JRC Dir. B response
[Criterion 5 Page 95] Biodegradability *We do not support introduction of this criteria, but this requirement should be on a voluntary basis. We don't support this criteria to be compulsory, because it is unnecessary to have biodegradable certificate for example fluff pulp, which is form nature origin and also because there isn't enough space on the packaging to translate instructions of disposal of the product and packaging material into 12 languages we have in our sanitary towel and panty liner packaging.*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. This criterion has been made voluntary. However if the product/packaging is compostable, the statement on how to dispose it is still to be given on the primary packaging.
Technical report version 2.0 (May 2022); Section "5.1: biodegradability of the product "; Page 95 Removal of criterion 5.1 *We are not in favour of the inclusion of this criteria (biodegradable or compostable), for several reasons:* *- It can be very confusing for consumers, the risk being that they throw the product in their own composter, or even worse, in the wild.* *- Waste management on this kind of products does not currently exist. The interest of such criteria is questionable either on the creation of waste management or on making this kind of products biodegradable.* *- A regulatory text provides in France for the authorization to collect some kind of products together with bio-waste* https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000045393787 *AHP are not part of it. Such a criterion would not be applicable in France.* *- It must be demonstrated that the additives, in particular for biodegradable polymers, are themselves biodegradable. Otherwise, it amounts to authorizing the environmental dispersion of chemical products.* *- Currently there isn't standard for biodegradability of polymers "super- absorbents".* *- Current standards on biodegradability (of a plastic bag, for example) consider a biodegradable product to be a product that is 90% biodegradable. This raises questions about the fate of the remaining 10% and bioaccumulation.* *- Moreover, tests to respond at those standards are made in laboratory not in real condition. A study by ADEME on home compost and industrial composting of domestically compostable plastic bags has clearly demonstrated big discrepancies between what the norm announced and what actually happened on the ground.* *https://librairie.ademe.fr/produire-autrement/530-compostage-domestique-et-industriel-des-sacs-plastiques-compostables-domestiquement-et-des-sacs-en-papier.html* *It Is reasonable to think that we will have the same problem with AHP.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. This criterion applies to the absorbent hygiene product and the packaging in a voluntary basis. A clear statement shall be given on the primary packaging to guide consumers on how to dispose correctly the cited absorbent hygiene product and packaging made of compostable material, after use.
[Criterion 5, biodegradability of the product] *Denmark does not support to include this requirement. These products are not compostable hence it is not relevant to include parts which is biodegradable – it is not possible to sort only part of a used product. At this point all diapers are collected with mixed waste and send to incinerator (at least in Denmark).* *Alternatively, a sub product group should be established requiring 100 % of the product to be biodegradable.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. This criterion has been modified and it applies to the whole (100%) absorbent hygiene product and the packaging in a voluntary basis.
[Annex1 *Criterion 5: Biodegradability of the product (including the packaging)] Criterion to be optional* *The term "biodegradable" can itself be a source of confusion: it does not mean that the material can degrade on its own in nature, nor even that it will degrade in all biological processes (local composting, anaerobic digestion, etc.), but only that the material fulfils a degradation standard in*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3.

laboratory pilots that reproduces industrial composting. In this respect, ADEME (the French agency for ecological transition) recommends indicating "do not litter in the environment" and no longer using the term "biodegradable" in communications to the general public in order to avoid any confusion. *The biodegradability should be demonstrated in composting process AND in anaerobic digestion to prevent any misdirection. Today only paper bag or Kraft bag respond to this criterion.* *We therefore recommend avoiding bio-based and biodegradable plastics* *- As part of the Zero Pollution Strategy, bio-based and biodegradable plastics should be avoided. Indeed, they do not have any agronomic benefit and the safety of the additives they contain has not been demonstrated.* *- Plastics should be first recycled and not be used for bio-waste collection in order to facilitate their agronomic recovery. We should promote the collection of biowaste in bulk or in paper containers (kraft bags), which better fits the natural cycle of the material.* *Moreover, regarding the products, the European regulation on fertilising materials (UE) n°2019/1009, states which categories of constituent materials (CMC) are allowed in the composition of fertilisers (regarding their innocuity and their agronomic benefits). As AHP are not listed, the ECOLABEL should not promote an "end of life" that is not possible and not allowed.*	A clear statement shall be given on the primary packaging to guide consumers on how to dispose correctly the cited absorbent hygiene product and packaging made of compostable material, after use.
[Criterion 5] Biodegradability/ compostability *We propose that biodegradability could be required for at least only one of the two components (the packaging and/or the product). The requirement for compostability seems excessive, also because the actual effectiveness of the requirement (that should actually be 100%) would also depend on local collection and disposal methods. It is always good to require even partial biodegradability in order to improve waste disposal.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. This criterion applies to the absorbent hygiene product and the packaging in a voluntary basis. The initial proposal with a section of product being biodegradable has been modified to request the full product to be compostable.
Technical report version 2.0 (May 2022); Section "5.1: biodegradability of the product "; Page 95 Suitability of criterion [Comment] At the moment it is still too early to require, for example, that SAPs have to be biodegradable, but including this criterion could be a first step for when recycling and fermentation/composting of this product group will actually take place in the future. [Suggestion] Keep the criterion [Rationale] To date, there has been no selective collection and processing of this product group anywhere in Europe but a number of pilot projects are already underway. From 2025, a selective collection of diapers is planned in Flanders so recycling becomes possible. It isn't yet clear which technology will be used, but one of the possibilities is the technology were plastics are recycled and the organic fraction (stool + SAP) is fermented/composted. In this case it will be important that the SAPs will also be effectively biodegradable.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. This criterion has been kept for the absorbent hygiene product and the packaging in a voluntary basis.
Technical report version 2.0 (May 2022); Section "5.1: biodegradability of the product "; Page 95 Suitability of criterion [Comment] It is difficult to understand how this criterion would work in practice if only parts of the product are biodegradable. Then the consumer would need to know exactly which parts and then disassemble the product before disposal.	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. The initial proposal with a section of product being biodegradable has been modified to request the full product to be compostable. A clear statement shall be given on the primary packaging to guide consumers on how to dispose correctly the cited absorbent hygiene product and packaging made of compostable material, after use.

Technical report version 2.0 (May 2022); Section "5.1: biodegradability of the product "; Page 95 Suitability of criterion [Comment] Do not support the integration of this criterion: These claims should more generally not be allowed in nappies and the EU Ecolabel should not promote their use. These claims are misleading and might also lead consumers into thinking that using such single use articles bring a benefit to the environment and that the product will biodegrade with no associated impacts. Claims about composability should apply only to products that are fully compostable in all their parts (with all components tested separately) and where collection and composting infrastructure is available at scale. Nappies might not be accepted in composting facilities, where notably organic waste is composted. Claims on biodegradability should not be applied to products that are intended for composting only under specific conditions (e.g. industrial composting) and only if all components contained in the product are fully biodegradable. ECOS has made an assessment of biodegradability and compostability claims in plastics and found out that they are very popular in nappies. However, none of the diapers assessed were fully biodegradable. There was a lack of information on which are the biodegradable parts of the diaper and how are they to be separated from the non-biodegradable parts. It is very unlikely that consumers will separate the components that are biodegradable/compostable after using the diapers. Despite the presence of components with plastic parts that cannot be made from biodegradable materials, biodegradability claims are used in nappies. https://ecostandard.org/wp-content/uploads/2021/07/ECOS-RPa-REPORT-Too-Good-To-Be-True.pdf [Suggestion] Delete this criterion	**COMMENT REJECTED** Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. The initial proposal with a section of product being biodegradable has been modified to request the full product to be compostable. This criterion has been kept for the absorbent hygiene product and the packaging in a voluntary basis.

CRITERION 6: Material efficiency in the manufacturing of the final product

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, criterion 6, p. 99] Material efficiency in production *Incorrect to refer to the use of ISO 14025 to verify the production waste. This standard is about environmental declarations based on life cycle assessments and with possible additional environmental information.*	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 6 as specified in Technical Report 3. The referral to ISO 14025 has been deleted and clarification on how to fulfil this criterion has been added.
[Technical report 2, Section 5, criterion 6, p. 101] Point for discussion *Are the new limits of waste generated during the manufacture and packaging of the products achievable? (i.e. 8% w/w for tampons and 4% w/w for all other products)* [redacted] *We consider the new waste limits are achievables.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 6 as specified in Technical Report 3.
TR2, p104 Reference to wrong standard [Suggestion] Remove reference to ISO 14025. [Rationale] iSO 14025 is for so called Type III Environmental Declarations, i.e., how to establish this information based on life cycle assessments of the products. It is for Environmental Product Declarations and Product Environmental Footprint, and has nothing to do on how to report waste from the production, since that is not based on any life cycle data.	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 6 as specified in Technical Report 3. The referral to ISO 14025 has been deleted and clarification on how to fulfil this criterion has been added.

CRITERION 7: Excluded and restricted substances

Comments received in AHWG2/written form	JRC Dir. B response
[Technical report 2, Section 5, sub-criterion 7, p.108] Point for discussion *The LOQ is refer to a method, not to a substance.* *EDANA considers that the option for the supplier to provided direct feedback to competent bodies should remain, but we suggest rephrasing the sentence to make it easy to understand.*	**COMMENT PARTIALLY ACCEPTED** The text is retained, but it is not rephrased as this is a standard sentence in all EU Ecolabel products.
The text can stay. [Rationale] Blue Angel accepts documents directly from the suppliers to enable confidentiality.	**COMMENT ACKNOWLEDGED**
The general design of the criterion needs to be clarified. The understanding of the pile-up of all requirements is difficult and confusing. We suggest clarifying the scope of following sub-criteria. Do we understand correctly? a) 7.1. and 7.2. strictly apply to **ingoing substances**, namely intentionally added in the final product, and any component articles therein. b) 7.3. (a) strictly apply to (ingoing?) **included substances**? [Nota: what's the difference between "ingoing" and "included" ?] c) 7.3. (b) to (h) various specific requirements. d) 7.3. (i) applies to **impurities of concern**, e.g. traces of unavoidable/unintentional substances.	**COMMENT CLARIFIED** The interpretation of the criterion is correct. Please note that the reference to included substances is a mistake; this has been rephrased to ingoing substances

Sub-criterion 7.1 Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council

Comments received in AHWG2/written form	JRC Dir. B response
[We understand the need for a user manual. [redacted] *would like the possibility to provide inputs to the user manual.*	**COMMENT ACKNOWLEDGED**
[Technical Report.2, Section 5, sub-criterion 7.1, p. 102] LOQ and LOD *Definitions as given are clear, but the conclusion that the LOQ typically is 3x higher than LOD is an oversimplification.* *LOD is basically determined by the sensitivity of the analytical method (equipment).* *The LOQ is often referred to as the 'method LOQ', as it depends on a number of steps in the analytical process, including the amount of extraction liquid used relative to the sample amount in the test, the cleaning of the extraction liquid, dilution steps, etc.*	**COMMENTS CLARIFIED** This assumption of LOQ = 3x LOD is not from JRC, but it comes from ECHA's guidances. It was added only to contribute to the discussion. it will not be used for the revision of the criteria
[Technical Report.2, Section 5, sub-criterion 7.1, p. 102] LOQ and LOD [redacted] *supports the comment* [redacted] *regarding LOQ and LOD on the sub-criterion 7.1 as below :* *"Definitions as given are clear, but the conclusion that the LOQ typically is 3x higher than LOD is an oversimplification.* *LOD is basically determined by the sensitivity of the analytical method (equipment).* *The LOQ is often referred to as the 'method LOQ', as it depends on a number of steps in the analytical process, including the amount of extraction liquid used relative to the sample amount in the test, the cleaning of the extraction liquid, dilution steps, etc."*	
We understand the new lower limit for substances, not contain ongoing substances in concentration greater than 0.010%, but we need more clarity on the table it's referred.	**COMMENT CLARIFIED** It is Table 6 in sub-criterion 7.1 which has a limit of 0.01%
"Test carried out by the industry for the presence of substances in AHP are not based on harmonized analytical methods."	**COMMENT ACKNOWLEDGED**

It is correct that currently there are no harmonize standards of the analytical method. The industry is working towards developing such standards. *The EDANA Codex provides the guidance values for each of the substances. The test method (NWSP 360, in particular part 3) provides detailed information on the LOQ that is needed, as well as the maximum values of contaminants in the blanks that shouldn't be exceeded*	
[Rationale] Clarification: The Blue Angel has no total ban. The criteria (RSL) only address "constitutional components"- substances/mixtures which are intentionally added,stay in the product and have a function there.	**COMMENT ACKNOWLEDGED**
Inpurities can be present in the final product up to 0.0100% w/w It is a better option to allow impurities <100 ppm tha have zero tolerance. However, the supplier chain can be very long with different actors and when the legislation requires information about levels of harmful substances > 1000 ppm it is difficult for a component manufacturer to know about all the impurities there migt be present in levels <100 ppm.It is frequently occuring discussion in the Nordic Swan what declarations we can accept or not when the supplier state according the "best of their knowledge" without measuring all the classified substances in the raw materials they use. Some suppliers sign the statements without hesitation while others don´t want to sign them at all without the comment "as far we as know"	**COMMENT ACCEPTED** The suppliers should complete the declarations to the best of their knowledge and based on the supporting information and SDS.
We do not wish to support a derogation for substances with a harmonized classification under Regulation (EC) No 1272/2008 as these substances are not essential for the proper functioning of the product (TiO2, dipropylene glycol dibenzoate).	**COMMENTS REJECTED** TiO_2 is classified as carcinogenic only when in dust inhalable form. This is not the form in which TiO_2 can be found in AHP products. Dipropylene glycol dibenzoate, classified as H412, is proposed to be derogated only in hot melt adhesives that are used to indicate wetness.
EFSA no longer considers titanium dioxide safe when used as a food additive so this means that Titanium dioxide is excluded by criterium 4.3c. Is it really needed to have the derogation for titanium dioxide in this product group? Maybe the EU Ecolabel should also encourage less white products.	
This derogation was included to enable diabers for newborn and incontinence products to apply. This substance is important for wetness indicators. The public sector calls for wetnes indicators in this sector. [Suggestion] Include a derogation for Dipropylene glycol dibenzoate.	**COMMENT ACCEPTED** Dipropylene glycol dibenzoate, classified as H412, is proposed to be derogated only in hot melt adhesives that are used to indicate wetness.
We welcome the new proposal in TR2 to restrict hazardous substances regardless of the concentration (instead of allowing them in concentrations below 0.1%). We wonder however why the JRC considers as necessary allowing presence of substances classified as hazardous to the environment up to 0.01% w/w. Even if this limit is low, the approach is confusing. The approach applied by the Nordic Swan and the Blue Angel could be implemented avoiding all hazardous substances as a safety net. [Suggestion] The wording could be potentially be aligned with the Nordic Swan: Chemical products used in the production/composition of AHP must not be subject to a classification requirement as specified in Table X" In this table also environmental hazards are included. Table 4 should incluce the environmental hazards too.	**COMMENT REJECTED** The limit of substances classified as CMRs and SVHCs is very low according to the increased exposure of consumers to such substances. However, environmental hazards listed in Table 4 do not contribute to consumer exposure in the same way. This is the same approach that was adopted in the recently voted EU Ecolabel for cosmetic products and animal care products.
A critical issue of the criteria could be assessment and verification rules. *First: declaration + SDS* *If we understand correctly, the verification is made on documentation only.* *7.1.* *The applicant shall provide a signed declaration of compliance with sub-criterion 7.1, together with a list of all chemicals used in their production process, their safety data sheet or chemical supplier declaration and any relevant declarations that demonstrate the compliance with the requirement.* *7.2.* *The applicant shall provide a signed declaration that the final product does not contain any SVHCs. The declaration shall be supported by safety data sheets of all supplied chemicals and materials used to produce the final product.* *Second:* *What should be the method for assessment: estimation? calculation? documentation? declaration? This is unclear.*	**COMMENT CLARIFIED** The method for the assessment is declaration + documentation. The applicant (or the supplier) will have to provide the full list of all ingoing substances in the product, together with their concentration and H classification. No testing is needed. Testing is required only in the context of specific substances, as reported in the individual assessment and verification, e.g. for formaldehyde, impurities, etc.

For restricted substances and unavoidable impurities with a restricted classification, the concentration of the restricted substance or impurity and an assumed retention factor of 100%, shall be used to estimate the quantity of the restricted substance or impurity remaining in the final product. [to be added in the User Manual: impurities can be present in the final product up to 0.0100% w/w. Substances known to be released or to degrade from ingoing substances are considered ingoing substances and not impurities] *To support our questioning:* *- Although it seems quite sensible to try to reduce all contaminants and hazardous substances, the regulatory limit (0.10% w/w) from REACH regulation offers the necessary guaranty while the new limit 0.010% is practically impossible to verify. All current documentation and mandatory requirements are linked to REACH. How do you see the possibility to require the adaptation/renewal of regulatory documentation/certificate from all suppliers (raw materials, chemicals, …) ?* *- Moreover, there is no realistic way to conceive a general testing of all materials/components. Without a risk analysis, the amount and the cost of procedures will obliterate any benefit.* *- All impurities should be considered from the scope of 7.3. (i) only.* *- EDANA CodexTM will be used as the reference document/framework for testing – only - the restricted chemicals (impurities of concern) mentioned Table 7 (see below our comment nr 8).*	
[Annex1 Criterion 7, Substances, 7.1. CLP, 7.2. SVHC, 7.3. Other specific restrictions] Assessment & verification *A critical issue of the criteria could be assessment and verification rules.* *First: declaration + SDS* *If we understand correctly, the verification is made on documentation only.* *7.1.* *The applicant shall provide a signed declaration of compliance with sub-criterion 7.1, together with a list of all chemicals used in their production process, their safety data sheet or chemical supplier declaration and any relevant declarations that demonstrate the compliance with the requirement.* *7.2.* *The applicant shall provide a signed declaration that the final product does not contain any SVHCs. The declaration shall be supported by safety data sheets of all supplied chemicals and materials used to produce the final product.* *Second: What should be the method for assessment: estimation? calculation? documentation? declaration? This is unclear.* *For restricted substances and unavoidable impurities with a restricted classification, the concentration of the restricted substance or impurity and an assumed retention factor of 100%, shall be used to estimate the quantity of the restricted substance or impurity remaining in the final product. [to be added in the User Manual: impurities can be present in the final product up to 0.0100% w/w. Substances known to be released or to degrade from ingoing substances are considered ingoing substances and not impurities]* *Rational to support our questioning :* *- Although it seems quite sensible to try to reduce all contaminants and hazardous substances, the regulatory limit (0.10% w/w) from REACH regulation offers the necessary guaranty while the new limit 0.010% is practically impossible to verify. All current documentation and mandatory requirements are linked to REACH. How do you see the possibility to require the adaptation/renewal of regulatory documentation/certificate from all suppliers (raw materials, chemicals, …) ?* *- Moreover, there is no realistic way to conceive a general testing of all materials/components. Without a risk analysis, the amount and the cost of procedures will obliterate any benefit.* *- All impurities should be considered from the scope of 7.3. (i) only.*	

- *We support EDANA Codex™ to be used as the reference document/framework for testing – only - the restricted chemicals (impurities of concern) mentioned Table 7 (see below our comment nr 8).*	

Sub-criterion 7.2 Substances of Very High Concern (SVHCs)

Comments received in AHWG2/written form	JRC Dir. B response
SVHC's should be excluded on a 0.010 % (like in reusable products).	**COMMENT REJECTED** SVHCs are proposed to be fully excluded (as ingoing substances, impurities may still be present), due to the close contact of the body with such substances, in line with the recent EU Ecolabel criteria for cosmetic products.
The EEB and BEUC welcome the full restriction of SVHC	**COMMENT ACKNOWLEDGED**

Sub-criterion 7.3 Other specific restrictions

Sub-criterion 7.3(a) Excluded substances

Comments received in AHWG2/written form	JRC Dir. B response
Phthalates – all should be excluded and the exemption as mentioned in note 3 (exclude also DIBP and DINP) shall be removed. *This is products that are very near to the body.* *The assessment and verification shall be listed in connection to each sub criterion – this is to enhance the readability of the document*	**COMMENTS PARTIALLY ACCEPTED** DIBP has been removed from the exemption, i.e. it is excluded in AHP, since DIBP is classified as Repr. 1B. DINP is not classified according to CLP. While DINP is excluded in general in AHP, it is proposed to be used in adhesive formulation, a very specific function, also given the low content permitted.
Phthalates We welcome the exclusion of all phathalates, without any exemption for DIBP/DIDP. Many phthalates are classified as harmful to health and the environment. All phthalates should be excluded in the EU Ecolabel, given their structural similarities. This is consistent with the Chemicals Strategy and its recommendation to change the approach when restricting chemicals and instead of addressing substances one by one it proposes favouring the assessment by groups of substances with structural or functional similarities. DINP and DIDP are restricted in toys and childcare articles which can be placed in the mouth, making their use in ecolabelled AHP inconsistent. These phathalates are also restricted in the EU Ecolabel for Electronic Displays and the Nordic Swan Ecolabel for sanitary products and the Blue Angel for diapers.	
We welcome the inclusion of the CODEX list of substances and their guidance values in the proposed EU Ecolabelling criteria (draft Technical Report 2, table 7). With this submission we would like to share with you the updated version of the CODEX. The changes comparing to the previous versions consist in: *1. Updating the list of **phthalates** to align with the Oeko-Tex standard version 2022, which is the regulatory reference we used for setting the guidance values for this class of substances.*	**COMMENT PARTIALLY ACCEPTED** Phthalates have been added to criterion 7.3.i, as they were previously missing. We would like to clarify that the exclusion of phthalates in criterion 7.3.a refers to ingoing substances, and not to the

We note that the proposed EU Ecolabelling criteria ban the presence of phthalates, even as impurities (with two exemptions, DIBP and DINP). However, in other ecolabelling schemes, this class of substances is allowed in specific conditions, namely: *-* Nordic Swan *ver.6.8:* *"Adhesives/binders must not contain phthalates".* *"Phthalates shall not be present in the dyes used".* *"Phthalates must not be present in the paper colorants used".* *"**The following substances must not be present in the plastic apart from impurities [...] phthalates**. The requirement includes plastic contained in components which make up more than 1.0 weight-% of the sanitary product and the additional components (S+A), (eg film, foil or foam)".* *-* Blue Angel *ver. 3 sets maximum limits for 22 phthalates included in Appendix B.* *Since the draft Technical Report emphasizes several times the efforts made to harmonize the requirements across various ecolabelling schemes, we would like to suggest that phthalates listed in the CODEX are included in the table 7.3 of the draft Technical Report 2. In addition, by including all the CODEX substances, the EDANA analytical method can be applied in full. **The target LOQs in the EDANA analytical method (NWSP 360) is the expected minimum amount of analyte that a laboratory must be capable of quantifying and was chosen to be no greater than 1/5 of the guidance value as specified in the EDANA CODEX.** It worth mentioning that the LoQ of the EDANA analytical method satisfies the relation LOQ ≤0.3 LOD as required in the ECHA guidance. Regarding the results of diaper sample analysis undertaken by French SCL mentioned at pages 120-121 in the draft Technical Report 2, we would like to refer to the opinion of Risk Assessment Committee of ECHA . Major uncertainties/shortcomings are recognized which are described in the section "Key elements underpinning the RAC conclusion(s)" and non-compliance with the ECHA guidance in regard to the relation LOQ ≤0.3 *Limit Value is pointed out by the ECHA Enforcement Forum.*	presence of phthalates in the form of impurities. Impurities are covered by criterion 7.3.i This is in line with Nordic Swan, whose criterion 05 says "Chemical products used in the production/composition of sanitary products and additional components must not contain [...] phthalates".
*2. Moving **Hexachlorobenzene** (CAS 118-74-1) under Pesticides group of substances. This is to ensure that it is possible to analyze it as a single substance.* *Recently the European Commission proposed an amendment of Annex I to POP Regulation by setting a limit of ≤ 10 mg/kg (0.001%) for Hexachlorobenzene as constituent of substances, in mixtures or in articles. The preamble of the draft Regulation proposal clarifies that HCB was mainly used in the EU as pesticide. HCB is also known to be formed as a by-product during the manufacture of other chemicals (mainly chlorinated solvents) and pesticides, and in the waste streams of chloralkaliplants and wood-preserving processes. From REACH registration dossiers, it is moreover known that the main use of substances containing HCB as a constituent or impurity relate to use in inks, coatings, paints and toners, use in wood application, in textile application and in plastics.*	**COMMENT ACCEPTED**
You should move the ban on acrylamide in SAP and give it an own separate requirement	**COMMENT PARTIALLY ACCEPTED** The exclusion of acrylamide is proposed both in sub-criterion 7.3.a and 7.3.g
EDCs We highly welcome the inclusion of an explicit exclusion of EDCs including on suspected EDCs, as these substances should not be present in consumer products and are of particular concern for this product group. The exclusion in this product group is consistent with the criteria of the EU Ecolabel for cosmetics. It is necessary to integrate a potential amendment of the chemicals criterion to integrate hazards included in the revision of CLP including on EDCs.	**COMMENT ACKNOWLEDGED**
Antibacterial agents Beyond nanosilver and triclosan currently restricted, all antibacterial agents should be excluded in alignment with the Nordic Swan.	**COMMENT ACCEPTED** See the new proposal for criterion 7.3.a

Sub-criterion 7.3(b) Fragances

Comments received in AHWG2/written form	**JRC Dir. B response**

Odour control substances may hold a harmonized classification (e.g., H332, ...), and therefore are banned according to criterion 7.1. Should these substances be derogated? They are derogated in Nordic Swan. [redacted] *We consider the criteria for the EU Ecolabel should align with the Nordic Swan.*	**COMMENTS ACCEPTED** The derogation has been added to criterion 7.1
Odour control substances may hold a harmonized classification (e.g., H332, ...), and therefore are banned according to criterion 7.1. Should these substances be derogated? They are derogated in Nordic Swan. [redacted] *We consider the criteria for the EU Ecolabel should align with the Nordic Swan.*	
Odour control substances may hold an harmonised classification (e.g. H332, H373, H400, H410), and therefore are banned according to criterion 7.1. Should these substances be derogated? They are derogated in Nordic Swan *At the moment we include these harmonized classifications. Therefore, we suggest not to exclude this H classification.*	
Odour control substances may hold an harmonised classification (e.g. H332, H373, H400, H410), and therefore are banned according to criterion 7.1. Should these substances be derogated? They are derogated in Nordic Swan *At the moment we include these harmonized classifications. Therefore, we suggest not to exclude this H classification.*	
We do not wish to support a derogation.	**COMMENT REJECTED** If not derogated, these substances would not be allowed in incontinence products, where these substances play an important function
We would like a confirmation from the JRC concerning the fact that criterion 7.3 (b) also applies to sanitary napkins too.	**COMMENT CLARIFIED** Criterion 7.3.b applies to all AHP. however, the use of odour control substances is allowed only for incontinence products
Definition of odour control substances: Materials, other than fragrances, intentionally added with the objective of controlling body fluid odour such as urine, BM, uterine blood	**COMMENT PARTIALLY ACCEPTED**
[redacted] *would like to comment the following paragraphs:* *(i) Fragrances shall not be added to the final product, nor to any component thereof, nor to the packaging.* *(ii) Odour control substances may be permitted only in adult incontinence products. In this case, the odour control substances:* *o shall be encapsulated in, or bound/attached to the absorbent core of the adult incontinence product;* *o shall not exceed 1.5% w/w of the mass of the absorbent core;* *o shall moreover be indicated on the product packaging* [redacted] *would like to refer to its previous comments shared in December 2021* [redacted] *has some doubts regarding the proposed distinction between the prohibition of fragrance ingredients and the authorization of the use of "odor control substances in incontinence products", as to our understanding we do not distinguish between both. The industry definition of a fragrance ingredient is actually as follows:* *Fragrance Ingredient / Material: Any basic substance (raw material) used for its odor properties or malodor coverage as a component of a fragrance mixture* *Meaning that the fragrance function is covering the use to neutralise and mask bad odors in incontinence products.* *As reported in our comments dated of December 2021, IFRA would therefore support the maintenance of currently very strict provisions for fragrances in adult absorbent hygiene products – as provided in article 6.3 on fragrances, within Commission Decision of 24 October 2014 establishing the ecological criteria for the award of the EU Ecolabel for absorbent hygiene products.*	**COMMENT REJECTED** A definition of odour-control substance has been proposed: any substance or mixture, other than fragrances, that are added to the final product with the specific objective of masking and controlling odours. The use of fragrances is proposed not to be allowed. This is in line with the Nordic Swan, the Blue Angel, and with the objective of reducing the content of non-functional substances and materials.
[redacted] *supports the exclusion of fragrance in all products and components*	**COMMENTS ACKNOWLEDGED**
The [redacted] *supports the ban on fragrances*	

the [redacted] supports the ban on fragrances	
[redacted] supports the ban on fragrances	
We are in favor of a full ban of fragrances in this product group. *[Suggestion] Keep the ban for fragrances for the entire product group* *[Rationale] Those substances have no essential function in this product group and a lot of perfumes containes contact allergenes whith should be avoided in this product group.*	
TR2 p115; *The [redacted] welcome the full exclusin of fragrances. We welcome that nappies, tampons and nursing pads must be fragrance-free including for feminine care pads. The use of fragrances is not a performance requirement for such products and their use leads to unnecessary exposure for the consumer. There are enough environmental, health and marketing arguments to avoid the use of fragrances in Ecolabelled AHP. Marketing arguments According to the 2020 Eurobarometer survey, more than four in five respondents (85%) are worried about the impact on their health of chemicals present in everyday products, while nine in ten (90%) are worried about their impact on the environment. Environmentally aware consumers tend to prefer the use of products that are free of unnecessary and/or problematic substances. Women familiar with the health problems posed by hazardous chemicals would favor the use sanitary products free from fragrances and lotions. Leading brands of ecological pads like Natracare built on this interest marketing their pads as fragrance-free: https://www.natracare.com/products/pads https://www.wen.org.uk/2021/05/20/fragrance-in-period-products/?utm_source=rss&utm_medium=rss&utm_campaign=fragrance-in-period-products https://ec.europa.eu/commission/presscorner/detail/en/QANDA_20_330 Environmental arguments Fragrances have a high impact on Critical Dilution Volume (criterion for aquatic toxicity used in the EU Ecolabel for cosmetics and detergents) and lead to VOC emissions. The use of fragrances and lotions, which do not contribute to the performance of these products, leads to unnecessary environmental burden, notably taking into account the number of sanitary products that end up in waste. Health arguments Fragrances are very sensitizing substances, and the use pattern of these products leads to prolonged exposure (as a minimum for hours at a time for several days each month) of very sensitive areas. Feminine care pads and tampons are intended for use on vaginal vulvar tissue, which is an area potentially more vulnerable to exposure to toxic chemicals and irritants than the rest of the body. https://pubmed.ncbi.nlm.nih.gov/15500670/ Fragrances may contain dozens of chemical ingredients and there is potential for cumulative and combined exposure to a range of chemicals throughout menstrual lifetimes. Manufacturers do not disclose ingredients in the fragrance, but product-testing show that they may contain allergens, sensitizers, phthalates, neurotoxins and synthetic musk (which can also disrupt hormones). From a precautionary point of view restricting its use in Ecolabelled products is advisable.*	

Sub-criterion 7.3(c) Lotions

Comments received in AHWG2/written form	**JRC Dir. B response**
[redacted] supports the exclusion of lotions in all products and components	**COMMENTS ACKNOWLEDGED**
We are in favor of a full ban of lotions. *[Suggestion] Keep the ban of lotions for the entire product group* *[Rationale] Lotions have no essential function in this product group and as they can contain contact allergenes (e.g. preservatives) they should be avoided in this product group.*	
The NL CB supports the ban on lotions	
the PT CB supports the ban on lotions	

EEB/BEUC supports the ban on lotions *We welcome that lotions are excluded in all AHP including nappies. Their use in nappies is negatively assessed by consumer organisations tests and advice. For instance: Out of 8 diapers brands tested by 60 million consumers, only 1 contains lotions (October 2020).The Danish consumer Council chemical rating also penalise nappies that contains lotions and advice parents to avoid them (https://kemi.taenk.dk/bliv-groennere/test-kemi-i-bleer) Parents are concerned about the exposure of children to unnecessary chemicals. Non-use of lotions has become a claim which is also use by manufacturers of diapers (E.g. Carrefour, pampers harmony Lotions can be used by parents on an ad hoc basis when they are really needed.*	
"Literature indicates the use of disposable, superabsorbent, and breathable diapers to fight diaper dermatitis - lotions and ointments not mentioned *Not functional for the product"* *We would like to bring some evidence to the above statements showing that "**<u>lotions & ointments are known to fight diaper dermatitis</u>**".* *Products including a "lotion" (i.e., emollient) should be considered as they help preserving baby skin integrity and contribute to overall the "performance" of a diaper. Positive impact on skin health should be demonstrated by robust clinical research.* *Bottom dermatitis is the most common skin conditions affecting infants and young children worldwide and every baby will experience a bout of dermatitis at some point. More than half of babies between 4 and 15 months of age develop the condition at least once in a two-month period, and it can prompt parents to seek medical attention. (<u>Source</u>: Setting the record Straight on Diaper Rash and Disposable Diapers, Jocelyn N et al, Clinical Paediatrics 2014).* *Diaper dermatitis can be associated with pain and discomfort for the growing and developing infant which can lead to a discontented infant (i.e., "fussy", "crying").* *The causes of diaper dermatitis are many and include: irritants in the faeces (eg, intestinal enzymes), overhydration of the skin due to urine and wet stool, elevated skin pH, friction against wet skin, and a role for the microbiome (eg, Candida). A role for parental habits and practices are also contributory and diapering products can also be important mitigators of risk factors of diaper dermatitis.* *An understanding of the causes of diaper dermatitis is critical to ameliorate the pain and inflammation associate with the condition. There are 2 key mitigations that can be taken to reduce the risk of diaper dermatitis:* *1) <u>capture/isolation/removal of key irritants that cause diaper dermatitis (faeces/urine removal, reduced humidity, etc)</u>: superabsorbent and breathable diapers have a key role to play* *2) <u>preventing access of these same irritants from accessing the skin via a physical barrier</u>: use of topical emollient, included as part of a diaper, provides a significant mitigation of the causes of diaper dermatitis .* *Addressing both mechanism #1 and #2 can work synergistically to provide a greater help to reduce rash and unnecessary burden on the developing infant.* ***<u>Literature on the Use of Topical Products for bottom dDermatitis</u>*** • *Odio, M.R. and Fallon-Friedlander, S. Diaper dermatitis and advances in diaper technology. 2000. Curr. Opinion Ped. 12: 342-346.* • *O'connor R, Sarbaugh F, Baldwin S. Continuous Topical Administration of a Petrolatum Formulation by a Novel Disposable Diaper Part 1. Effect on Skin Surface Microtopography, Dermatology. 2000;200: 232-237* • *Odio M, O'connor R, Sarbaugh F, Baldwin S. Continuous Topical Administration of a Petrolatum Formulation by a Novel Disposable Diaper Part 2. Effect on Skin condition, Dermatology. 2000; 200: 238-243* • *Blume-Peytavi U, Lavender T, Jenerowicz D, et al. Recommendationsfrom a European roundtable meeting on best practice healthy infantskin care.Pediatr Dermatol. 2016;33:311-321*	**COMMENT ACKNOWLEDGED**

Sub-criterion 7.3(d) Inks and dyes

Comments received in AHWG2/written form	JRC Dir. B response
We would like to know why the sanitary tampon cords were excluded from criterion 7.3 (d). *We are in favor to have an exclusion of sanitary tampon cords because they are in contact with the skin.*	**COMMENT CLARIFIED** Tampon strings are exempted from the requirement as it enable the user to separate the string from the tampon without damaging the product. The used colorants must be approved for use in food
TR2, p; You should harmonize this criterion with the same in Nordic Swan. There is no point in banning dyed materials when you accept printed materials in contact with the skin. The printing ink is propably more likely th migrate from the surface of the plastics than pigments embedded in the plastics.	**COMMENT REJECTED** Almost all criteria are very similar to the ones from Nordic Swan, apart from Nordic Swan criterion 011.4 and 011.5, which are not present in the EU Ecolabel. Printed materials are not accepted to be in contact with the skin if they are not serving a specific purpose, approved as food additives and have heavy metals impurities below a specific limit.

Sub-criterion 7.3(e) Further restrictions applying to plastic materials

Comments received in AHWG2/written form	JRC Dir. B response
Technical report version 2.0 (May 2022); Section "7.3 (e): Further restrictions applying to synthetic polymers and plastic materials"; Page 116 *Permitted concentration of H400, H410 and H411* *We would like to point out an inconsistency between the concentration level of substances H400, H410 and H411 allowed at 0.010% in criterion 7.1 and allowed at 0.10% in criterion 7.3 (e).*	**COMMENT ACCEPTED** The wording has been changed to indicate that additives used in plastic material shall comply with criteria 7.1 and 7.2

Sub-criterion 7.3(f) Further restrictions applying adhesives

Comments received in AHWG2/written form	JRC Dir. B response
The sentences: *"Colophony or rosin is a substance obtained from trees and is used in a wide variety of applications including (food contact) packaging, tape, labels, etc. It is formed by reacting Rosin, which is an acid, with polyfunctional alcohols like glycerol and pentaerythritol."* *Should be replaced with* *"Colophony or rosin is a substance obtained from trees. Rosin esters are made by reacting rosin, which is an acid, with polyfunctional alcohols like glycerol and pentaerythritol. Rosin esters are used in a wide variety of applications including (food contact) packaging, tape, labels, etc. "*	**COMMENT ACKNOWLEDGED**

Sub-criterion 7.3(h) Silicone

Comments received in AHWG2/written form	JRC Dir. B response

We would like to seek input from menstrual cup manufacturers regarding the thresholds in criterion 7.3(h) for cyclohexane thresholds	**COMMENT ACKNOWLEDGED**

Sub-criterion 7.3(i) Impurities of concern

Comments received in AHWG2/written form	**JRC Dir. B response**
We don't agree with the proposed frequency of measurements. The EDANA codex does not have any recommendation on the topic. We suggest not to fix any frequency of the measurements for the moment.	**COMMENT PARTIALLY ACCEPTED** The frequency of the measurement is proposed to be set at once a year.
We support the inclusion of the EDANA's CODEX list of substances and their guidance values in the proposed EU Ecolabelling criteria (draft Technical Report 2, table 7) ***regarding impurities of concerns****. With this submission we would like to share with you the updated version of the CODEX. The changes comparing to the previous versions consist in:* *1. Updating the list of* ***phthalates*** *to align with the Oeko-Tex standard version 2022, which is the regulatory reference we used for setting the guidance values for this class of substances.* *We note that the proposed EU Ecolabelling criteria ban the presence of phthalates, even as impurities (with two exemptions, DIBP and DINP). However, in other ecolabelling schemes, this class of substances is allowed in specific conditions, namely:* *- Nordic Swan ver.6.8:* *"Adhesives/binders must not contain phthalates".* *"Phthalates shall not be present in the dyes used".* *"Phthalates must not be present in the paper colorants used".* *"**The following substances must not be present in the plastic apart from impurities [...] phthalates**. The requirement includes plastic contained in components which make up more than 1.0 weight-% of the sanitary product and the additional components (S+A), (eg film, foil or foam)".* *Blue Angel ver. 3 sets maximum limits for 22 phthalates included in Appendix B.*	**COMMENT PARTIALLY ACCEPTED** Phthalates have been added to criterion 7.3.i, as they were previously missing. We would like to clarify that the exclusion of phthalates in criterion 7.3.a refers to ingoing substances, and not to the presence of phthalates in the form of impurities. Impurities are covered by criterion 7.3.i This is in line with Nordic Swan, whose criterion 05 says "Chemical products used in the production/composition of sanitary products and additional components must not contain [...] phthalates".
TR2, p126; We highly welcome the integration of a new requirement testing impurities of concern within the EU Ecolabel, which is consistent with the industry voluntary program to test substances which might potentially be present as impurities (EDANA) and aligned with the approach of the Blue Angel Ecolabel. https://www.edana.org/how-we-take-action/edana-stewardship-programme-for-absorbent-hygiene-products Consumer organisations are regularly performing tests, as brands are regularly changing their manufacturing suppliers, supply requirements and models. The same brands might not obtain equal good scorings over time. Dioxins, PAHs and other problematic substances have been found in tests in the past. Although in more recent problematic levels are not found, the situation can evolve overtime and consumer organisations will continue to test these products. In 2019, ANSES French health authority found dangerous chemicals above safety thresholds in nappies. This has led to higher market offer of environmentally friendly nappies manufactured with totally chlorine bleaching without lotions, fragrances, EDCs or other problematic chemicals in France. France has also proposed a REACH restriction on impurities present in diapers. ANSES has communicated that test performed end of 2020 have confirmed an improvement of the nappies for which hazardous substances were found above safe levels. The fact that problematic substances are not being detected in recent tests reveal that manufacturers are able to improve their production processes to avoid them. ANSES has also announced its intention to continue to assess the diapers in the French market through regular controls and testing. https://www.economie.gouv.fr/dgccrf/substances-chimiques-dans-les-couches-pour-bebes-la-derniere-enquete-de-la-dgccrf-confirme Beyond the outcome of the REACH restriction process, the EU Ecolabel should follow a precautionary approach requiring chemical testing of nappies. It would harm the credibility of the scheme if hazardous substances were found in nappies with the EU Ecolabel through future tests (by public authorities or by consumer organisations). We notice that the JRC has carefully considered the risks posed by recycled fibres, because of the risk of migration of hazardous substances. We think that this is an important aspect, but that it is	**COMMENT ACCEPTED**

equally concerning that the presence of hazardous chemicals as impurities originating from production processes are overlooked if no testing requirements are introduced.	

Assessment and verification

Comments received in AHWG2/written form	JRC Dir. B response
[Summary of changes proposed] Optical brighteners and colouring agents Moved to criterion 7.3 (Specific restrictions); For the clarity you should keep all criteria concerning fluff pulp in one section because the documentation for the fluff pulp will be submitted from the fluff producer. They may miss the criteria on optical brighteners etc if you put them in other part of the document. All the othe criteria on production chemicals for fluff pulp should also be moved here (even if it might look to be a dublicate to the criteria in chapter 7).	**COMMENT REJECTED** The applicant should make sure that the suppliers fulfil all criteria. The full text of the Commission Decision must be read carefully by all actors. Extra guidance can be given in the User Manual.
TR2 p122; Would it be possible to split the assesment and verification part per subcriterion? [Suggestion] split the assesment and verification part per subcriterion	**COMMENTS ACCEPTED** The assessment and verification section have been split and moved next to the relevant requirement.
We also support the comment asking to mention, below each sub-criterion, the relevant requirements for assessment and verification.	
Please split the verification requirements so that you write after each sub-criterion exactly what is required for that sub-criterion. It is very difficult to follow the verification part as it is now.	

CRITERION 8: Packaging

Comments received in AHWG2/written form	JRC Dir. B response
- *It is not feasible to require 100 % of recycled material for paper and corrugated board packaging. The quality of the packaging deteriorates with higher levels of recycled materials and an increase in thickness is needed to keep the same technical qualities for the packaging. It is better to have a criterion that combines a certain level of recycled material and the rest of the fibers with chain-of-custody and responsible forest management scheme.* *As the development is for the time being, the availability to recycled materials is restricted which is detrimental for securing production and deliveries. (lowering the %)* *Clarify the differences when secondary packaging is present. User manual?*	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if individual wrapping is present, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. The criterion clarifies and the UM will add further clarification.
- *What is in the definition of 95 % of recyclability? Residues? External assessment? What is the criteria for the 95%?*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.
To require as high level of 80 % recycled for plastic packaging is not feasible. Availability and processability are highly impacted. Product safety, quality assurance. - *What is the definition of 95 % recyclability? Recyclability can be checked with the proposed standards, however, to have a verifiable statement another process needs to be applied, e.g., Recyclass assessment. We need a clarification for the procedure.*	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material. Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.
[redacted] *We consider that the % of recycled and recyclability suggested for paper and plastics are too high and unrealistic with the current recycling and producing methods. We suggest lowing the % and include a certified sourcing, as FSC.* *Hazardous chemicals should be tested in the packaging.*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10% recycled. After 1st January 2028, the plastic packaging shall contain 25% recycled material.

	Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.
Recycled content 80 % of our plastic pouches used as packing material of consumer unit for sanitary towels is not achievable. *We have tested pouches made of 20 % recycled content and it was impossible to use them in our production because they didn't work in our production line. Our sanitary towel machine is a high-speed machine and requires stable raw materials. Plastic bags containing even 20 % of recycled materials aren't stable enough for to use. We can only use 5-10 % recycled material plastic pouches in a* ***closed loop*** *in our production.* *Recycled material, which is not in a closed loop, can cause a hygiene risk and they can contain harmful substances. Beside of that there can be metal in recycled material and metal detector can reject proper products.* *Proposal: Instead of 80 % recycled plastic pouches, 100 % Green PE plastic pouches could be used without any recycled content as primary packaging.* *Proposal: recycled material should be "closed loop" recycled*	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material. Green PE is allowed.
% of Recycled content *The mandatory % of recycled content, both for Cardboard-paper and for Plastic is too high and not feasible.* *- The technical properties of recycled material could be notably different (and not sufficient).* *- The availability of raw material + production capacities (especially for Plastic) are not in line with the demand.* *Packaging designed for recycling in at least 95%* *Need to clarify the definition of « recyclability » and « recyclable ».* *Also need to clarify the "95%" due to the lack of harmonization across Europe. For example, the minimum content of fibers for packaging to be accepted in Recycling facilities vary from country to country. Local recommendations are going from minimum 50% of fibers in France (CITEO), 85% in Belgium, 95% in Germany, or rely on testing (such as PTS test) in Netherlands*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material. Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.
Individual wrapping *As already said in point 3, definitions should be checked again because the criterion applies to primary and secondary packaging, but the text mentions "individual wrapping".* *Definitions* *"This criterion applies to primary and secondary packaging, as defined in European Parliament and Council Directive 94/62/EC". Since we have defined these terms in the first part of the Annex I, we should refer to these definitions.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. This criterion sets requirements for primary and secondary packaging, as defined in European Parliament and Council Directive 94/62/EC [(1)]. Individual wrapping is mentioned for clarity.

[Presentation 2AHWG meeting – day 1 – AHP 169/170Criterion 8 – Packaging Clarify criteria • **100% recycled material for cardboard and paper is not technically feasible**. Indeed, some virgin fibers (more robust) are added to the recycled fibers to reinforce carton strength. To get same strength requirement with 100% recycled fibers, weight of the box will be heavier and potentially not functional. • **Level of "recyclability" of a packaging is highly dependent of the recycling infrastructure available in the countries** and the level of "impurities" they are able to handle. There is no harmonization across Europe. For instance in Belgium, carton composite packaging are accepted if they contain at least 85% of fibers. In the criterion, % recyclability needs to be clarified. Recommendation in terms of test passed should be added (eg PTS test is one test used in the Industry) and a rewriting of the "composite" part should be done to reflect the decision taken on recyclability. Opening to bio-based plastic and the link to sub criterion 4.2 is not clear. Indeed 4.2 clearly excludes packaging ("*not counting packaging*"). This would need some re-writing to make it clearer.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. Please refer to sub-criterion 4.2 now extended to packaging as well. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material. Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.
The Anses was seized by the DGCCRF on intimate hygiene products sold in bulk. *The ANSES has published a report on the sale of products in bulk: Seizure No. 2021-SA-0051 (paragraph intimate protection 3.3.3.6)* *Directive 94/62/EC, which recommends increasing the proportion of reusable packaging without compromising consumer safety, is a step in the direction of user safety.* *The [redacted] hygienic towels for distribution in BULK (Hygienic protection dispenser).* *In order to answer the recommendations of the authorities, it set up a process of setting in a sealed pouch flowpack to guarantee the safety of the consumers.* *It is essentially composed of PE and thus entirely recyclable.* *Addition of a specific section concerning the sales in bulk: the safety (sealed pouch) and raw material of the packaging to guarantee the safety of the consumers.* Emballages et déchets d'emballages (europa.eu) Directive (UE) 2019/904 du Parlement européen et du Conseil du 5 juin 2019 relative à la réduction de l'incidence de certains produits en plastique sur l'environnement (Texte présentant de l'intérêt pour l'EEE) - Légifrance (legifrance.gouv.fr) NOTE AST révisée de l'Anses relative à un projet de décret prévoyant une liste d'exceptions à l'obligation de vente en vrac prévue à l'art. L. 120-1 du Code de la consommation pour des raisons de santé publique	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. The cited is an example unfortunately not yet possible to be expanded to all Member States.
Technical report version 2.0 (May 2022); Section "8: Packaging"; Page 131-133 Percentage of recycled material in plastic packaging	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3.

Several stakeholders point out the difficulty of achieving the % of recyclability and recycled material indicated for plastic packaging, given the small amount of recycled plastic material available.	New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material.
Unsuitable levels of recycled content [Suggestion] Introduce a stepwise approach for the content, and keep demands on certified fiber for the part with fresh wood fiber. [Rationale] To require as much as 100 % of recycled paper material must be avoided. Preferably the producer can decide on the appropriate content, depending on desired technical qualities and availability. It is important that packaging material can be processed without unnecessary losses of products and that it can fulfill the requirement for protecting the product during transport and during use of products.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material.
[Suggestion] Reduce demanded content to 30-40 %, and have an option for renewable content. [Rationale] The availability and technical properties of recycled plastics are on such levels that 80 % is too high.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material.
How to verify recyclability [Suggestion] Rewrite a procedure that secures that recyclability is properly assessed and verifiable.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. Recyclability assessment is clarified within the criterion: content available for recycling shall be a minimum of 95% by weight, while 5% residuals shall be compatible with recycling.

[Rationale] Recyclability can be checked with the proposed standards, however to have a verifiable statement another process needs to be applied, e.g., Recyclass assessment.	
The level 80% is probably too high. Industry is working towards higher availability and use of recycled plastics but the amount of it is not that high yet, especially as regards the qualities that is used as packaging of sanitary products. We would like to suggest a dynamic criterion: 30% when the license is awarded, 50% in three years, and 80% in 6 years.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material.
Blue Angel sets criteria for recycled content in secondary packaging. This information is missing. [Suggestion] Please update information. [Rationale] Please refer to page 27/37 of the english document UZ 208: Repackaging should be avoided or preferably consist of paper and cardboard. The following requirements must be fulfilled: • Recycled fibres must account for at least 80% by mass of the total repackaging. • The approved proportion of virgin fibres must not be sourced from forests that are particularly worthy of protection e.g. tropical or boreal forests. If plastic repackaging is used, it must contain > 80% recycled plastic;	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. This is information is added in the discussion.
TR2, p139; hazardous chemicals in the packaging During the discussions for the revision of Blue Angel AHPs many manufacturers pointed out that there is a problem with pollutant input through recycled material in the primary packaging. Blue Angel did not include a requirement for recycled material in the primary packaging. However, if recycled material is used, test for hazardous chemicals might be advisable.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3.
Through the review of the Packaging and Packaging Waste Directive the Commission might set targets for post-consumer recycled content in packaging for 2030 and 2040. The minimun content within the EU Ecolabel should ensure an ambition level above mandatory requirements	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. New proposal. Cardboard and paper: Primary packaging: 40% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 80%. All (100%) cardboard and paper used for the primary and secondary packaging shall be covered by valid chain of custody certificates. Plastic: Primary packaging: 10% recycled if product is individually wrapped, otherwise not recycled. Secondary packaging: 10%. After 1st January 2028, the plastic packaging shall contain 25% recycled material.

	Once the revision of the Packaging and Packaging Waste Directive is finalized, EU Ecolabel will internally decide on possibility for new targets/requirements.
Substances of Very High Concern should be avoided. Take the Blue Angel as inspiration Exclusions of CLP and SVHC apply. Halogenated polymers excluded. Heavy metals: Lead, cadmium, hexavalent chromium, mercury. The review of the Packaging and Packaging Directive might also integrate criteria related to hazardous substances.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 8 as specified in Technical Report 3. Once the revision of the Packaging and Packaging Waste Directive is finalized, EU Ecolabel will internally decide on possibility for new targets/requirements. Similar requirements are set in EU Ecolabel for SVHC.

CRITERION 9: Guidance on the disposal of the product and of the packaging

Comments received in AHWG2/written form	JRC Dir. B response
Should the requested disposal information appear in the primary packaging? [redacted] *There are already some icons on place, including the country specific and the added complexity for the producers that this will cause, we consider there is no need of more.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 9 as specified in Technical Report 3. Icons and/or pictograms are accepted to cover the purpose of this criterion. Already in the text previous proposal: 'The following information shall be written or indicated through **visual symbols** on the primary packaging'.
Disposal information should not appear in the primary packaging. We have 12 languages in our small sanitary towel and panty liner packaging, and it is impossible to add disposal information of packing material, additional components (single packing film and release paper) and product in different languages to the primary packing because there isn't enough space on the primary packaging.	
The information should be included. Pictograms should be permissible. [Rationale] Pictograms are widely used and well known to the consumer.	
We would like to indicate that these display obligations may not be mandatory on individual packaging and can be achieved via symbols and not necessarily text.	
Shouldn´t it be "used hygiene product" instead of "hygiene used product"?	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 9 as specified in Technical Report 3. This has been corrected in the text.
We think it is not necessary to display this information on the primary packaging if this is the wrapping of each individual piece.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 9 as specified in Technical Report 3. The individual wrapping is not primary packaging but additional component. Please refer again to the definitions.

CRITERION 10: Fitness for use and quality of the product

Comments received in AHWG2/written form	JRC Dir. B response
Currently the wording of the technical tests proposed is open for different interpretations as the tests are not defined and notably the way the results should be evaluated. Shall labs use dummies? Can they use alternative methods? What do we know about the similarity of procedures? Which is the minimum value to pass the criterion? *The attached slides explain the methodology applied by [redacted] for testing nappies, with respect to absorption speed before leakage, leakage test and rewet. You can also see the thresholds used as reference for establishing a rating based on 5 stars. This methodology is used by consumer organisations members of [redacted] (many of which are members of [redacted]) when publishing nappies tests in consumer magazines. We think that it would be relevant establishing a minimum threshold for performance in order to reward the EU Ecolabel. This would prevent that ecolabelled products have a bad score of performance. In our opinion the minimum score should be 4 stars.* *In relation to the in-use tests the evaluation of the results is better defined, even though the wording is still open for different interpretations: "which could for instance", "or that" are different than "must".* *"For all-in use tests (…) 80% of the consumers testing the product shall rate the performance as satisfactory, which could for instance mean that a rate above 60 is assigned by the consumer (on a quantitative scale from 1 to 100) or that the product has been assessed as good or very good (among five qualitative options: very poor, poor, average, good, very good).*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 10 as specified in Technical Report 3. Wording has been modified. In this TR3, it is not proposed to provide further information on testing protocols and methodologies in criterion 11, however it is proposed to add the detailed information of examples already developed in the User Manual of Absorbent Hygiene Products. The wording on the assessment of in-use tests (absorption and leakage protection, skin dryness, fit and comfort and overall performance) has been slightly modified to better define the evaluation: - 80% of the consumers testing the product shall rate the performance as satisfactory, with a rate above 60 assigned by the consumer (on a quantitative scale from 1 to 100). - Alternatively 80% of the consumers testing the product shall rate it as good or very good (among five qualitative options: very poor, poor, average, good, very good).
Testing on 30 subjects is not representative and statistically significant to confirm the performance that a label such as Ecolabel should reward. Recommendation to go back to 100.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 10 as specified in Technical Report 3. Comments received in TR2 showed to be against 100 for so in TR3 the recommendation of 30 has been kept.

"Tests shall be carried out by laboratories certified to implement quality management systems, no matter if internal or external" – What does this mean? Is this equivalent to say that the company can perform the tests internally? The Ecolabel should rely on independent tests reports. Currently the wording of the technical tests proposed is open for different interpretations and there is not a minimum reference value to establish how the results should be evaluated. We would like to propose that the JRC considers the methodology applied by the [redacted] umbrella of consumer organisations, which integrates specific thresholds to establish a rating of 5 stars when testing performance of AHP. This is used as a reference by many consumer organisations and is the basis of the tests published in consumer magazines. We think that it would be relevant establishing a minimum threshold for performance in order to reward the EU Ecolabel. This would prevent that ecolabelled products have a bad score of performance. In our opinion the minimum score should be aligned with at least with a rating of 4 stars. Please find attached more details with respect to consumer organisation tests [redacted] and the benchmarks applied to score performance.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 10 as specified in Technical Report 3. Wording has been modified. In this TR3, it is not proposed to provide further information on testing protocols and methodologies in criterion 11, however it is proposed to add the detailed information of examples already developed in the User Manual of Absorbent Hygiene Products. The wording on the assessment of in-use tests (absorption and leakage protection, skin dryness, fit and comfort and overall performance) has been slightly modified to better define the evaluation: - 80% of the consumers testing the product shall rate the performance as satisfactory, with a rate above 60 assigned by the consumer (on a quantitative scale from 1 to 100). - Alternatively 80% of the consumers testing the product shall rate it as good or very good (among five qualitative options: very poor, poor, average, good, very good).

CRITERION 11: Corporate Social Responsibility with regard to Labour Aspects

Comments received in AHWG2/written form	JRC Dir. B response
• *Should this criterion be more specific on regards to Responsible Business Conduct (RBC)?* *We do not know this Conduct.* • *Nordic Swan and Blue Angel experts views are welcome.* *As we know the production of diapers and co is mainly in Europe. As I understand it right companies in Europe have not to fulfil this criterion. Therefore, maybe a NGO can think that this criterion looks like greenwashing. The Blue Angel did not consider social aspects due to this fact. To look into more than tier 1 can be really ambitious (from different perspectives) because this could encompasses around 20 company assessments. Maybe a mapping of the supply chain could the first step in the right direction; maybe also to ask for the most important risk for social problems. Maybe we can develop a step-by-step approach.* • *Shall a working group specific to this criterion be set up?* *It can be useful to discuss the social aspects in a smaller group. It is very important to reflect.*	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
Please rewrite the text so that it becomes more clear and structured. It is difficult to understand what is actually required	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
The focus is only on final assembly plants (tier 1). [Suggestion] Requirements in this criterion shall apply to the final hygiene product assembly site [add] and, based on thorough human and social rights due diligence processes directed at adverse impacts identification, to all tier 2 and tier 3 component manufacturing plants. [Rationale] Including "to all tier 2 and tier 3 component manufacturing plants" will help ensuring that labour standards are upheld in the lower tiers of value chains. This is aligned with the EU Ecolabel criteria for electronic displays (2020). For the expansion of the scope to tiers 2 and 3 to be effective, the application of "thorough human and social rights due diligence processes" is a requisite. A more ambitious and desirable alternative would be to include all suppliers through business relationship contracts, as it is suggested by the OECD Centre for Responsible Business Conduct in its due diligence guidance. Considering the complexity and the cost of impacts identification in an entire value chain, if the Joint Research Centre prefers to keep a more operational approach, limiting the application of requirements to tier 2 and tier 3 manufacturing plants is a minimum.	**COMMENT REJECTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
TR2.0, p152; International standards scope clarification The scope of international standards to be applied is unclear. [Suggestion] Having regard to the International Labour Organisation's (ILO) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (*), the UN Global Compact (Pillar 2) (*), the UN Guiding Principles on Business and Human Rights (*) and the OECD Guidelines for Multinational Enterprises (*), the applicant shall obtain third-party verification supported by site audit(s) that the applicable principles included in [add] the aforementioned international texts, the ILO's fundamental conventions and the supplementary provisions below have been respected at the final AHP assembly site [add] as well as to all tier 2 and tier 3 component manufacturing plants. [Rationale] As currently drafted, it is unclear whether the UN Global Compact, the UN Guiding Principles on Human Rights and the OECD Guidelines for Multinational Enterprises are to be fully applied by applicants. Adding "the aforementioned international texts" will help the EU Ecolabel to reach a high standard as it will clearly require from applicants and their tier 2 and tier 3 suppliers to apply all international texts referenced above.	**COMMENT PARTIALLY ACCEPTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3. Added: aforementioned international texts

TR2.0, p153Supplementary provision The list of supplementary provisions is limited and only secures a minimum level of social rights. [Suggestion] Supplementary provisions: (v) Working Hours: — ILO Hours of Work (Industry) Convention, 1919 (No 1). [add] — ILO Weekly Rest (Industry) Convention, 1921 (No 14). (vi) Remuneration [add] and compensation: — ILO Minimum Wage Fixing Convention, 1970 (No 131); [add] — ILO Holidays with Pay Convention (Revised), 1970 (No 132). (vii) Health & Safety: — ILO Safety in the use of chemicals at work Convention, 1981 (No 170); — ILO Occupational Safety and Health Convention, 1990 (No 155). [add] — ILO Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No 148). (viii) Social protection and inclusion — ILO Medical Care and Sickness Benefits Convention, 1969 (No 130). — ILO Social Security (Minimum Standards) Convention, 1952 (No 102). — ILO Employment Injury Benefits Convention, 1964 (No 121). — ILO Equality of Treatment (Accident Compensation) Convention, 1925 (No 19). — ILO Maternity Protection Convention, 2000 (No 183). (ix) Fair dismissal — ILO Termination of Employment Convention, 1982 (No 158). [Rationale] By limiting itself to four ILO conventions on working hours, remuneration and health and safety, the original list of supplementary provisions only considers a very restrictive definition of corporate social responsibility regarding labour. It neglects a large portion of civil, political, economic, social and cultural rights related to labour, while it has been established that these rights are independent and indivisible. Enriching the list of supplementary provisions with conventions related to fair dismissal and social protection and inclusion will guarantee the application of a more holistic approach of the labour aspects of corporate social responsibility.	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
TR2.0, p153; Living wage definition The definition of living wage is ambiguous. [Suggestion] [new paragraph before “In locations where the right to freedom...”] [Add] To ensure that applicable principles are respected on the final product assembly site as well as in tier 2 and tier 3 component manufacturing plants, the applicant shall carry out risk-based due diligence directed at identifying actual and potential adverse impacts. To identify impacts on human and labour rights, companies shall gather quantitative and qualitative information and shall be entitled to make use of appropriate resources, including independent reports, complaint mechanisms and consultations with potentially affected groups to do so. This process shall be conducted irrespective of the size of the applicant. [Rationale] The original definition is ambiguous as it equates living wage with minimum (legal or industry) wage. Local or national minimum wages are almost always below the living wage level. Workers can only reach living wages levels by working extreme overtime, with working hours reaching 60 hours or beyond. Deleting the passage (“shall always meet at least legal or industry minimum standards and”) makes it clear that living wage is not the legal minimum wage. Including qualifications on what constitutes the wage, the working week and basic needs is important for companies to have a framework they can refer to. Defining the worker and their family as recipients of the living wage makes the definition of a living work practical. These changes are already implemented within the EU Ecolabel for Electronic Displays and should be maintained as the new standard to ensure the same level of ambition across economic sectors and avoid regression..	**COMMENT REJECTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.

TR2.0, p153; Due diligence & Impact identification These is no clear reference to due diligence and to the adverse impact identification. [Suggestion] [new paragraph before "In locations where the right to freedom..."] [Add] To ensure that applicable principles are respected on the final product assembly site as well as in tier 2 and tier 3 component manufacturing plants, the applicant shall carry out risk-based due diligence directed at identifying actual and potential adverse impacts. To identify impacts on human and labour rights, companies shall gather quantitative and qualitative information and shall be entitled to make use of appropriate resources, including independent reports, complaint mechanisms and consultations with potentially affected groups to do so. This process shall be conducted irrespective of the size of the applicant. [Rationale] Adding this new segment will make sure that due diligence and impacts identification, which are consubstantial to an extension of the criterion requirements to tier 2 and tier 3 manufacturing plants, is risk-based and rightfully considers preliminary assessments as well as quantitative and qualitative indicators, in line with recommendations from the OECD due diligence guidance for responsible business conduct. This will make sure that the criterion does not respond to the logic of a tick-box exercise but rather that applicants identify risks of adverse impacts based on their severity and likelihood. Including "this process shall be conducted irrespective of the size of the applicant" will clarify that the attribution of the EU Ecolabel constitutes a certification of excellence for all licence holders, without exception.	**COMMENT REJECTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
TR2.0, p153; Audit process More specification is needed in order to ensure an independent and meaningful audit process. [Suggestion] The audit process shall include [add] industry-independent consultation with external stakeholders in local areas around sites, including trade unions, community organisations, NGOs and labour experts. [add] Meaningful consultations shall take place with at least two stakeholders from two different subgroups. In locations where national law cannot ensure adequacy of corporate social responsibility with the aforementioned international conventions, the audit process shall include third-party site audits composed of unannounced spot inspections by industry-independent evaluators. [Rationale] Including "industry-independent organisation" will make sure that genuine worker engagement is achieved. Including "in locations where national law cannot ensure adequacy of corporate social responsibility with the aforementioned international conventions, the audit process shall include third-party site audits composed of unannounced spot inspections by industry-independent evaluators" will ensure that the attribution of the EU Ecolabel measures effectively generate meaningful social and labour rights outcomes for stakeholders, even in case of European extraterritoriality. These types of inspections have already been applied and therefore constitute an industry precedent, as attested in this 2019 report by DG Environment. Considering most AHP factories are located in the EU, the suggested additions do not aim to add unnecessary complexity to the criterion but rather to create a safety net for those non-European locations where legislation is less protective of workers. Because it can already ensure compliance with stricter legislation, this should not negatively impact the European industry nor create excessive red tape. The use of the wording "meaningful consultations with stakeholders" is based on the same concept by the OECD: "Meaningful stakeholder engagement is characterised by two-way communication and depends on the good faith of the participants on both sides. It is also responsive and on-going and includes in many cases engaging with relevant stakeholders before decisions have been made.	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.

TR2.0, p153; Standards to lower tiers The necessity to apply standards to the lower tiers of the supply chain is not explicitly stated. [Suggestion] [add] In addition to being applied in tier 2 and tier 3 of component manufacturing plants, these standards shall be communicated to production sites [add] in the entire supply chain used to manufacture the final product. [Rationale] Including "in addition to being applied in tier 2 and tier 3 of component manufacturing plants" will help ensuring that labour standards are upheld in the lower tiers of value chains and will guarantee consistency throughout the text.	**COMMENT REJECTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
TR2.0, p153; Referenced labour rights list extension Extend list of referenced labour rights to achieve consistency with the proposed extension of the supplementary provisions to further ILO conventions (suggested in another comment). [Suggestion] Certificate(s), not dated more than 12 months prior to the application, from schemes or processes that audit compliance with the applicable principles of the listed fundamental ILO conventions, together with the supplementary provisions on working hours, remuneration [add] and compensation, health and safety [add], fair dismissal and social protection and inclusion shall be accepted. [Rationale] Including "and compensation" as well as "fair dismissal and social protection and inclusion" will align audit compliance with the proposed extension of the list of supplementary provisions, which is set to widen the definition of corporate social responsibility regarding labour and to secure additional rights for workers.	**COMMENT ACCEPTED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3.
TR2.0, p158; working group establishment We support the idea of discussing this criterion in more depth and would be available for engaging in further work on this topic.	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 11 as specified in Technical Report 3. Due to time limitations further engagement was not possible however most comments have been accepted.

CRITERION 12: Information appearing on the EU Ecolabel

Comments received in AHWG2/written form	JRC Dir. B response
Technical report version 2.0 (May 2022); Section "12: information appearing on the EU Ecolabel"; Page 159 Optionality of the criterion *We would like to ask why this criterion become not optional.*	**COMMENT ACKNOWLEDGED** Please, refer to the new proposal for criterion 12 as specified in Technical Report 3. The criterion is still optional. Applicants may or not add the EU Ecolabel logo, registration/licence number and, where relevant, the statements that can be displayed together with the label.