European Commission

JRC TECHNICAL REPORTS

Revision of EU Ecolabel Criteria for awarding the EU Ecolabel for Absorbent Hygiene Products and Reusable Menstrual Cups

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ANNEX I – Comments to first technical report (AHP)

Comments received after the 1st Ad-Hoc Working Group meeting (May 2022). Comments refer to the first version of the revised criteria proposal

Scope and definitions

Comments received in AHWG1/written form	JRC Dir. B response
Proposed scope: Absorbent Hygiene Products and Menstrual Cups 1. The product group 'absorbent hygiene products' shall comprise any sanitary article whose function is to absorb and retain human fluids such as urine, faeces, sweat, menstrual fluid and milk - excluding textile products.	COMMENT ACCEPTED
TR. 1.0, p. 9 @Stakeholders' views on the new wording proposed for AHP is welcomed. *Absorbent Hygiene Products and Menstrual Cups* *The wording is from our perspective ok.*	COMMENT ACKNOWLEDGED
Technical Report, page 8 and 9 „ medical-grade silicone" No official definition of "medical grade silicone". Alternative formulation proposal: "silicones tested according to relevant biocompatibility criteria and showing no adverse effects in these criteria"	COMMENT PARTIALLY ACCEPTED The reference to medical grade silicone has been removed. Reference to biocompatibility tests is not proposed in the product group definition, but was added as part of the criterion on Fitness for use.
It is needed to clarify some points in the reports about silicones as there is no official definition of medical grade silicone.	
Extension of the scope We support the proposition to include menstrual cups in the scope of the EU Ecolabel criteria for Absorbent Hygiene Products.	COMMENTS ACKNOWLEDGED
TR. 1.0, p. 9 @ Do stakeholders agree on the inclusion of reusable menstrual cups in the product group scope? *Yes, we agree*	
Pag 8- The product group 'menstrual cups' shall comprise reusable flexible cups or barriers worn inside the body to retain and collect menstrual fluid, and usually made of medical-grade silicone, rubber, latex, or elastomer. Major We are in favour of extending the scope to menstrual cups. It is a completely different product group that needs different criteria but since the menstrual cup has lower environmental impacts compered to single-use menstrual products (according to the preliminary report), this criteria set shouldn't be too large. The market uptake is growing and also regular supermarkets offer those products already, so it can have an additional value to have those EU Ecolabeled	
We support the inclusion of menstrual cups in the scope	

Scope We support to make criteria for reusable products but does not think these should be included in AHP. The function is the same but since the ingoing materials and the functional unit is different, we think it will be too difficult include both disposable and reusable products in the same criteria. *If the inclusion of these products is still considered a more comprehensive LCA study shall be made to identify environmental hotspots and identify areas for improvements.* *Most products are made of 100% medical silicone – how can we set requirements to differentiate the environmental best products?*	
The product group 'menstrual cups' shall comprise reusable flexible cups or barriers worn inside the body to retain and collect menstrual fluid, and usually made of medical-grade silicone, rubber, latex, or elastomer. *Inclusion / exclusion of menstrual cups For the time being, we understand that none of the criteria has already been adapted to the menstrual cup's components and /or fabrication process.* *Considering the rationale above-mentioned, we must reconsider this inclusion, even though the product offers the same functionality.* *To support this rationale, please consider Nordic Swan Sanitary Products 6.8. scope: (…) Relevant disposable products in addition to those specified above may be included in the product group upon request if they are viewed as sanitary products. <u>This applies only to products made of materials for which requirements are imposed in the criteria.</u> Nordic Ecolabelling will decide which new products may be included in the product group.*	COMMENTS ACCEPTED A new PEF analysis was carried out on reusable menstrual cups made of silicone and presented in the TR2.0, in order to identify the environmental hotspots and identify the areas for improvement specific to these products.
Reusable menstrual cups differ from the main AHP product group and an LCA approach would need to set very different system boundaries on reusable and disposable AHP. An LCA for reusable menstrual cups would also be needed.	
We understand that the new scope description (3) excludes products falling under the Medical Devices Regulation (EU) 2017/745. We would like to ask for a clarification on whether incontinence products that are not declared as medical devices (i.e. that are not CE marked) could be included in the scope of the EU Ecolabel for Absorbent Hygiene Products. Indeed, two French manufacturers of absorbent hygiene products indicated that they produce incontinence products which are not declared as medical devices and follow the same production process as absorbent hygiene products.	COMMENTS ACCEPTED The product group scope definition was revised to allow incontinence products that are not declared as medical devices (i.e. that are not CE marked) to apply for the EU Ecolabel. This was clarified in the TR2.0 and will be also explained in the User Manual that will be published with the adoption of the criteria.
All incontinence products are not medical devices, for example those "lighter duty" products, which can be purchased in ordinary supermarkets. It should be clearly stated in the criteria document which incontinence products are out of scope and which are in the scope (if any).	
The product groups 'absorbent hygiene products' and 'menstrual cups' shall not include incontinence products Major It was pity that you didn´t solve the issue with medical devices. It would have been beneficial for everybody if there were EU Ecolabelled inco products for public procurement to purchase.	
p.8 3. The product groups 'absorbent hygiene products' and 'menstrual cups' shall not include incontinence products and any other type of products falling under the scope of Council Directive 93/42/EEC amended by Regulation (EU) 2017/745. Correction/simplification of the wording:	COMMENT PARTIALLY ACCEPTED

The product groups 'absorbent hygiene products' and 'menstrual cups' shall not include products falling under the scope of Council Directive 93/42/EEC amended by Regulation (EU) 2017/745. *Rationale:* *Incontinence products are without doubt meeting the definition and falling within the scope of AHP but are excluded by falling under the scope of CD 93/42/EEC amended by Regulation (EU) 2017/745.*	The wording proposed in TR2 takes into account this comment. However, not all incontinence products are registered as medical devices. The scope definition as proposed TR2 allows incontinence products to be in the scope as long as they are not registered as medical devices.
Moreover, we wish to make the following comments: *- We would like to point out that the case of menstrual sponges should be clarified, as they are not textile products and therefore seem to be covered by the new scope description (1).*	COMMENT ACKNOWLEDGED Menstrual sponges are worn inside the body to retain and absorb menstrual fluid and can be made of natural sea sponges or synthetic materials such as polyurethane, polyether or polyvinyl alcohol foams. In general natural sea sponges can be reused several times while synthetic sponges are disposable. Due to the differences in material composition and the absence of market data, the menstrual sponges are not included in the scope of the product group 'absorbent hygiene products' and 'reusable menstrual cups'. References: https://flo.health/menstrual-cycle/lifestyle/hygiene-and-beauty/menstrual-sponge https://menstrualcupreviews.net/sea-sponge-menstrual-soft-tampons-product-reviews/ https://menstrual-sponges.com/ There are not market data available.
- One stakeholder would like to point out another product that should be clarified in the scope: non-reusable menstrual cups, which are currently produced by brands such as Flex Company in the United States ("Softdisc"). Including them in the scope description (2) (for instance by making the word "reusable" optional) could provide an applicable framework if non-reusable menstrual cups are sold in Europe in the future.	COMMENT REJECTED Disposable menstrual cups are not included in the revised scope because of the low market relevance, the large amount of waste associated (which goes against the principles of the Green Deal and the Circular Economy Action Plan), and the negative feedback from stakeholders.
We would like to raise attention on the possible inconsistency concerning baby diapers, for which the restriction of skin sensitizing substances in textiles which is in progress at EU level will be applicable, even though diapers are not considered textile products in the EU Ecolabel for Absorbent Hygiene Products. We consider it important to take this restriction into account to avoid distortions between the EU Ecolabel and the REACH regulation. The following link indicates the proposed concentrations to restrict formaldehyde: https://echa.europa.eu/fr/substance-information/-/substanceinfo/100.256.332.	COMMENT REJECTED It was not possible to identify any proposed concentration to restrict formaldehyde at the link indicated by the stakeholder. In any case, the revision of EU Ecolabel criteria follows a separate process compared to REACH. Being the EU Ecolabel a voluntary scheme for environmental excellence, it is possible that limit concentrations are stricter than mandatory regulation, if the revision process shows that such stricter limits are indeed needed. Stakeholders have the right to submit derogation requests in case it is considered not possible to fulfil the proposed limits.
Technical report, p. 8, "3 scope and definition" Product scope Are hybrid diapering solutions, composed of disposable inserts made of the same single-use AHPs materials in scope? *Pag 8- "we are welcoming very much the integration of reusable products like menstruation cups in the product scope of the guideline. As you explained, Austria is also aware that some reusable products like reusable breast pads or panty liners fall within the scope of the textile criteria. Thus we fully support the proposed procedure (to refer to the scope of the textile criteria). On the contrary, we do not support this way when it comes to reusable diapers - as they often use disposable inlays.*	COMMENTS CLARIFIED According to the revised product scope definition, "any sanitary article whose function is to absorb and retain human urine, faeces, sweat, menstrual fluid and milk - excluding textile products" are allowed in the scope. Therefore, the disposable inserts in a hybrid diaper may be included in the scope, provided that such inserts are sold as products to the consumer.

Furthermore we question the reasoning by claiming that reusable diapers are a niche product - this may be the case now, but being aware of a long validity period of the guideline (between four to eight years), we like to refer to the EU Circular Economy Action Plan and are thus hoping that reusable hygiene products like washable diapers may become more and more important, even becoming a mainstream product within the next years. It may also be important to explicitly address this product group within the EU Ecolabel, as it would make the EU Ecolabel more known and improve its uptake among the next generation of consumers. *"*	
p.8 The product group 'absorbent hygiene products' shall comprise any sanitary article whose function is to absorb and retain human urine, faeces, sweat, menstrual fluid and milk - excluding textile products. *Inclusion / exclusion of reusable products (diapers, sanitary pads, breast pads) The question raised about the inclusion of reusable products in the scope of EE AHP seems to miss the point: the scope is here defined by the similarity of fabrication processes enabling a comparison through LCAs. The general design of EE is based on environmental impact assessment and need therefore similar/comparable processes and raw materials.* *If the concern is to offer the possibility for reusable products to access an EE, the EE Textile suits perfectly.*	COMMENT ACCEPTED
We have a license for reusable textile diapers and we don't see any reasons for why such a product cannot be included in the current EU Ecolabel criteria for Textile products	COMMENT ACKNOWLEDGED
We would support the possible of reusable alternatives in the scope due to the environmental benefits of reusable alternatives.	COMMENT REJECTED Reusable AHP options (for feminine care and baby diapers) were assessed in the methodology for expanding the product group scope, however they did not fulfilled the score to be included.
NGOs are working on reusable baby diapers and although they currently present a niche market, interest is raising due to durability, less chemicals or less waste production.	COMMENT REJECTED Baby diapers are made from textiles and for this reason, they cannot really be targeted in the AHP group, rather they should be addressed in the EU Ecolabel criteria for textiles.
definitions Definition of plastic materials is not aligned with the EU Single Use Plastics Directive. We propose to harmonise.	COMMENTS ACCEPTED
definitions Definition of plastic materials is not aligned with the EU Single Use Plastics Directive.	
TR, section 3, page 10. Add MMCF to the definition In the list of definitions, to avoid misunderstanding and misuse of terms, we suggest to add the definition of manmade cellulose fibers (MMCF) to the list.	COMMENT ACCEPTED A definition for MMCF has been added to the Technical Report.
TR 1.0 *DEFINITIONS* *"additional packaging"*	COMMENT REJECTED The term 'additional packaging' has been modified to 'additional component' to align with the nomenclature used in other ecolabels type I (Blue Angel and Nordic Swan).

p. 10 10) 'Additional packaging' means any component (with protective or hygienic function) of the absorbent hygiene product that is removed before the use of the product, e.g. the individual wrap or film where some products are contained within the primary packaging (mainly for tampons and sanitary pads), the release liner or paper in baby diapers and sanitary pads, or the applicator for tampons. The additional packaging can also be the cloth bag where menstrual cups are usually sold with. *Wording:* *Following European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste, Article 3, Definitions For the purposes of this Directive:* *1. 'packaging` shall mean all products made of any materials of any nature to be <u>used for the containment, protection, handling, delivery and presentation of goods</u>, from raw materials to processed goods, from the producer to the user or the consumer. 'Non-returnable` items used for the same purposes shall also be considered to constitute packaging,* *"the applicator for tampons" is not a packaging item. It must be removed of the list and identified individually as "functional aid" to use the tampon.*	The definition of 'additional component' is 'any component (with protective or hygienic function) of the absorbent hygiene product that is removed before the use of the product, e.g. the individual wrap or film where some products are contained within the primary packaging (mainly for tampons and sanitary pads), the release liner or paper in baby diapers and sanitary pads, or the applicator for tampons. The additional component can also be the cloth bag were menstrual cups are usually sold with'.
Additional packaging' means any component (with protective or hygienic function) of the absorbent hygiene product that is removed before the use of the product, e.g. the individual wrap or film where some products are contained within the primary packaging (mainly for tampons and sanitary pads), the release liner or paper in baby diapers and sanitary pads, or the applicator for tampons. Major This new definition is fine. Does this mean that the silicone requirement does not apply for release paper?	COMMENT ACKNOWLEDGED The silicone requirement still applies to the release liner. The release liner (or paper) is an additional component (see previous comment for change in the term) in close contact with the final product.
TR. 1.0, p. 11 @ definition of: *12) 'Recyclability capacity' means the amount (mass or percentage) of an item available for recycling.* *From our perspective is the definition to unspecific; the recyclability of what? The materials should be integrated at this point. And it should be added: under realistic conditions in a company.*	COMMENT ACKNOWLEDGED 'Recyclability capacity' has been defined for criterion 8- Packaging. Definitions in Section 3 of TR2 of relevance are: (9) 'Recyclability capacity' means the amount (mass or percentage) of an item available for recycling. . (10) 'Recycled content' means the amount of an item (by area, length, volume or mass) sourced from post-consumer and/or post-industrial recycled material. (11) 'Recycling' means, in accordance with Article 3 of Directive 2008/98/EC of the European Parliament and of the Council , any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations'.
Directive 93/42/CEE du Conseil du 14 juin 1993 concernant les dispositifs médicaux du 12 juillet 1993 et es modifications ultérieures (Règlement (UE) 2017/745 du Parlement européen et du Conseil du 5 avril 2017 relatif aux dispositifs médicaux). Major Il manque le nouveau réglement européen: le MDR 2017/745	COMMENT REJECTED The Medical Devices Regulation is mentioned in the TR1.0, in the page numbered as 3. Further clarification is done in *Section 3 of TR2*.

Assessment and verification

Comments received in AHWG1/written form	JRC Dir. B response
Technical report, p. 12, 4 Assessment and verification Change management "Changes in suppliers and production sites pertaining to products to which the EU Ecolabel has been granted shall be notified to Competent Bodies, together with supporting information to enable verification of continued compliance with the criteria." *Can you confirm that product changes are possible while the EU Ecolabel is on pack? What is the exact process?* *What is missing but very important is a statement of „Initial certification" (i.e. full scope of document) and „change management" (i.e. pre-define what documentation or partial new measurement scope needs to be delivered in case of typical change management: i) supply point expansion on same chemical/feedstock composition, ii) usage reduction of same materials (CAS), iii) BCP situations with certain deviations. Etc. And define what other cases would require full re-certification*	
TR 1.0 *ASSESSMENT & VERIFICATION* *p. 12 Changes in suppliers and production sites pertaining to products to which the EU Ecolabel has been granted shall be notified to Competent Bodies, together with supporting information to enable verification of continued compliance with the criteria.* *Point of vigilance* *Presumably a CB issue, to be shared with CBs / to be translated into specific rules/delays (User Manual)?* *Today, the change notification process is cumbersome in terms of data generation, case compilation and can take up to 6 months to be fully completed. The European Ecolabel should allow a more dynamic change management approach to follow the reality of the product without compromising its promise to always reward excellence. Managing change and how manufacturers ensure the quality of their products despite changes should be rewarded rather than penalized by an overly complex process.*	COMMENTS ACKOWLEDGED These comments will be discussed with the Competent Bodies and the correct procedure clarified in the User Manual that will be published together with the adoption of the new EU Ecolabel criteria.
Technical report v1.0 *-Assessment and verification* *-Proposed assessment and verification* *-p12 : "Changes in suppliers and production sites pertaining to products to which the EU Ecolabel has been granted shall be notified to Competent Bodies…" Clarify and simplify the change management process* We recommend taking advantage of the revision of the criteria to bring some simplifications related to the management of changes on EU Ecolabel awarded products. The following statement should be further clarified: "*Changes in suppliers and production sites pertaining to products to which the EU Ecolabel has been granted shall be notified to Competent Bodies, together with supporting information to enable verification of continued compliance with the criteria. "* *The paper should address in a more detailed way the "change management" process by providing guidelines on the level of documentation to be shared in the case of raw material, supplier, production and/or supply chain changes. For instance, it will be helpful to define the level of changes requiring minimal documentation such as acceptance of a scientific/ technical rationale as well as small laboratory work in opposition to the cases requiring major data submission for the Ecolabel criteria affected by the respective material change(s) or even full re-certification.*	

A more detailed definition of what is regarded as "significant change" may help. Also, a certification of the PROCESS to ensure the continued use of sustainable materials, rather than certification of each material and each change, may be considered. *The current process to notify about a change can be heavy in terms of generation of data, compilation of dossier sections and can take up to 3/6 months to be fully completed.* *EU Ecolabel should allow for a more dynamic change management approach to follow product reality without compromising on its promise to always reward excellence. The management of change and how manufacturers guarantee the quality of their products despite the changes should be rewarded instead of being penalized by a too complex process.* • *As example, it happens that some changes must be operated in a very short period, like within few weeks, to ensure continuity of the production. These changes are usually related to raw materials or supply chain changes. They are unpredictable and dependant of external factors. Today EU Ecolabel is not set up to allow these last-minute changes as the submission process covering all criteria is very complex. The only solution for AHP manufacturer is to stop the production of awarded products creating a product shortage for the consumers.* • *Another example is the very dynamic the innovation cycle in the AHP business where materials can evolve in average every 6 months. The objective of this ongoing innovation is to constantly push the boundaries of absorption and performance while improving the environmental footprint of the product across its life cycle. The complete administrative handling of a product change under EU Ecolabel may take between 3 to 6 months and can overlap with the start of a new innovation cycle. Current solution is to slow down rhythm of changes to secure labelling and to minimize disruption. For EU Ecolabel, this means that the portfolio of awarded products may become outdated and would not reflect the best industry practices few years after the initial certification.*	

CRITERION 1: Product description (please note the content of criterion 1 is moved to the general assessment and verification section).

Comments received in AHWG1/written form	JRC Dir. B response
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 1: Product description* *Page 16 Attention: there is a concern where the customers correlate the weight of the product (printed in the pack) more with product and not with performance. This point could be a disadvantage for market reasons, so consider the composition and remove the description of weight in the products (only units number).*	COMMENT REJECTED In the TR1 it was already proposed to remove the requirement of displaying the information of the product on the packaging.
This criterion should remain on the ECOLABEL. *We recommend to describe the full composition of the product on the packaging and on merchant websites. The name of the components should be recognized by the European Regulation and be sorted by weight order.*	COMMENTS PARTIALLY ACCEPTED In TR2, it is proposed to maintain the content of criterion 1, requiring the applicant to submit information about the total weight of each product and of each component within the product. However, it is proposed to move it to the general assessment and verification text.
TR. 1.0, p. 17 @ In your opinion, should criterion 1 be maintained, or withdrawn? *From our perspective should the criterion 1 be maintained.*	
In your opinion, should criterion 1 be maintained, or withdrawn? Major "This criterion should be kept and split to two. In the criterion 1 it should be requireed that the applicant submits a detailed description of the product. There should be declared the function of the product and all the components, materials and additived used in the manufacturing of the product together with the information about the weight of each material and additive.	
Pag 16- "As this is not really a requirement, wouldn't it be possible to ask for a product description in the ""assessment and verification"" part p12?	COMMENT ACCEPTED The content of criterion 1 was moved to the general assessment and verification text
Pag 16- the total weight of the product and packaging Major "Would it be possible to set a maximal weight threshold for some types of products? The preliminary report mentions a clear correlation between the environmental performance and the weight of the products. *I thought also that the purpose of this criterion was to collect data to set a limit during the revision of the criteria.*	COMMENT REJECTED It is not possible to set such criterion, because the JRC does not have access to such data. Moreover, it is not a linear relation between weight and performance, but there are other parameters that play a role: type of material, layering, production process, etc.

CRITERION 2: Fluff Pulp (please note this is now criterion 1)

Sub-criterion 2.1 Sourcing of fluff pulp (please note this is now sub-criterion 1.1)

Comments received in AHWG1/written form	JRC Dir. B response

We do not understand the reason to harmonise the criterion with graphic paper as fluff pulp does not come from EU.	
Technical report, Section 5.2 criterion 2 Fluff pulp General comment The following is stated: "More than 90% of the pulpwood used is sourced from the EU. *The supply chain for absorbent hygiene products is global. The United States makes up 85% of the global fluff pulp capacity [RISI Fastmarkets, 2019]. The 90% pulpwood referenced in the quote is used for graphic paper, tissue paper and tissue paper products. These statistics do not refer to absorbent hygiene products.* *The regulatory and environmental context in the States is different, therefore applying EU Ecolabel criteria based on European requirements broadly across all mills hoping to participate in the EU Ecolabel can have unintended consequences, as outlined in this statement. We suggest incorporating US mill environmental performance into the process for creating EU Ecolabel standards to be representative of the entire market.*	
Section 5.2 criterion 2 Fluff pulp of the technical report General comment The supply chain for absorbent hygiene products is global. The United States makes up the majority of the global fluff pulp capacity. In general, the environmental legal and regulatory framework in the U.S. is different than the EU, and the EU Ecolabel criteria should take into account relevant factors and robust requirements already in place related to U.S. pulp mills. Applying EU Ecolabel criteria based on European requirements broadly across all mills can create an undue burden and have unintended consequences by, among other things, setting criteria that require mills outside the EU to increase chemical or energy usage to comply. We suggest incorporating U.S. mill environmental performance into the process for creating EU Ecolabel standards to be representative of the entire market, particularly considering that the majority of the global fluff pulp capacity is located in the U.S.	
- p. 19 Global fluff pulp production Approximately 85% of global fluff pulp capacity is located within the United States, primarily from facilities operating within the Southeast. European markets for fluff pulp represented 25% of total demand for fluff pulp in 2018. International Paper, Georgia-Pacific, and Domtar made up 77% of the global fluff pulp capacity in 2018, and all these company's facilities are located within the United States. Since the United States is the global leader for fluff pulp production, it is essential that environmental and energy performance from US facilities be considered for relevant EU Ecolabel criteria development.	COMMENTS ACCEPTED A new section on the market analysis of fluff pulp was added to the TR2 – please check chapter 5.3 and its sub-chapters
Section 5.2 criterion 2 Fluff pulp of the technical report General comment The supply chain for absorbent hygiene products is global. The United States makes up 85% of the global fluff pulp capacity [RISI Fastmarkets, 2019]. Additionally, an internal review estimates that over 75% of European-consumed fluff pulp is produced in the US. *The regulatory and environmental context in the States is different, therefore applying EU Ecolabel criteria based on European requirements broadly across all mills hoping to participate in the EU Ecolabel can have unintended consequences, such as higher energy and chemical use for little or no environmental benefit. We suggest incorporating US mill environmental performance into the process for creating EU Ecolabel standards to be representative of the entire market.* *A memo outlining global fluff production environmental performance created by the National Council for Air and Stream Improvement was submitted previously and we suggest using that information along with any other fluff pulp specific resources available to generate appropriate limits. An alternative would be to maintain the current criteria which we view as strict but reasonable.*	
On the principal, the proposal of harmonisation with EE Tissue Paper/Graphic Paper seems not sufficiently substantiated. *Following information shared during the AHWG#1, 85% of the Fluff pulp for baby diapers are sourced in the US, because of specific technical qualities.* *In any case, Fluff pulp sourcing has specific characteristics and the regulatory and environmental context in the United States is different.* *We consider as fully relevant the necessity to have more data and information from US Fluff Pulp producers. If we miss this point, there is a great risk of not being able to obtain/maintain the conformity of baby diapers (the major share of AHP market).*	

-p19: -"more than 90% of the pulpwood used is sourced from EU" *-p30-Table 3 Describe specificities of fluff pulp used on AHP and why it is coming from North America Fluff pulp used in AHP product is selected for its absorbing properties. It is a different pulp vs the one used for paper. This absorbing pulp is coming from softwood trees that are known to have long cellulose fibres chains such as Southern Softwood Kraft (SSK). Hard wood trees have smaller cellulose chain with lower absorbing properties, so they are not considered for the AHP pulp supply. If we would have to integrate pulp derived from hardwood, we would have to significantly increase the amount of pulp to compensate its lower performance, and this would result inevitably in worsening the environmental profile of the AHP.* *While some softwood forests can be found in Europe, it is estimated that most of the global fluff sourcing for AHP products in Europe comes from the US.* *The regulatory and environmental context of the US mills are very different and should be taken into consideration in the definition of the limits for the EU Ecolabel (see p30, table3). We encourage the discussion with pulp Industry experts to collect detailed understanding of the pulp sourcing for AHP as well as an understanding of the American environmental requirements for pulp production to establish the emissions limits.*	
As most of fluff pulp comes from US, an analysis of the US fluff pulp situation is missing.	
Technical report, Section 5.2 criterion 2 Fluff pulp General comment Fluff pulp is a renewable material. This is something to be encouraged, not punished by stringent requirements. Therefore, we would like to state that the current requirements are good enough.	COMMENTS ACKNOWLEDGED
Section 5.2 criterion 2 Fluff pulp of the technical report General comment Fluff pulp is a renewable material. Consistent with goals to reduce waste, the EU Ecolabel criteria should encourage use of renewal materials such as fluff pulp by incorporating reasonable requirements for all fluff pulp mills globally. The current requirements appear to be sufficient in this regard.	
Technical report, Section 5.2 criterion 2 Fluff pulp, p. 30 Nordic Swan reference In the Technical report, the Swan levels for fluff pulp emissions are missing out in table 3. It is declared that the values are "Not found". The information can be found in the "Paper product – Basic module", version 2.6.	COMMENT ACKNOWLEDGED
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *5.2 CRITERION 2: Fluff Pulp* *Page 18 Reference to graphic paper* *"...from the manufacturer of EU Ecolabel graphic paper and for all virgin fibres used in the product or production line."* Should be replaced by: *"...from the manufacturer of EU Ecolabel AHP and for all virgin fibres used in the product or production line."*	COMMENTS ACCEPTED
TR; 18 Criterion 2.1 In the assessment and verification text there is an error in that the reference to graphic papers does not seem relevant. Probably it is a typo, it would not be correct even tissue paper because we are talking about fibers / pulps.	
Harmonization of the percentage certified is encouraged.	COMMENTS ACCEPTED The level of ambition of this sub-criterion has been confirmed at 70%. Please see the TR2 for further details of the underlying analysis
TR; 21 Criterion 2.1 We agree with the proposed ambition level of 70% for fluff pulp; yes for harmonisation	
2.1 We support the harmonization with pulp criteria, including the increased level of sustainable grown fibers	

Technical report, section 5.2, page 18 Criterion 2, sub-criteria 2.1 "sourcing" FSC support increasing the ambition to 70%. Proposed text below: *All pulp fibres shall be covered by valid chain of custody certificates issued by an independent third party certification scheme such as FSC. A minimum of 70 % pulp fibres shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC.*	
Do you agree with the proposed ambition level for fluff pulp? Major Yes	
Should the requirement on sustainable fibre sourcing be harmonised with other EU Ecolabel criteria for paper based products, e.g. EU Ecolabel for graphic paper, tissue paper, and tissue paper products? Major Yes, but the requirement must be adapted to AHP so that it is relevant.	
We agree on sourcing criterion and encourage harmonisation with graphic pulp	
The change to 70% certified pulp is a good step towards 100%.	
We started to engage with another standard apart from FSC and PEFC: 70% is fine.	
The EU Ecolabel should be a sustainable certificate. Although pulp comes from US, BREF-BAT should be followed. In addition, we have Green Deal, Biodiversity Strategy, etc so for instance 70% certified sourcing is the way to reach 100%.	
Why does the threshold is 70% and not 100% of certified pulp ? The threshold should be 100%.	COMMENTS REJECTED
TR. 1.0, p. 21 @ Should the requirement on sustainable fibre sourcing be harmonised with other EU Ecolabel criteria for paper based products, e.g. EU Ecolabel for graphic paper, tissue paper, and tissue paper products? *We totally support a harmonization, but the harmonization should have an aim of 100%.*	The level of ambition of this sub-criterion has been confirmed at 70%, as a compromise between availability of certified materials and the objective of sustainable forest. Please see the TR2 for further details of the underlying analysis
TR. 1.0, p. 18 In our last comments we suggested to aim of a share of 70 % 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 6material comes from sustainably managed forests. Therefore, we suggest to have 100 % in order to reach 70 %. *To have an ambitious aim is important because it is important that more and more forests obtain a certification such as that of FSC. The loss of forests (or wood) is a very important driver for the loss of biodiversity in different countries.* *The Blue Angel also demands for 100 % and the latest certifications shown that this level is feasible.*	COMMENT CLARIFIED There is probably a misunderstanding about the different systems. The 70% certified fibres is true only with the %- system. If you use the credit system, you need 100% certified fibres to be allowed to label your product as FSC mix. So, with the %- system, if you have the right to label the product with FSC mix, then your product fulfils the requirement 70% certified fibres automatically. You don´t calculate 70% out of 70%. With the credit system, if your FSC account shows that you have deducted 70% of the amount of certified fibres for your EU Ecolabelled product that you have sold then the requirement is fulfilled. Please see also section 5.3.1 in TR2 for further details
TR. 1.0, p. 21 @ Do you agree with the proposed ambition level for fluff pulp? *Please see comment above. We propose the aim 100% in order reach 70 % with the labels FSC and PEFC.*	
We agree on the harmonisation with graphic paper but the 70% certification seems like a quite high value for this fluff pulp.	

There is limited FSC and PEFC Certified forestlands globally. In the United States, net certified forest area only reaches 13 percent (https://usforests.maps.arcgis.com/apps/MapJournal/index.html?appid=dfe7da49c651424eb39a14c61c4d5f7f). Even in some regions with limited certified forest, the area of forest is increasing. (Food and Agriculture Organization of the United Nations: Forest and forest Sector United States of America, 2016, http://www.fao.org/forestry/country/57478/en/usa /, Accessed 1.29.2018). *The proposed certified percentage increase disadvantages certain areas of the world that have smaller land ownership characteristics (e.g., Southeastern USA, where the majority of the fluff pulp originates). Cost and administrative requirements of current certification schemes are challenging for small landowners, even if they match all criteria. If the focus is on solely increasing FSC and PEFC certified fiber, it can discourage small landowners from participating in the supply chain. Strong demand & markets enable small landowners to continue to grow trees instead of converting land to non-forest uses, including livestock, agriculture, mining, and development.* *Therefore, responsible sourcing practices, measured by PEFC Controlled Sources and FSC Controlled Wood would be more applicable in regions with small land ownership characteristics and should be allowed.*	COMMENTS REJECTED The level of ambition of this sub-criterion has been confirmed at 70%, as a compromise between availability of certified materials and the objective of sustainable forest. Please see the TR2 for further details of the underlying analysis
FSC, PEFC, and other relevant and established Sustainable Forestry Management Certifications should be allowed to set the criteria for what is sustainable wood and fibres. The Eco Label criteria shall not discriminate between models for calculating and allocating the amounts of certified wood/fiber between, or within certification schemes. E.g. for wood fiber sourcing both FSC Mix Credit and FSC Mix% should both be valid.	
Both FSC claim types, FSC Mixed Credit and FSC Mix % should be approved.	
Section 5.2 criterion 2 Fluff pulp of the technical report Proposed criterion 2.1: Sourcing *FSC, PEFC, and other relevant and established Sustainable Forestry Management Certifications already have robust systems and criteria in place to encourage sustainable practices and therefore, should be allowed to set the criteria for sustainable fibres and all methods for allocating certified fibre within these standards should be allowed by EU Ecolabel. Therefore, both FSC mix credits and FSC % should be allowed.*	
Section 5.2 criterion 2 Fluff pulp of the technical report Proposed criterion 2.1: Sourcing *FSC and other Sustainable Forestry Management certification platforms should be allowed to set the criteria for sustainable fibres. Therefore, FSC Mix Credit should be allowed as a mechanism to meet certified fiber criteria in addition to any FSC Mix % claims. Only allowing a transfer system approach creates a barrier in places where forestland ownership is more fragmented when compared to large industrial timber managers.* *Additionally, there is no (known) commercially available fluff in the US from any manufacturer that would not commonly come with an FSC Mix Credit of PEFC volume credit claim. Credit systems are the normal accounting method and percentage claims are less common and also can be misleading.* *A different standard, other than the current labelling thresholds, would create uncertainty within the standards. We recommend allowing FSC and PEFC to create labelling requirements for certified forest products and harmonizing with those standards.*	COMMENTS ACCEPTED Both FSC control systems, percentage and credit systems, are accepted. See also section 5.3.1 in TR2 for further details. This will be further specified in the user manual
Should FSC Mix Credit be used instead of FSC Mix %? Could both be considered? Major I think that this question is based on a misunderstanding. Both FSC mix credit and % are accepted already. Our experience is that the credit system is more widely used. The required 25% certfied fibres does not refer to FSC mix %. It can be calculated from both systems.	
Percentage and credit systems are both accepted	
Both mix credit and mix percentage should be approved	

All recognized forest certification schemes should be approved.	
Technical report, Section 5.2 criterion 2 Fluff pulp Proposed criterion 2.1: Sourcing *FSC, PEFC, and other relevant and established Sustainable Forestry Management Certifications should be allowed to set the criteria for what is sustainable wood and fibres. The Eco Label criteria shall not discriminate between models for calculating and allocating the amounts of certified wood/fiber between, or within certification schemes. E.g. for wood fiber sourcing both FSC Mix Credit and FSC Mix% should both be valid.*	
TR. 1.0, p. 21 @ Should FSC Mix Credit be used instead of FSC Mix %? Could both be considered? *We suggest to use the mass balance/credit principle instead of the percentage system. We do not support the idea to have both systems.*	COMMENT REJECTED Both FSC control systems, percentage and credit systems, are already accepted. See also section 5.3.1 in TR2 for further details
Recycled fibers *We would like to raise attention on the traceability of recycled fibers. Using recycled fibers implies a more difficult traceability, with a risk of previous contamination that would be reintroduced into the production circuit, which raises questions for this type of product. Given the current maturity of the sector, we recommend not to include criteria on recycled fibers.*	COMMENTS ACCEPTED Given the best practice of the market of not including recycled fibres due to product safety aspects, it is not proposed to include a requirement on recycled fibres
It seems that there are no products in the market which are using recycled content. The EU Ecolabel might not need to exclude this possibility but should clearly establish requirements to ensure compliance of any potential recycled materials with the same restrictions on hazardous substances which apply to virgin materials. *We understand however that it is challenging for manufacturers to source recycled materials that comply with the same requirements as virgin materials. Therefore, in practice we think that is difficult setting a mandatory recycled content without applying strict standards which are needed for this product group. To prevent migration between outer and inner layers it might be needed to include functional barriers (e.g. Italy only allows use of recycled paper in contact with food if it includes an inner bag (usually made of plastic) that prevents contamination).*	
Technical report, Section 5.2 criterion 2 Fluff pulp, p. 21 Answer to question The following question is raised: "Could recycled fibre be used in a final product? If yes, for which components? If not, which are the reasons behind? *Depending on the recycling approach, it is known that recycled materials may be loaded with unwanted substances. Before setting a criterion, a review of existing data should be conducted. At this stage and in the absence of external information on recycled pulp, recycled pulp should not be considered for the EU Ecolabel*	
-p21: -"Points for discussion" Comment on recycled pulp Depending on the recycling approach, it is known that recycled materials may be loaded on unwanted substances. Before setting a criterion, a review of existing data should be conducted. At this stage and in the absence of external information on recycled pulp, recycled pulp should not be considered for the EU Ecolabel.	
Is the JRC not concerned about the product safety aspects if using recycled fiber?	
Page 18 Reference to recycled pulp *"The applicant shall provide audited accounting documents that demonstrate that at least 70 % of the materials allocated to the product or production line originate from forests or areas managed according to sustainable forestry management principles that meet the requirements set out by the relevant independent chain of custody scheme and/or originate from recycled materials."*	

TR. 1.0, p. 21 @ Could recycled fibre be used in a final product? If yes, for which components? If not, which are the reasons behind? *Generally, from a technical perspective we support the idea to include recycled fibres. But from our perspective there is no producer that currently includes recycled fibres due to the sensitivity of the products (esp. diapers for babys/children).*	
Could recycled fibre be used in a final product? If yes, for which components? If not, which are the reasons behind? Major There might be issues with impurities that may affect product safety but this question can be answered best by the AHP producers	
We would like to question the safety of recycled fibres	
Accepting recycling fibres adds the difficulty of checking the traceability of recycled fibres.	
all producers of baby diapers have very high product safety measures which do not allow recycled fibres. Recycled fibres are not even allowed in the close contact to contact with skin layer, because of the risk of migration. This is an industry best practice (not a regulation) which cannot be modified.	
We question the suitability of pulp recycling: recycled content is not to be used in the final product for safety reasons.	
We have concerns on the inclusion of recycled fibres (criteria 2 and 3) (question (2)) for primary packaging or the product itself due to concerns about traceability and risk of contamination.	
We have concerns on the inclusion of recycled fibres and suggest to carefully consider this criterion due to concerns about the potential migration of hazardous substances, even from layers that are not directly in contact with the body of the product	
Technical report version 1.0 (September 2021) *- Section "2.1: Sourcing"* *- Page 18-21* *Recycled fibers* *We would like to raise attention on the traceability of recycled fibers. Using recycled fibers implies a more difficult traceability, with a risk of previous contamination that would be reintroduced into the production circuit, which raises questions for this type of product. Given the current maturity of the sector, we recommend not to include criteria on recycled fibers.*	
We very much favour the inclusion of recycled fibres and would like to point to the producer's responsibilities of making sure that no trace substances go into the body.	COMMENT REJECTED It is not feasible at this stage to set a requirement on the mandatory content of recycled fibres
The applicant shall provide audited accounting documents that demonstrate that at least 70 % of the materials allocated to the product or production line originate from forests or areas managed according to sustainable forestry management principles that meet the requirements set out by the relevant independent chain of custody scheme and/or originate from recycled materials. Major Fluff pulp is also used in airlaid and it should be written out that the airlaid supplier shall allocate credits to the airlaid delivered to the EU Ecolabelled AHP product. The number of credits must be given in the invoice.	COMMENT ACCEPTED The clarification was added to the assessment and verification text

Sub-criterion 2.2 Bleaching of fluff pulp (please note this is now sub-criterion 1.2)

Comments received in AHWG1/written form	JRC Dir. B response
- p. 22 Receiving water impacts Ecolabels are designed, in part, to identify products produced in a manner that is preferrable from an environmental impact perspective. To that end, one might consider not only the composition of treated effluent from the production of various products, but also receiving water characteristics at the production site that are pertinent to the potential for environmental impacts.	COMMENT ACKNOWLEDGED
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.2: Bleaching* *Page 22 Reference to paper* *"AOX does not need to be measured in the effluent from non-integrated paper production or in the effluents from pulp production without bleaching or where bleaching is performed with chlorine-free substances."* Should be replaced by: *"AOX does not need to be measured in the effluent from non-integrated AHP production or in the effluents from pulp production without bleaching or where bleaching is performed with chlorine-free substances."*	COMMENT ACCEPTED
The applicant shall provide a declaration of compliance with this criterion, supported by a list of the different ECF pulps used in the pulp mix, their respective weightings and their individual amount of AOX emissions, expressed as kg AOX/ADt pulp. *Should be replaced by:* *The applicant shall provide a declaration of compliance with this criterion, supported by the amount of AOX emission measured in the ECF pulp. In the case of different fluff pulp grades must be provided the individual AOX emission correponding to each one.* *Consideration about this topic:* *"It is relevant to stress that the EU Ecolabel for graphic paper, tissue paper and tissue paper products does not consider an average AOX value of all incoming pulps, but allocate requirements on each pulp stream present in the pulp mix used in a final product. This ensures that the AOX emission is not mathematically diluted, and that each incoming pulp meets the requirement."* *There is no mixes of pulps during a fluff pulp process (as is the case in tissue and graphic papers), so there is no reason to provide individuals values of AOX containing the "mixes of pulp proportionally".* *What can occur is that one mill has different pulp grades, so in this case must be provide the individual AOX measurement to each final product (grade).*	COMMENT PARTIALLY ACCEPTED The sentence was modified into the following: "The applicant shall provide a declaration of compliance with this criterion, supported by a list of thethe AOX emission relative to the different ECF-bleached pulps used in the pulp mix, their respective weightings and their individual amount of AOX emissions, expressed as kg AOX/ADt pulp. In case different pulp grades are used, the applicant shall provide the individual AOX emission corresponding to each pulp." Please check Section 5.3.2 for more details
Technical report, Section 5.2 criterion 2 Fluff pulp Proposed criterion 2.2: Bleaching The first sentence of the criterion 2.2 on p25 states "refers to elemental chlorine free (ECF) pulp". Please can you confirm the criterion also applies to TCF?	COMMENT CLARIFIED Mills performing totally chlorine free (TCF) bleaching discharge virtually no chlorinated organics, as they are not formed in bleaching. Therefore, this criterion does not apply to TCF bleached pulps.
2.2. Bleaching, p. 21-25 AOX We promote harmonization of the criteria between other paper grades using pulp.	COMMENTS PARTIALLY ACCEPTED
TR; 25 Criterion 2.2 We are in favour of the proposed value for AOx	

TR. 1.0, p. 26 @ Do stakeholders agree to increase an ambition level by lowering the reference value to 0.14 kg AOX/ADt for each pulp in a pulp mix? *Yes, we agree to increase the ambition level.*	The proposed limit value in the TR2 is 0.14 kg AOX/ADt. Please check Section 5.3.2 for more details on the underlying analysis.
Do stakeholders agree to increase an ambition level by lowering the reference value to 0.14 kg AOX/ADt for each pulp in a pulp mix? Major Yes, but the level must be properly verified	
The Technical Report showed that there were plants complying with a lower AOX value since 2015 thus showing the possibility to go stricter (desired value of 0.1 kg AOX/ADt).	
Lowering the values of AOX is important as AHP are already disposable and contaminant products. EU Ecolabel should be a sustainable certificate. Although pulp comes from US, BREF-BAT should be followed.	
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *2.2: Bleaching* *Page 24* *Brief analysis of the influence of bleaching process on the presence of polyhalogenated organic compounds in a final product* *"In this sense, it is not possible to assess neither the origin of pulp nor the nature or performance of the bleaching process used. Given that, as indicated by market analysis, the vast majority of fluff pulp is externally sourced, it is not possible to ensure if the bleaching process was conducted in line with the BATs conclusions and therefore meeting the requirement of Commission Implementing Decision 2014/687/EU (EC, 2014)25:"* *The customers that buy fluff pulp from big suppliers receive the information about the bleaching sequence and the AOX emission, so as the customer of fluff pulp will be diaper companies and not the final customer on the supermarket, those technical information can be easily accessed by these companies (even easily when recognized the ecolabeled fluff pulp).*	COMMENT CLARIFIED The referenced text in the TR1 referred to the results of the ANSES study, and not to the information available to EU Ecolabel applicants.
Technical report, Section 5.2 criterion 2 Fluff pulp Proposed criterion 2.2: Bleaching Reducing the AOX level beyond current levels (0,17 kg AOX/ADt) will likely not achieve statistically different reductions of environmental impact to aquatic ecosystems. *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. A report by Solomon, et. al. (1997) concluded that TCF (totally chlorine free) and ECF both have negligible (insignificant) environmental risk to aquatic ecosystems.*	COMMENTS REJECTED The situation of bleached pulps has been analysed, however unfortunately with little data from the US. Other EU ecolabels set stricter AOX limits than the EU Ecolabel, demonstrating that it is possible to achieve higher reductions of AOX emissions. Please see the details in Section 5.3.2.

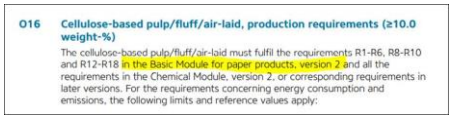
Technical report, Section 5.2 criterion 2 Fluff pulp Proposed criterion 2.2: Bleaching Reducing the AOX level beyond current levels will not achieve significant reduction of environmental risk to aquatic ecosystems. *Following conversion to ECF bleaching in the early 2000s, studies of effluent characteristics at ECF mills have suggested little or no evidence of ecotoxicity related to AOX.* *Based on the above, TCF (totally chlorine free) and ECF both have insignificant environmental risk to aquatic ecosystems and are equally good alternatives when it comes to environmental performance.* *The fluff pulp used for absorbent hygiene products is typically not mixed for the manufacturing of the products since the diaper manufacturing is a totally dry converting process; it is possible for wet processes like paper making.* *Hence, the possibility to get a lower AOX-level by using mixes of ECF and TCF is limited, and it is suggested to keep the present level for AOX-emissions.*	
Section 5.2 criterion 2 Fluff pulp of the technical report Proposed criterion 2.2: Bleaching Reducing the AOX level beyond current levels will likely not achieve significant reduction of environmental impact to aquatic ecosystems. 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. A report by Solomon, et.al. (Solomon, K., Bright, D., Hodson, P., Lehtinen, K., McKague, B., and Rodgers, J. 1997. Evaluation of the ecological risks associated with the use of chlorine dioxide for the bleaching of pulp: scientific progress since 1993.) concluded that TCF (totally chlorine free) and ECF both have negligible (insignificant) environmental impact to aquatic ecosystems. *Graphic paper contains primarily hardwood chemical pulp, whereas fluff pulp is made from softwood. Hardwood pulps require less bleaching chemicals than softwood pulps to achieve a given brightness, thus hardwood pulps produce less AOX than softwood pulps. As such, it is reasonable to have different AOX limits for hardwood and softwood pulps, so we recommend the current limit of 0.17 kg AOX / ADT of pulp for fluff pulp. The attached NCASI report (Environmental Footprint Comparison Tool – Effects of Decreased Release of Chlorinated Compounds) includes a section on discharge to water addressing dioxins, furans, and AOX. Another source of information is NCASI (Memo "ANSES report on the safety of disposable diapers").*	
Revision of EU Ecolabel Criteria for Absorbent Hygiene Products *5.2 Criterion Fluff Pulp – Existing criterion 2.2 Bleaching AOX Limit Reduced from 0.17 kg/ADt to 0.14 kg/ADt There is no identified correlation between residual AOX in fluff pulp and AOX in wastewater effluent. The biggest correlation with AOX in effluent is more closely related to the type of wastewater treatment system and water retention time as longer retention times allow for more organic material degradation. Therefore, the reasoning that is presented in the technical document related to AOX in the final product is not relevant to the effluent AOX discussion.*	
We disagree to lowering the AOX value	
Revision of EU Ecolabel Criteria for Absorbent Hygiene Products *5.2 Criterion Fluff Pulp – Existing criterion 2.2 Bleaching AOX Limit Reduced from 0.17 kg/ADt to 0.14 kg/ADt The primary issue with AOX testing is that there is a high level of measurement uncertainty. For example, variations of up to 30% are seen between on-site measurements done by the mills and by external laboratories that tested the same sample. This is also confirmed in Annex C of the ISO 9562 standard (French version) where data based on the measurements of 56 laboratories show discrepancies in results between 10-30% for the same sample.*	COMMENT REJECTED The ISO standard gives guidance for checking the completeness of the total adsorption. This is a parameter that should be provided in the test report.

Another issue with AOX testing is that studies have shown ECF bleaching sequences tend to produce substances with lesser degrees of halogenation, which are more treatable in biological wastewater systems. Unfortunately, the environmental relevance of some harmful chlorinated substances has been extrapolated to the AOX produced as a whole, without evidence of the aforementioned chemicals of concern. 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. *We suggest keeping the current AOX criteria.*	Moreover, the EU Ecolabel requires the average of 12 samples, which would reduce the risk for unrepresentative samples. Moreover, the BREF did not recognize ECF bleaching as the Best Available Technology. The BREF indicated a AOX limit of 0.2 kg AOX/ADt as BAT, but this limit can be achieved in a number of ways, and ECF bleaching depending on the sequences and other parameters can have very low or very high AOX emissions. Finally, other EU ecolabels set stricter AOX limits than the EU Ecolabel, demonstrating that it is possible to achieve higher reductions of AOX emissions. Please see more details in Section 5.3.2.
Brief analysis of the influence of bleaching process on the presence of polyhalogenated organic compounds in a final product *This study was done in the diaper collected "in the market" and not on the materials separately. In both companies I worked at, the pulps were sent to the examination and nothing was found in the fluff pulp fibres (final product) related to dioxin, furans and DL pdb´s to ECF process. Although also to guarantee this point there are laboratories that carry out these analyses. Reference: Galab Laboratories* *Specifically DL biphenyls are related to the plastic industry.* *Recommendation: as this topic is not well studied the information about the ANSES publication must be in an attachment in the end of the document. The reason is not to generate a concern without more scientific studies.* *"Last but not least, the lack of data on the AOX emission from the bleaching process of pulps used to manufacture products that were analysed by ANSES does not enable the correlation of the AOX emission levels with the presence of polyhalogenated organic compounds in pulp."*	COMMENTS ACKNOWLEDGED
Stakeholder mentioned that ANSES study measured dioxins in the final product (baby diapers) and assumed they came from the fluff pulp (a natural material) without differing if the fluff pulp was ECF/TCF, however that link between bleaching and dioxins has not been proved.	
Revision of EU Ecolabel Criteria for Absorbent Hygiene Products *5.2 Criterion Fluff Pulp – Existing criterion 2.2 Bleaching Test report to support declaration that chlorine (Cl2) gas was not used. The test proposed as part of this criteria is not something regularly done. In our experience, this type of test does not exist. ISO 9562 test methods refer to AOX testing in wastewater, not ensuring that chlorine gas has not been used for bleaching.* *Additionally, ECF and TCF bleaching are the primary methods of bleaching. To our knowledge, there are no pulp and paper manufacturers operating in the United States that use chlorine gas bleaching. A declaration from the fluff pulp producer should suffice.* *We suggest clarifying this requirement or eliminating altogether.*	COMMENTS ACCEPTED

The applicant shall provide a declaration from the pulp manufacturer that elemental chlorine (Cl2) gas was not used. The declaration shall be supported by a test report Major Our experience from Nordic Swan and from EU Ecolabel is that it is enough with a declaration. We have not found any pulp mill using Cl2 bleaching for a very long time. If test report is required as a supporting document it means that all fluff pulps must be tested, even TCF fluff pulps. The testing in this case does not give any added value because pulps bleached wth Cl2-gas don´t pass the criterion AOX emission < 0,14 kg/tonne	
declaration that Chlorine gas is not used would be enough, otherwise test methods would be too much for each fluff pulp, because all producers would need to provide that information.	
a chlorine bleaching test is not necessary, as Cl2 (g) is not widely used anymore.	
It is very important to fully understand if we are talking about criteria applied in raw materials or in the final products. This should be specified in the criteria.	COMMENT CLARIFIED The criterion applies on the raw material used in the final product. This will be clarified in the User Manual
Information on the emissions shall be expressed as the annual average from measurements taken at least once every 2 months. Major The measuring frequency "at least every 2 months" doest not give you "annual average". The samples should be 24 h samples taken every week. 6 samples per year does not tell you what the annual average is. The pulp mill can actually choose to report 6 very low test results when the actual average value is much higher.	COMMENT PARTIALLY ACCEPTED It was clarified that the annual average is to be calculated from at least 12 measurements taken at least once every month. This is in line with the Industrial Emissions Directive and the respective BREF.
The applicant shall provide a declaration of compliance with this criterion, supported by a list of the different ECF pulps used in the pulp mix, their respective weightings and their individual amount of AOX emissions, expressed as kg AOX/ADt pulp. Major "Normally the fluff pulps are not mixed at the AHP production, only one fluff pulp is used at a time. However, there might be special cases where different pulps are mixed together and dried to give one fluff pulp used in the AHP production. It is unclear here if the requirement: *""AOX emissions from the production of each pulp each used in EU Ecolabel absorbent hygienic product shall not exceed 0,140 kg/ADt."" refers only to the fluff pulp used in the AHP production or does it apply also to each pulp in the pulp mix used to produce the dry fluff pulp delivered to the AHP mill?"*	COMMENT CLARIFIED The limit refers to the fluff pulp used in the AHP production, as it is understood that mixing of pulp/fluff is not common for AHP. However, in case mixing is done, the average of the mix of pulps shall be < 0.14 kg AOX/ADt.

Sub-criterion 2.4: Emission of COD and phosphorous (P) to water and sulphur (S) compounds and NOx to air from production (please note this is now sub-criterion 1.3)

Comments received in AHWG1/written form	JRC Dir. B response
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.4:* *Page 28 Reference to paper* *"The reference values for each pulp type used and for the paper production."* *Should be replaced by:* *"The reference values for each pulp type used and for the AHP production"*	COMMENTS REJECTED The part of the sentence referring to the paper production has been deleted as AHP production does not lead to emissions of P to wastewater (it is a dry process).

Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.4:* *Page 29 Reference to paper* *"The electricity in this calculation is the electricity produced at the co-generation plant. The heat in this calculation is the net heat delivered from the co-generation plant to the pulp/paper production."* Should be replaced by: *"The electricity in this calculation is the electricity produced at the co-generation plant. The heat in this calculation is the net heat delivered from the co-generation plant to the pulp/AHP production."*	
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.4:* *Page 31 Reference to paper* *"The ~~paper~~ pulp product is usually stored on reels for further fluffing in a hammer mill/defibrator, which fibreizes the fluff pulp sheets into loose fibres by means of small hammers that rotate at high speed"*	COMMENT ACCEPTED Please note that this sentence has been moved to Section 5.3.2
In the Technical Report, for some reason, the values for the Nordic Swan criteria for the different emissions is labelled as "not found". These values are listed in the document "Paper products - Base module" version 2.6, valid to 31 Dec 2023 and should be updated in the table. See extra DOC	
I realize that the reason for this is that it may not have been observed that the emission levels are not present in the document "Nordic Ecolabelling for Sanitary Products", but are to be found in the document "Paper products – Basic module", version 2.6, 31 December 2023, appendix 3. From criteria document on Sanitary products:  O16 **Cellulose-based pulp/fluff/air-laid, production requirements (≥10.0 weight-%)** The cellulose-based pulp/fluff/air-laid must fulfil the requirements R1-R6, R8-R10 and R12-R18 in the Basic Module for paper products, version 2 and all the requirements in the Chemical Module, version 2, or corresponding requirements in later versions. For the requirements concerning energy consumption and emissions, the following limits and reference values apply: I would therefor like the Technical report, table 3, to be updated immediately with the relevant values for the Nordic Swan as in the attached document. It gives a better background to comments on suggested levels for fluff pulp production.	COMMENTS ACCEPTED The table was updated in the TR2.
How can the reference values established by EU ecolabel criteria for graphic paper, tissue paper, and tissue paper products be adapted to the fluff pulp market situation? Major JRC should investigate the emission situation in USA because most of the fluff pulps come from there. Keep in mind that there are also other criteria in the document where it is proposed much more stringent levels than before, so that together the whole proposed criteria set may close out 99% of the fluff pulps on the market. The criteria set has the best environmental effekt if it is possible to fulfil it by making improvements in the production and not if it closes out all the producers.	COMMENT ACCEPTED An analysis of the situation was performed. However, publicly available data from the US are very limited.
Graphic paper production utilises primarily hardwood chemical pulp, whereas fluff pulp is based on softwood. This should be taken into account when designing the process criteria. A general copy paste from the graphic paper EU Ecolabel criteria without justification is not appropriate.	

Wastewater requirements should be attainable given the primary water treatment technology in the industry and criteria should be appropriate for the local water dynamics. US water regulatory limits are created specifically for receiving waters. The current Graphic Paper criteria does not take into account the local circumstances that have been granted in the mills' operating permits, and environmental context in various regions of the world. The effect of phosphorus, as a nutrient, is limited in sub-tropical coastal waters in the US (EKONO 2015). A large number of mills, located near these waters, are consequently disqualified when applying the strict limitations on phosphorus discharges. Using criteria that do not consider the local context may not enhance environmental performance and might even have negative unintended consequences (e.g., additional chemical and energy usage to remove phosphorus). *Traditionally, nutrient discharges have been the focus in the European countries where the receiving waters are shallow, nutrient limited and prone to eutrophication which emphasizes that the local context is very important for water treatment limits. There must be flexibility on nutrient limits based on where the mills are located and the effect of these residual nutrient loads in water effluent, or on technology the mill has implemented to treat wastewater. A large majority of phosphorus in pulp mill systems, particularly in the United States, originates in wood and very little is added to the process. The variation in phosphorus contribution from wood has already been acknowledged in the EU Ecolabel criteria for graphic paper (originating from the BAT study).We advise to consider these variations of wood phosphorus levels in fluff pulp production.* *The relevance of phosphorus as a contributor to effluent impacts on receiving waters is very site-specific and not well-characterized by effluent loads alone. Unlike the other environmental parameters, phosphorus does not track well with pulp production, as it is not tied to energy and chemical usage. Therefore, we recommend maintaining flexibility on the nutrient limits based on incoming water and wood contributions to a mill's phosphorous balance.*	
Graphic paper production utilises primarily hardwood chemical pulp, whereas fluff pulp is based on softwood. This should be considered when designing the process criteria. Simply adopting the graphic paper EU Ecolabel criteria for hygiene products is not appropriate because it does not take into account unique matters related to fluff pulp production. *Wastewater requirements should be reasonable given existing robust regulatory requirements and the primary water treatment technology in the industry. Criteria should be appropriate for the local water dynamics. U.S. water regulatory limits are set with specific consideration of receiving waters. The current graphic paper criteria do not take into account the local circumstances that are reflected in the mills' specific operating permits, as well as specific and environmental conditions and regulatory schemes in various regions of the world. A large number of mills, located near sub-tropical coastal waters, are disqualified when applying the strict limitations on phosphorus discharges. Using criteria that do not consider the local context may not enhance environmental performance and might even have negative unintended consequences (e.g., additional chemical and energy usage to remove phosphorus).* *Traditionally, nutrient discharges have been the focus in the European countries where the receiving waters are shallow, nutrient limited and prone to eutrophication—which illustrates how the local context is very important for water treatment limits. There must be flexibility on nutrient limits based on where the mills are located and the effect of these residual nutrient loads in water effluent and/or on the specific technology the mill has implemented to treat wastewater. A large majority of phosphorus in pulp mill systems, particularly in the U.S., originates in wood and very little is added to the process. The variation in phosphorus contribution from wood has already been acknowledged in the EU Ecolabel criteria for graphic paper (originating from the BAT study).We advise to consider these variations of wood phosphorus levels in fluff pulp production.*	

The relevance of phosphorus as a contributor to effluent impacts on receiving waters is very site-specific and not well-characterized by effluent loads alone. [NCASI "Fluff Pulp Environmental and Energy Characteristics", 2021 p.10]. Unlike the other environmental parameters, phosphorus does not track well with pulp production, as it is not tied to energy and chemical usage. Therefore, we recommend maintaining flexibility on the nutrient limits based on incoming water and wood contributions to a mill's phosphorous balance. The NCASI memo, Fluff Pulp Environmental and Energy Characteristics – 8-18-21, which has been shared with you directly from NCASI is also attached here for your reference.	
Technical report, Section 5.2 criterion 2 Fluff pulp, *Page 32 Proposed criterion 2.4: emissions From the Point for discussion:* *How can the reference values established by the EU ecolabel criteria for graphic paper, tissue paper and tissue paper products be adapted to the fluff pulp market situation?* *The supply chain for absorbent hygiene products is global. The United States makes up 85% of the global fluff pulp capacity and the proposed ambition level is not feasible; the regulatory and environmental context in the US is different. Therefore, applying EU Ecolabel criteria, based on European pulps for graphic and tissue paper, for fluff pulp production will have unintended consequences.* *Present limits allow for good suppliers to provide fluff pulp of high environmental and quality standards.*	
3. The factor should not be changed from 1,5 to 1,3 (p. 28) to allow for converting. If there were no converting pulp to fluff pulp, a group of specialty fluff pulps would be eliminated from the market (e.g. un- and semi-bleached).	COMMENTS ACCEPTED The value was brought back to 1.5, in alignment with the requirement in Nordic Swan and Blue Angel
We would suggest to modify the factor from 1.3 to 1.5 (page 28 of Technical Report) as these values leave no room for converting.	
TR; 27 Criterion 2.4 We are in favour of the proposed value (1,3)	COMMENT REJECTED The value was brought back to 1.5, in alignment with the requirement in Nordic Swan and Blue Angel
2.4. Emissions of COD, P, S and NOx *1. Why are there different reference levels for different pulps (Sulphite vs. Sulphate, CTMP, unbleached etc.)? In the suggested way of calculating, some environmentally more attractive solutions may be omitted.*	COMMENT PARTIALLY ACCEPTED There are different limits for different pulps in line with what prescribed by the Best Available Technologies-Associated Emission Levels, the Nordic Swan and EU Ecolabel for graphic paper, tissue paper and tissue paper products. New possibilities for other pulps were added in the TR2
2. Missing unbleached and semi-bleached pulp. The reference values should be at the level of the bleached pulps or there should be one reference value, which is the one for the most commonly used pulp.	
unbleached and CTMB bleached pulp are missing	COMMENTS ACCEPTED New possibilities for other pulps were added in the TR2
Tr 1.0, p.28, table 1 @ Should a categorization of the different pulps used be established and set up appropriate criteria for each? *For sulphate (or bleached chemical pulp (other than sulphite): not* *For sulphite and CTMP: yes*	

- p. 27 COD In 2020 NCASI completed a literature review describing the science concerning the relationship between COD and biological responses in both laboratory and field studies (NCASI 2020b). Findings from published laboratory and field studies using pulp and paper mill effluents demonstrated an inconsistent relationship between COD concentrations and measurable biological effects. Analysis of more than 10 years of pulp and paper mill effluent bioassay and chemistry data generated by NCASI also showed that the association between COD and bioassay response was not consistent across WET test organisms, especially in those commonly used for NPDES permitting (Ceriodapnia dubia and Raphidocelis subcapitata). Taken together, findings from this report suggest that scientific evidence is insufficient to indicate a clear link between elevated COD in properly treated mill effluents and adverse biological effects in the laboratory or in natural systems.	COMMENT PARTIALLY ACCEPTED Please see Section 5.3.3 in the TR2 for a newly developed section and analysis of the COD limits
- p. 26 Phosphorous The EU Ecolabel criteria for graphic paper is based upon total phosphorus and no distinction is made among the various forms of phosphorus in pulp and paper effluents. Inorganic nutrient forms of phosphorus are more readily available for algal growth compared to organic forms of nitrogen and phosphorus. NCASI has conducted numerous studies on the management and discharge of nutrients from pulp and paper facilities and a synthesis of NCASI work is available in Technical Bulletin No. 937 (NCASI 2007). It should be recognized that only a portion of residual nitrogen and phosphorus discharge is readily bioavailable for algal growth (NCASI 2004; 2009). *Activated sludge treatment (AST) and aerated stabilization basins (ASBs) are the most common secondary treatment technologies used by the forest products industry in North America. While providing similar levels of treatment, ASTs and ASBs utilize different approaches to removing BOD and TSS. ASTs are characterized by a sludge return process which increases the effective biomass concentration and results in high substrate removal rates and short hydraulic retention times. In contrast ASBs do not have a sludge return process which results in lower biomass concentrations, lower rates of substrate removal and longer hydraulic retention times. Sludge return necessitates the inclusion of secondary clarification and sludge handling and disposal for ASTs while ASBs internally clarify, store, and digest the generated sludge.* *The primary sources of phosphorus to pulp and paper mill effluents are raw materials (i.e., wood and intake water) and any supplemental phosphorus added to aid wastewater treatment. Incremental phosphorus may be components of internal process chemical additives, however, these sources are typically very minor (NCASI 2001). Therefore, in cases where a mill does not need to add supplemental wastewater phosphorus (as is the case with some ASBs, owing to internal recycling of phosphorus), effluent phosphorus loads will be largely a function of the raw material phosphorus content, which can vary depending upon mill site specific conditions. Nearly all mills operating ASTs require the use of supplemental nutrients, including phosphorus, and many mills operating ASBs also supplement nutrients to ensure adequate biological treatment of wastewaters. While ASTs generally produce a lower effluent wastewater phosphorus load, they add more phosphorus to the treatment process wastewater and dispose of more via residual solids. ASBs require lower amounts of nutrients by virtue of their design which allows for some internal recycling of nutrients. To put this into some perspective, if an ASB and AST treated an identical pulp mill wastewater, it is likely that the AST will have a lower effluent phosphorus concentration than the ASB yet would require more external phosphorus inputs while generating more waste phosphorus in the form of residual solids.* *Operation of ASBs tends to be more common within the United States pulp and paper industry compared to the EU pulp and paper industry. There are 100 pulp and paper facilities in the United States that operate an ASB for secondary wastewater treatment. These ASB systems treat approximately half of the volume of pulp and paper wastewater treated via secondary wastewater treatment systems in the United States.* *Effluent nutrient loads do not necessarily correlate with in-mill sources of nutrients, such as those from wood and process chemicals, because the latter amounts are frequently insufficient to support biological treatment of the wastewaters. Phosphorus discharges can lead to concerns about eutrophication. Eutrophication is the overabundance of aquatic plants which cause deleterious chemical and biological water quality impacts and in many, but not all, cases can be caused by the oversupply of phosphorus to freshwater systems. Prior to concluding that any discharge of phosphorus might contribute to eutrophication, it is important to consider the following:* *• In-stream biological responses to overall phosphorus loads depend on the site-specific characteristics of the receiving stream (e.g., atmospheric deposition, vegetation, season and weather, geology, biological uptake and cycling), including physical and hydrologic conditions, as well as in-stream dilution and the relative composition and form of nutrients. Accordingly, the contribution of a pulp and paper mill effluent to phosphorus-related water quality problems cannot be quantified based on final effluent phosphorus loads alone.*	COMMENTS PARTIALLY ACCEPTED Please see Section 5.3.3 in the TR2 for a newly developed section and analysis of the P limits

• *Phosphorus is frequently the limiting nutrient (i.e., the one that controls plant growth) in freshwater environments. In such systems, if there is a eutrophication problem, reduction in phosphorus (and not nitrogen which is also needed for plant growth) will likely reduce the impacts of eutrophication. However, in estuary or marine systems, nitrogen is most often the limiting nutrient and efforts to reduce phosphorus would not be expected to result in any eutrophication reductions. Thus, the relevance of phosphorus as a contributor to effluent impacts on receiving waters is very site-specific and not well-characterized by effluent concentration alone.* • *Many studies have shown that not all the phosphorus detected by total phosphorus (TP) measurements are available for algae growth. In the United States, the Water Environment Research Foundation (WERF) has sponsored a significant research program investigating many aspects of effluent nutrients, in general, and bioavailability, in particular. A principal conclusion from this work is the recognition that as wastewater treatment plants (WWTPs) are asked to achieve very low effluent phosphorus concentrations, it becomes increasingly important from both a resource allocation and sustainability standpoint to understand whether the discharged phosphorus can contribute to algae growth. Several organic phosphorus compounds commonly found in pulp and paper wastewaters have been identified as non-available for plant growth.* *Considered collectively, the science presented suggests that there is significant uncertainty with assuming a reliable correlation between in-mill phosphorus contributions to wastewater and effluent loads of phosphorus; and that reductions in phosphorus will equate to environmental improvements.*	
P levels are of concern as wastewater control technologies are different in the US. Nutrients as P are eliminated in Europe but not in the US where raw water entering the process may have higher P levels than what is proposed by JRC, so no supplier from US could fulfil that requirement	
Revision of EU Ecolabel Criteria for Absorbent Hygiene Products *5.2 Criterion Fluff Pulp – Existing criterion 2.4 Bleaching Proposal to lower Phosphorus reference value from 0.045 kg/ADt to 0.025 kg/ADt (with the exception of mills using eucalyptus from regions with higher levels of phosphorus) Wastewater requirements are very strict, not only are they mostly unattainable given the primary water treatment technology in the United States, but also are not appropriate for the local water dynamics. US water regulatory limits are created specifically for receiving waters. This limit will exclude almost all US mills from participating in EU Ecolabel approved products, including all International Paper mills.* *Most mills in the United States utilize aerated stabilization basin (ASB) WWTP systems. These systems are much larger and have higher retention times than the more commonly used in the EU activated sludge treatment plants (AST). ASB systems are much more efficient at reducing oxygen-depleting substances but need higher levels of nutrients such as phosphorus and nitrogen, AST systems can achieve lower levels of nutrients. There is also nutrient buildup in the ASB systems due to the biological activity occurring, so it is impossible or at the very least, very difficult to reduce nutrient levels in ASB systems to the very low levels proposed without using a chemical flocculants. Our North American mills with the best performing wastewater treatment systems (20 day retention time, very low AOX, BOD and COD, best phosphorus control technology) have difficulty meeting 0.045 kg/tonne, the current reference value for phosphorus.* *This criteria, with a drastic reduction in phosphorus reference value without a similar reduction in COD gives a disadvantage to mills using ASB systems when compared to AST utilizing mills.* *Our position is that there must be flexibility on nutrient limits based on where the mills are located and the effect of these residual nutrient concentrations in water effluent, or on technology the mill has implemented to treat wastewater. We recommend leaving the current phosphorus reference value in the criteria.*	
Proposal to lower Phosphorus reference value from 0.045 kg/ADt to 0.025 kg/ADt (with the exception of mills using eucalyptus from regions with higher levels of phosphorus) It is not clear that continuing to reduce phosphorus to these low levels have a positive impact on the environment.	

The main concern related to phosphorus is eutrophication. The relevance of phosphorus as a contributor to effluent impacts on receiving waters is very site-specific and not well-characterized by effluent concentration alone (refer to NCASI memo). *This criteria proposal includes all forms of phosphorus, including a significant fraction, which is not bioavailable for eutrophication and algal growth.* *US nutrient regulations are site specific and take the types of phosphorus and receiving water body needs into consideration when creating operating permits. Coastal water bodies aren't as sensitive to phosphorus as freshwater closed lake systems.* *We recommend leaving the current phosphorus reference value in the criteria, or providing flexibility based on mill location in the reference values.*	
Technical report, Section 5.2 criterion 2 Fluff pulp Footnote 1, p. 28 Footnote 1, p. 28 states "Net emissions of P are considered in the calculation. The P naturally contained in wood raw materials and in water can be subtracted from the total emissions of P. Reductions up to 0,010 kg/ADT shall be accepted" *A rationale is not provided for the reduction allowance of wood raw materials and water contribution up to 0.01 kg/ADt. Please provide the basis for this numerical reduction for us to be able to comment on the reduction allowance.*	
Section 5.2 criterion 2 Fluff pulp of the technical report Footnote 1, p. 28 *Footnote 1, p. 28 states, "Net emissions of P are considered in the calculation. The P naturally contained in wood raw materials and in water can be subtracted from the total emissions of P. Reductions up to 0,010 kg/ADT shall be accepted"* *A rationale is not provided for the reduction allowance of wood raw materials and water contribution up to 0.01 kg/ADt. Please provide the basis for this numerical reduction.*	COMMENT PARTIALLY ACCEPTED A clarification is given in Section 5.3.3 for the footnote to the P limits. This value is not proposed to be raised for the moment, as additional evidence is needed.
The value of 0.01 kg/ADt allowed to be subtracted for P naturally contained in wood and raw materials also seems arbitrary with no supporting arguments. *In internal studies conducted the amount of phosphorus in wood as a raw material contributes to 0.11 kg/ADt (so the mills generally achieve lower phosphorus discharge than is naturally contained in wood raw materials). In some cases, surface water phosphorus levels are also high, especially where there is agricultural activity upstream. Receiving water may have higher levels of phosphorus than pulp production effluent. Mills downstream of agricultural facilities are unnecessarily penalized due only to their physical location. The 0.01 kg/ADt therefore seems arbitrary and does not reflect the true context.* *There is a precedent for flexibility with the phosphorus limit and we suggest a higher reference for phosphorus from Southeastern US Pine fluff than currently proposed.*	

5.2 Criterion Fluff Pulp – Existing criterion 2.4 Emission of COD and phosphorus (P) to water and sulfur (S) compounds and NOx to air from production Proposal to lower Phosphorus reference value from 0.045 kg/ADt to 0.025 kg/ADt (with the exception of mills using eucalyptus from regions with higher levels of phosphorus) It is not clear why there are two separate phosphorus reference values for sulphate mills, one for eucalyptus from regions with higher levels of phosphorus. It is also not clear why the phosphorus limit for sulphite mills is unchanged in this proposed criteria.	
- p. 28 Higher emission levels of phosphorous for mills using eucalyptus from certain regions An accommodation is made in the proposed criterion 2.4 for phosphorous limits for mills using eucalyptus from regions with higher levels of phosphorous (e.g. Iberian eucalyptus). The proposed limit for such mills is 3.6 times higher than for mills not using eucalyptus, and double the current limit for mills not using eucalyptus. *References provided in the technical report do not appear to support this higher limit accommodation. Requests for additional supporting information from the European Commission DG Joint Research Centre have not been fulfilled as of now.* *We recommend more consideration to the science, theory, and practical factors affecting the levels of phosphorus in treated effluents, and consider the appropriateness of basing phosphorus targets on the performance of mills responsible for the majority fluff pulp production.*	COMMENT PARTIALLY ACCEPTED A clarification is given in Section 5.3.3 for the P limits of eucalyptus pulp, as the higher values are based on the Best Available Technologies-Associated Emission Levels for the production of pulp, paper and board.
There is higher (Pref) for mills using eucalyptus from regions with higher levels of phosphorous (e.g. Iberian eucalyptus). I cannot find the source for these higher phosphorous limits in eucalyptus After reviewing the references provided in the Technical Report. *Can you please point me to the reference that was used when calculating the higher (Pref) for eucalyptus pulp?*	
Tr 1.0, p.28, table 1 We support the increasing ambition levels of different parameters. One question: why did you decrease the ambition level of Sref (bleach chemical pulp (sulphite)) from 0,6 to 0,75 kg /ADT?	COMMENT ACCEPTED The limit was decreased to 0.5 kg SO2/ADt in the TR2
The EU Ecolabel criteria document for 'Graphic and Tissue 2019' as also 'AHP 2014' are not detailed enough on what air emission sources are considered for sulphur and NOx. Further information on the specific processes and sources is asked for to improve clarity, particularly on the diffuse emissions. The standard needs to include requirements detailing which sources require monitoring and provide some flexibility based on local regulatory requirements concerning measurement techniques or frequencies. It is also crucial that US monitoring, test methods and sampling frequency are accepted as part of the EU Ecolabel assessment and verification process. If the monitoring standards required in the country of production are not recognized this has the potential to be very cost prohibitive and should not be left up to interpretation.	
The EU Ecolabel criteria document for 'Graphic and Tissue 2019' as also 'EU Ecolabel for AHP 2014 https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014D0763&from=EN ' are not detailed enough on what air emission sources are considered for sulphur and NOx. Further information on the specific processes and sources is asked for to improve clarity, particularly on the diffuse emissions. The standard needs to clarify which sources require monitoring and provide some flexibility based on local regulatory requirements concerning measurement techniques or frequencies. It is also crucial that the robust U.S. monitoring, test methods and sampling frequency are accepted as part of the EU Ecolabel assessment and verification process. If the monitoring standards required in the country of production are not recognized this has the potential to be infeasible and therefore, should not be left up to interpretation.	COMMENTS PARTIALLY ACCEPTED The sources of air emissions that should be considered by the applicant have been further clarified in Section 5.3.3 of the TR2. Such information is proposed to be included in the User Manual
- p. 28 Air emissions It is unclear what air emission sources are considered for sulphur and NOx emission characteristics within the EU Ecolabel document for graphic paper. The EU BREF is acknowledged as a primary reference for data within the EU Ecolabel document. The EU BREF includes air emissions from kraft recovery boilers, lime kilns, NCG burners, and any fugitive emissions, so sulphur and NOx emission contributions from power boilers are not considered within the EU BREF document. The EU Ecolabel document references EKONO benchmarking information, which does include sulfur and NOx emissions from power boilers, but then states that the "EUEL reference value for kraft pulp is based on the sum of upper BAT-AEL emission thresholds for 4 sources: weak gases burners, recovery boiler, lime kiln and residual weak gases." The EU Ecolabel document discusses how "power boilers (including biomass boilers) generate significant NOx emissions" but then only specifies recovery boilers, lime kilns, and TRS burners for BAT-AEL values. It is assumed that only process emissions, i.e., excluding emissions from power	

boilers, are considered in EU Ecolabel criteria development, and the values within Table 2 reflect this assumption. Depending upon the facility, process non-condensable gases may be burned in a variety of ways; in lime kilns, power boilers, kraft recovery boilers, or separate incinerators. Excluding power boiler air emissions for the EU Ecolabel criteria may create the situation where different air emission sources are being considered in the criteria development. *A list of emission sources with required reporting should be included. There are over 50 sources of sulfur air emissions in an average pulp mill, if a list is not provided, sites may only chose a subset of those sources to report on, particularly if they don't have site-specific data. In addition, there is no indication if fugitives from waste water treatment systems need to be included in the air emissions determinations.* *It is also not clear if all the potential sources were used in creating the proposed reference value for sulfur. For example, the values in NCASI's memo, showing the median sulfur emissions at 0.2 kg/t SO2 only includes process emissions (pulping, not power and not water treatment). This also does not include TRS or H2SO4 emissions.* *Until we understand the minimum set of sources and compounds that should be included, any discussion about the relevance of the proposed criteria will not be valid. We suggest a comprehensive minimum list of sources be included in the criteria and literature emission factors be provided for sites that do not have site-specific data.* *There are nearly 80 different sources of S emissions across a pulp mill and for so a requirement for continuous emission monitoring is not possible. This would add a lot of cost into the system without adding much value because emission values do not fluctuate that much.*	
Technical report, Section 5.2 criterion 2 Fluff pulp minimum measurement frequency of S and NOx The continuous measurement requirement for emissions of S and NOx is not practical. Instead, we propose to align this minimum measurement frequency to the environmental permit of the boiler, as is clarified for COD emissions. *In all cases, emissions of S and NOx shall be measured on a continuous basis (for emissions from boilers with a capacity exceeding 50 MW) or a periodic basis (at least once a year for boilers and driers with a capacity less than or equal to 50 MW each).* *This monitoring requirement alone will exclude all International Paper fluff pulp mills in the United States. Monitoring methods and frequencies are heavily regulated in the United States and this requirement directly contradicts some of our operating permits. In places where this requirement does not directly contradict our permit, continuous emission monitoring is very costly, and would be impossible to remove once applied. If a mill no longer requires these monitors due to EU Ecolabel requirements, they would not be allowed to remove them, and would need to continually maintain these monitors for the length of time the mill operates. This therefore creates a long-term risk that is difficult to justify.* *As this is only a monitoring requirement, there is no added value from an environmental perspective. We suggest maintaining the current monitoring requirements for sulfur and NOx air emissions.* *Reported emission values for S to air shall include both oxidised and reduced S emissions. Major "It should be written clearly that both SO2 and TRS must be measured continuouly from all boilers >50 MW. It was mentioned at the working group meeting that >70% of the fluff pulps on the European market comes from outside Europe.* *The legislation there is quite different from the European legislation, especially when it comes to the air emission measuremnts. To instal a continuous air emission measurement device is expensive and JRC should investigate what the situation is as regards the fluff pulp producers. Perhaps it is not comparatible to the pulp producrs delivering the graphic and tissue paper pulps. There may be need for a compromise if you don´t wish to close out producers outside Europe."*	COMMENTS PARTIALLY ACCEPTED The measurement frequency has been decreased to at least once every six months. Please see Section 5.3.3 for further details

The minimum measurement frequency, unless specified otherwise in the operating permit, shall be daily for COD emissions In the United States, BOD5 is a reporting requirement for National Pollutant Discharge Elimination System (NPDES) discharge permits. Most mills are not required to test COD for their permits but they do to assess the health of their WWTP systems. *Daily testing of COD therefore is extremely burdensome and costly, there is no documentation describing why this requirement would be included. This also does not add any value because COD tests do not vary widely.* *We suggest requiring weekly COD tests, rather than daily, to be consistent with phosphorus and most other permit requirements.*	COMMENTS ACCEPTED The measurement frequency has been decreased to weekly measurements. Please see Section 5.3.3 for further details
The minimum measurement frequency, unless specified otherwise in the operating permit, shall be daily for COD emissions and weekly for Total P emissions. Major Delete "unless specified otherwise in the operating permit". All fluff pulp mills should have the same measuring frequency, otherwise it is not fair. If you write like that then you may need to accept fluff pulps that come from the mill where COD and P are meausred once a year.	

Sub-criterion 2.5 Emissions of CO2 from production (please note this is now sub-criterion 1.4)

Comments received in AHWG1/written form	JRC Dir. B response
Tr 1.0, p.28, table 1 @ Should the amount of CO2 emissions from non-renewable energy sources per tonne of pulp produced be updated? *Yes, we support an update. We would really appreciate an analysis of the data, if possible.*	COMMENT ACCEPTED The data were revised against EU Regulation 601/2012 and other ecolabelling schemes setting the same type of criterion
The EU regulates CO2 emissions from the industrial sector within their emissions trading program (CH4 emissions are not considered and only N2O emissions from nitric, adipic, and glyoxylic acids, and glyoxal production are regulated) (NCASI 2020). It is unclear from the EU Ecolabel document whether N2O and CH4 are included within the CO2 emissions criterion. Emissions for purchased electricity are calculated by using reported annual purchased electricity amounts from facilities and an emission factor of 384 kg CO2/MWh, which is a European average, and is the purchased electricity emission factor used in the EU Ecolabel report for graphic papers.	COMMENT CLARIFIED N_2O and CH_4 are already included in the reference values given for CO_2 emissions for different types of fuels.
2.5. CO2 emissions *1. The JRC should not prescribe the energy to be used.*	COMMENT CLARIFIED The applicant is free to use any source of energy. However, different sources of energy lead to different environmental performance, and this is taken into account in the reference values in Table 2
2. CO2-free nuclear energy is missing from the list.	COMMENT ACCEPTED It was clarified in the assessment and verification text that the reference value for nuclear energy is zero g CO_2/MJ.
3. AHP should not have its own special CO2 factors and they should be aligned with other relevant EU and national regulations. Table 2 to be removed, page 33 in the TR.	COMMENT REJECTED

	The CO_2 factors in Table 2 are in line with existing Regulations, more specifically with Regulation 601/2012 and Regulation 2018/2066
4. We want a guarantee of origin to be allowed to reduce CO2 emissions when buying electricity from the grid.	COMMENT CLARIFIED This option is already possible. This was clarified in the assessment and verification text, that now says: "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."
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.5* *Page 33 CO2 factor of grid electricity This value in the table should be removed or actualized with the value in next page* Grid Electricity | 400 | g CO2 fossil/kWh *For grid electricity, an emission calculation factor of 376 (kg CO2/MWh) shall be used in accordance with the Commission Delegated Regulation (EU) 2019/331.*	COMMENT ACCEPTED This was changed in the criterion. The right calculation factor is 376 kg CO_2/MWh
Absorbent Hygiene Products_Draft Technical report 1_FINAL.pdf. *Proposed criterion 2.5* *Page 34 CO2 factor of grid electricity* For grid electricity, the value provided above (the European average) shall be used unless the applicant presents documentation establishing the average value for its suppliers of electricity (contracting suppliers or National Inventories).	COMMENTS ACCEPTED
The applicant shall also provide a single CO2 emission value for the relevant paper machine(s) used to produce EU Ecolabel fluff pulp. *Major Please clarify this sentence. I don´t think that there is any paper machine involved in the fluff production*	
For grid electricity, the value provided above (the European average) shall be used unless the applicant presents documentation establishing the average value for its suppliers of electricity (contracting suppliers), in which case the applicant may use this value instead of the value quoted. The documentation used as proof of compliance shall include technical specifications that indicate the average value (i.e. copy of a contract). *Major "It was discussed and agreed at a CB Forum meeting that this text is very unclear and it is difficult to understand what is meant. Therefore, the text was clarified in the UM (the Excel-file) and the interptretation is now:*	COMMENTS ACKNOWLEDGED

For grid electricity, the European average factor 384 (kg CO2/MWh) shall be used unless the applicant presents documentation establishing that energy from renewable sources is purchased, (contract for specified electricity) in which case the applicant may use the factor for the purchased electricity, instead of the value quoted.	
· Should the amount of CO2 emissions from non-renewable energy sources per tonne of pulp produced be updated? Major 450 is still relevant but if you change the European average CO2 factor then you need to check the level of the limit as well.	
We would like to call for stakeholders to provide input on the reference values for CO2 emissions from different energy sources presented in Table 2. Major You should refer to Annex VI of Regulation (EU) No 601/2012 on the monitoring and reporting of greenhouse gas emissions.	

CRITERION 3: Man-made cellulose fibres (including viscose, modal, lyocell, cupro, triacetate) (please note this is now criterion 2)

Comments received in AHWG1/written form	JRC Dir. B response
TR, TR, section 5.3 criterion 3, page 41 point of discussion COD and Zinc emission requirements We would be happy to provide any additional information and data on the waste water from viscose process, if the working group decides to include them. In our view Ecolabel should cover all the important environmental aspects through the life cycle of the material as it has intended, and this should be consistent with the LCA studies.	COMMENT ACKNOWLEDGED

Sub-criterion 3.1 Sourcing of man-made cellulose fibres (please note this is now sub-criterion 2.1)

Comments received in AHWG1/written form	JRC Dir. B response
TR; 36 Criterion 3.1 We are in favour	COMMENT ACKNOWLEDGED
3.1 We support the 70% certified fibers	COMMENT ACKNOWLEDGED
TR, section 5.3 criterion 3: 3.1 Improper comparison between pulp and paper industry and dissolving pulp There is a significant difference between paper pulp and dissolving wood pulp business. Dissolving pulp (EU and elsewhere) is a substantially smaller market in comparison, less backward integrated, thus has a very different business and market position. *There are five dissolving wood pulp producers in the EU, the rest are elsewhere. There are only two staple viscose producers in the EU and the majority of viscose production is in China. The sourcing network is not EU focused.*	COMMENT ACKNOWLEDGED
TR, section 5.3 criterion 3: 3.1 Change of the certified sourcing from 25% to 70% Considering statistics, the following is taken from State of Europe's forests SoEF_2020.pdf (foresteurope.org): *Nearly 105 mil ha, 52% of the forest area in reporting countries, is certified (incl RUS; Belarus). About 80 mil ha is certified by PEFC and 52 mil ha by FSC. Over 28 mil ha is certified by both schemes…* *So we suggest to evaluate additional source of information and not to limit to the paper industry in the EU. Unfortunately there are no public numbers available on certification % of DWP mills.*	COMMENTS ACKNOWLEDGED The level of ambition of this sub-criterion has been set at 60%. Please refer to the TR2 for further details of the underlying analysis.

TR, section 5.3 criterion 3: 3.1 Change of the certified sourcing from 25% to 70% in align with other labels Nordic Swan for textile has been under revision. The current draft give the following criteria statements, which does not support the change to 70%.	
TR, section 5.3 criterion 3: 3.1 Change of the certified sourcing from 25% to 70% Furthermore, we support some of the comments and observations made by EDANA and others, e.g. Swedish CB, during the first call on the fluff pulp. Based on the previous comments, and based on our own experience regarding sourcing and dissolving wood pulp production, we strongly request the proposed criteria be re-evaluated.	
Technical report, section 5.3, page 36 Criterion 3, sub-criteria 3.1 "sourcing of man-made cellulose fibres" FSC supports increasing the ambition to 70%. Proposed text below. *All pulp fibres shall be covered by valid chain of custody certificates issued by an independent third party certification scheme such as FSC. A minimum of 70 % pulp fibres shall be covered by valid Sustainable Forestry Management certificates issued by an independent third party certification scheme such as FSC.*	COMMENT ACKNOWLEDGED
Why does the threshold is 70% and not 100% of certified pulp ? The threshold should be 100%.	COMMENT REJECTED
Tr 1.0, p. 36, proposed criterion 3.1: Sourcing Please see our comment above. We also suggest the threshold of man-made cellulose fibres covered by Sustainable Forest Management certificates to increase to 100%.	The level of ambition of this sub-criterion has set at 60%, as a compromise between availability of certified materials and the objective of sustainable certification. Please see the TR2 for further details of the underlying analysis
Please adapt the wording to "man-made cellulose fibres". (see a), second paragraph); here and at other places you still write pulp fibres.	COMMENT ACCEPTED It has been clarified that criterion 2 applies to man-made cellulose fibres in the final product, not pulp fibres. When referring to the fibres is noted they are man-made cellulose fibres (MMCF).
Invoices shall be provided which document that 70% of certified fibres have been allocated to the material they supply to the Absorbent Hygiene Product producer. Major Man-made fibres are not often delivered directly to AHP producers but to the nonwoven and airlaid producers. It should be written out that they allocate the credits to the NW/airlaid delivered to the EU Ecolabelled AHP product. The number of credits must be given in the invoice.	COMMENT ACCEPTED Please find clarification added in sub-criterion 2.1 (section 5.4.1).
Invoices shall be provided which document that 70% of certified fibres have been allocated to the material they supply to the Absorbent Hygiene Product producer. Major See my comment on sourcing under the chapter for fluff pulp	COMMENT ACCEPTED Please find clarification added in sub-criterion 2.1 (section 5.4.1).

Sub-criterion 3.2 Bleaching of man-made cellulose fibres (please note this is now sub-criterion 2.2)

Comments received in AHWG1/written form	JRC Dir. B response
- Revision of EU Ecolabel criteria for Absorbent Hygiene Products	COMMENT ACKNOWLEDGED

- Criterion 3.2: Bleaching *- p. 37 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 Elemental Chlorine Free (ECF) bleaching in the early 2000s, studies of effluent characteristics at ECF mills have suggested little or no evidence of ecotoxicity related to AOX. A report by Solomon, et. al. (1997) concluded that:* *The clear weight of the evidence is that bleaching with 100% ClO2 substitution (ECF bleaching) produces chlorinated substances, such as mono- and di-substituted chlorophenols. These are similar in composition and structure to naturally occurring chlorinated substances, and, as opposed to compounds with three, four, or more chlorine atoms in the molecule, are invariably less persistent and less bioaccumulative. The environmental effects, persistence, and modes of degradation in the environment of these chlorinated substances are well understood. Exposure concentrations of chlorinated substances detected in mill effluent continue to be generally low and do not suggest that acute or chronic effects will result from their presence. This risk assessment for chlorinated substances produced as a direct result of bleaching using ClO2 reconfirms the earlier conclusion that the chlorinated substances produced as a direct result of bleaching using ClO2, and subjected to secondary biological treatment, present a negligible (insignificant) environmental risk to aquatic ecosystems.* *While it true that some pulps can be manufactured with TCF (totally chlorine free) processes yielding very low AOX levels, there is not convincing evidence that well-treated ECF effluents are environmentally preferable to well-treated TCF effluents. A report prepared by AMEC (2006) provides the most extensive treatment on the topic. Among the 53 concluding statements in the report are that:* *27. There is no systematic difference in [toxicity] effect intensity or effect pattern between the whole mill effluents from mills employing ECF or TCF bleaching.* *28. There is no indication of a difference between ECF and TCF bleaching in terms of acute and chronic toxic effects on aquatic eco-systems.* *36. The analysis of properties of ECF and TCF bleached market pulps produced in different regions of the world has shown that these pulps display different properties. Possible reasons for this observation include climate, harvest age and maturity, wood species, processing conditions including the bleaching sequence, and customer requirements. Consequently, this analysis is influenced by many more factors than ECF and TCF bleaching processes alone and it is not possible to generalise about which bleaching process is superior with respect to pulp properties.* *With regard to induction of detoxification enzymes and reproductive effects of mill effluents, Hewitt et al. (2006) notes that "[t]he initial uncertainty regarding the role of chlorine bleaching and dioxins in these responses was resolved by the mid-1990s, when it was determined that effects were not correlated with effluent adsorbable organic halogen (AOX) levels and that releases of dioxins had decreased substantially."* *In 1992 the Province of British Columbia in Canada implemented provincial regulations requiring elimination of AOX from pulp bleach plants by the end of 2002, effectively mandating the use of TCF bleaching sequences. However, a Scientific Advisory Panel convened by the government reviewed the basis for this requirement and, in 2001, concluded that there was no evidence to indicate that reduction of AOX beyond that achievable by ECF bleaching would result in any demonstrable environmental benefit (Carey et al. 2002).*	
TR, 37 Criterion 3.2 We are in favour	COMMENT ACKNOWLEDGED
TR, TR, section 5.3 criterion 3: 3.2. page 37 AOX and OX The choice between AOX and OCl(OX) should stay as 'or' not 'and'. For verification, OCl on product can only be done by spot sampling, and AOX in waste water is continuously or much more frequent. So when spot sampling might show irregular OX level, AOX is a much more consistent parameter over a period of time. Therefore, the facility should be given the choice to proof one of the parameters is within the limit.	COMMENT REJECTED Given that AOX is more consistent it should be performed. In addition, in alignment with other ecolabels type 1, OCl measure is also requested.

Tr 1.0, p. 37, proposed criterion 3.2: Bleaching of man-made cellulose fibres What is the reason behind to propose 0,150 kg/ADT instead of 0,140 kg/ADT (see criterion 2.2). From our perspective the same technique is used. Therefore, we would propose to have the same limits (i.e. 0,140 kg/ADT)	COMMENT REJECTED The 0,140 was a errata (typo) in the text. Please find clarification added in sub-criterion 2.2 (section 5.4.2)
a test report showing compliance with either the AOX o Major A test report is not enough to show th compliance with the AOX requirement. AOX should be measured once a week and the pulp producer must calculate the test results to kg AOX/tonne pulp (as annual average).	COMMENT ACCEPTED Please find clarification added in sub-criterion 2.2 (section 5.4.2)

Sub-criterion 3.4 Production of man-made cellulose fibres (please note this is now sub-criterion 2.3)

Comments received in AHWG1/written form	JRC Dir. B response
TR, TR, section 5.3 criterion 3: 3.4. Sulphur emission Sulphur emission to air cannot be directly measured. Thus there should be a clear definition and method of calculation defined in the ecolabel. We suggest that this criteria should be seen as 'draft' and defined when the mentioned clarification and method is aligned in the working group. Note: although most labels refer to sulphur emission to air as one of the key criteria for viscose, they also do not have a clearly defined method to verify.	COMMENT ACKNOWLEDGED Please refer to new proposal for sub-criterion 2.3 (section 5.4.3 in TR2).
Should measurement frequency or test method be defined for sulphur emissions? Major Absolutely yes	

Tr 1.0, p. 41

@ Should COD and Zinc emission requirements for man-made cellulose fibres be included?

Yes, we suggest to include. We suggest following limits according to the Blue Angel for textiles:

3.2.2.4.3 Emissions to water in the production of viscose fibres

The waste water from the production of viscose fibres must not exceed the following values (expressed as annual averages) when discharged to surface waters:

- 0.3 g zinc /kg filament fibres produced,
- 0.16 g zinc /kg staple fibres produced,
- 0.04 g AOX /kg viscose fibres produced,
- 20 g COD /kg viscose fibres produced,
- 0.3 mg sulphide/l.

This requirement does not apply for approved discharge into an urban waste water treatment plant that meets at least the requirements of the Council Directive of 21 May 1991 concerning urban waste water treatment (91/271/EEC).

Compliance verification

The applicant shall declare compliance with the requirements in Annex 1 and submit a declaration of compliance from the operator of the plant (viscose producer), as well as a test report. The following methods may be used for completing these tests:

- *Zinc: EN ISO 11885,*
- *AOX value: EN ISO 9562,*
- *COD: ISO 6060 or DIN ISO 15705 or DIN 38409-41, or DIN 38409-44,*
- *Sulphide: DIN 38405-27 or ISO 10530.*

The discharge of pollutants is determined from the concentration values and the corresponding waste water flow volumes related to the samples.

Tr 1.0, p. 41

@ Should measurement frequency or test method be defined for sulphur emissions?

2-hour composite sample and DIN 38405-D27

Tr 1.0, p. 41

@ Should the specific requirement for carbon disulphide, emission into air be added to this criterion?

In the old BREF: CS2: 80-100 kg/t produced viscose fibres

CRITERION 4 Cotton and other natural cellulosic seed fibres (please note this is now criterion 3)

Sub-criterion 4.1 Sourcing and traceability of cotton and other natural cellulosic seed fibres (please note this is now sub-criterion 3.1)

Comments received in AHWG1/written form	JRC Dir. B response
TR; 42 Criterion 4.1 We would be in favour of organic cotton only. BCI is not a well-known scheme.	COMMENTS ACCEPTED
4.0 We support the changes as proposed. We do not support BCI cotton as an alternative since the ambition level is not high enough and organic cotton is considered "best in class" by consumers.	
Tr 1.0, p. 43 @ Should BCI cotton certification be accepted as a proof of compliance? *No, not all BCI-cotton is organically grown. So, it could happen that in the baby diaper is normal cotton.*	
Tr 1.0, p. 43 @ Which are the certification schemes that could be considered equivalent, and could be specifically. *In the textile area we only accept GOTS.*	COMMENT ACKNOWLEDGED
Why does the tampon string is exempted from this criterion ? Even it is less than 3% weight of the total product, the tampon string should be included.	COMMENT CLARIFIED The tampon string is exempted as this requirement contradicts with strength properties of the string, as also set in Nordic Swan

Sub-criterion 4.2 Bleaching of cotton and other natural cellulosic seed fibres (please note this is now sub-criterion 3.2)

Comments received in AHWG1/written form	JRC Dir. B response
Technical report version 1.0 (September 2021) *- Section "4.2: Bleaching of cotton and other natural cellulosic seed fibres"* *- Page 43-44* *Harmonization with proposed changes for criteria 2.2 and 3.3.* *We recommend aligning criteria "4.2: Bleaching of cotton and other natural cellulosic seed fibres" with the proposed changes in criteria 2.2 and 3.2, where the exclusion of chlorine gas was changed to an exclusion of elemental chlorine gas (Cl_2), or to explain why this change is not applicable here. We would also like to point out that to our knowledge, manufacturers do not use chlorine gaz for bleaching anymore.*	COMMENT ACCEPTED

CRITERION 5: Plastic materials and superabsorbent polymers (please note this is now criterion 4)

Sub-criterion 5.1 Production of polymers and plastic materials (please note this is now criterion 4.1)

Comments received in AHWG1/written form	JRC Dir. B response

TR, section 4.1, page 14 table 2 Modify the title for section 5 The proposed change of title of section 5 adds misunderstanding. Polymer is a definition including synthetic polymer, MMCF and natural polymer. So we propose to change to production of synthetic polymer and plastic material	COMMENT PARTIALLY ACCEPTED Criterion 5 (actually now is criterion 4) has been revised. The new title is 'Synthetic polymers and plastic materials'. It includes production of synthetic polymers and plastic materials and the new inclusion of bio-based plastic materials.
TR version 1.0 (September 2021) *- Section "5.1: Production of polymers and plastic materials"* *- Page 45* *Introducing a new criterion on the percentage of materials from renewable sources* *products)* *One of the stakeholders (manufacturer of absorbent hygiene would like to suggest the inclusion of a new criterion to introduce a minimum percentage of materials from renewable sources used, as the general tendency on the market of absorbent hygiene products is to increase their proportion in the product.* *An LCA analysis on this stakeholder's products demonstrated that 84% of their CO2 emissions come from raw materials, and that one of the reasons for the lower emissions observed on their products compared to standard diapers are largely due to the use of materials from renewable sources.* *They will send the results of the LCA at the same time.*	COMMENT ACCEPTED A sub-criterion on bio-based plastic materials has been added.
We would like to raise awareness on the vague definition of bioplastics. In this label, only biobased plastics are concerned so « biobased plastics » should be used instead of bioplastics.	COMMENT ACCEPTED The term used is bio-based plastic materials.
A percentage of bio sourced plastics should be imposed in the SAP.	COMMENT REJECTED Refer to the criterion text however a specific percentage in SAP cannot be imposed.
5.1 We suggest setting requirement on a reduction plan for water or energy. ISO 14001 or 5001 or equivalent plan should be accepted. This will make the requirement more verifiable and still without setting specific targets which is very difficult.	COMMENT ACCEPTED The assessment and verification of sub-criterion 4.1 should be done in accordance to ISO 14001 and/or 50001.
Pag 45- The applicant shall provide a declaration of compliance with the requirement from the suppliers. The declaration shall be supported by a report describing in detail the procedures adopted by the suppliers in order to fulfil the requirement for each of the sites concerned. Major This requirement is not meaningful at all. What is meant by "a report describing in detail the procedures adopted". The CB accepts sustainability reports and short explanations. All factories are different and the processes are different. CBs are not experts on polymer production so they don´t know what to ask and on what basis can they then reject a production site? This criterion does not give any added value. Just delete it.	COMMENT REJECTED This criterion request compliance of the plants producing synthetic polymers and plastic materials in accordance to ISO 14001 and/or 50001.

CRITERION 6: Excluded and restricted substances (please note this is now criterion 7)

Sub-criterion 6.1. Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council (1) and Sub-criterion 6.2: Restrictions on Substances of Very High Concern (SVHCs) (please note this is now sub-criterion 7.1)

Comments received in AHWG1/written form	JRC Dir. B response
TR, section 4.1, page 14, table2 Chemicals in section 6 We support the change to have a separate section on chemicals. It adds clarity.	COMMENT ACKNOWLEDGED
Technical report version 1.0 (September 2021) *- Sections "6.1: Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council" and "6.2: Restrictions on Substances of Very High Concern (SVHCs)"* *- Page 55-60* *Inclusion of a 0,10% threshold (weight by weight) on different hazard classes* *We generally support criteria aiming at reducing or even eliminating chemical substances in the components of products, finished products or chemicals used during their manufacturing process.*	COMMENT ACKNOWLEDGED
However, we wish to make the following comments: *- We would like to raise attention on the difficulty of comparing substances with different hazards within the same group. The proposed threshold of 0.10% (weight by weight) in criteria 6.1 and 6.2 could be problematic as it does not consider the specific characteristics of each of the substances listed, both from a health point of view (single-use absorbent hygiene products and menstrual cups being in prolonged contact with the skin and mucous membranes) and from an environmental point of view. These substances have different effects, different properties, different analytical methods and the adoption of a common threshold for all substances that will be included in this EU Ecolabel does not seem relevant to us. We suggest examining to what extent the more restrictive criteria of the Nordic Swan label could be retained in the revision of the standard.*	
6.1 We suggest adding a new requirement and setting specific requirements for some H-phrases like H317, which should be excluded. If not in all chemicals, then in all chemicals used in the final product, eg adhesives. A suggestion could be to take O3 and O4 from the Nordic Swan version 6.6 – this will both be on a mixture level and also on the substance level in each mixture/chemical used. SVHC are regulated in the Nordic Swan O6, among other groups. These limitations have been enforced in several years hence shown that this is possible.	COMMENTS ACCEPTED The approach used in the Blue Angel and Nordic Swan was reviewed and a proposal was made in the TR2, accordingly.
We also think that the limit is too high for this product group that comes in close contact with the skin and with products intended for vulnerable consumers. The limit should be strenghtened. In our opinion the same limits as for the leave-on cosmetics should be used: 0.0010%	
Pag 59- The limit is too high for this product group that comes in close contact with the skin and with products intended for vulnerable consumers. We should not accept these substances in this product category and the limit should be strenghtened to the detection limit.	
We agree with the lower limits for hazardous substances for ingoing substances	

[1] Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

5.2 We suggest that 5.2 shall be as strict in the new requirement hence a weight reference shall be made to materials and not the final product.	
We have concerns that the currently proposed wording of the criteria allows for intentional use of hazardous substances while they should be excluded completely. *if the current wording, which explicitly allows the use of hazardous chemicals, were to be maintained, consumer organisations would not be able to promote EU Ecolabel products*	
We agreed with setting a lower threshold for substances that meet the criteria for CMRs or SVHCs (currently at 0.1%)	
We in principle support restricting hazardous substances at lower concentrations	
We agree on setting lower restriction limits for hazardous substances (as done by the Blue Angel) to also cover trace substances	
We agree with the need to set different requirements with regards to restrictions on hazardous substances and suggest to follow the example of Nordic Swan which sets requirements for ingoing substances, allowing for easier verification by CBs and better understandability for producers	
There should of course be 0% CMR or SVHC in the EU Ecolabelled AHPs. The challenge, however, is how to prove that. The AHP producer and their suppliers can declare that they have not intentionally added such substances in the materials or product. Still, there might be impurities of them in the materials. The only way to know if that kind of substances are there, is to analyse the materials. We get often statements from the suppliers like "SVHCs are not intentionally added and we don´t expect such to be present in the materials, however we don´t test the materials for them" The question is then, can that be accepted as a proof? We don´t accept it. In the Swan label we have the limit 100 ppm for the impurities in the material and we must get the declaration stating that the impurities are below the limit. The strange thing is that some suppliers sign very easily the correct declaration while others add the condition that they have not analysed the materials but trust the declarations from their sub-suppliers. A new question is then, can we trust the suppliers who just sign the declaration? (I write all this because these issues really take a lot of time and energy when we assess applications) *So, ideally, the materials in the EU Ecolabelled AHPs should be tested for CRMs and SVHCs. However, this is not possible to be done because of the high number of tests that must then be conducted and the cost for them. Therefore, we propose that you find and identify the CRMs and SVHCs substances that might retain in the material by checking the processes, process chemicals and additives that are used in the material production. (I think that when you manufacture a specific plastics then it the same kind of chemicals are used in same kind of processes) Then you could require the AHP applicant to analyse the materials for these specific substances and ask for a declaration for absence of the others (where there is a less risk that such are there).*	COMMENT PARTIALLY ACCEPTED This aspect is very relevant, and a discussion has been started with the manufacturers to understand what substances may be found in the final product.
The current proposal sets a maximum limit of 0.1% w/w of the final product or its component for CMRs or SVHCs. Several stakeholders have however asked for lowering these limits to 'no presence' (analytical limit of detection). How to verify this? Should the final product be analyzed in a laboratory against all possible CMRs and SVCHs?	
We are in favor of lowering the threshold for the presence of CMRs and SVHCs. However, we believe that care should be taken in the way this lowering is worded: a 0% threshold does not correspond to the analytical detection limit. According to a French stakeholder, the terms usually used are: limit of quantification and limit of detection. *The limit of detection is lower than the limit of quantification and, unless we have mistaken, when the limit of detection is reached but not the limit of quantification, it is arbitrarily considered that the concentration of the substance in the mixture or material is equal to the limit of quantification divided by two.*	COMMENT PARTIALLY ACCEPTED A clarification has been made in the TR2 on the difference between limit of detection (LoD) and limit of quantification (LoQ). This is proposed to be added to the user manual. In the context of the EU Ecolabel it is proposed that it is the LoQ that applies.

If it is the absence of detection that is intended, it is possible to require more simply that the substance is not detected (which is not quite equivalent to 0% - this threshold seems being unattainable for regulatory reasons (contrary to CMR and SVHC, included in the REACH regulation) and for technical reasons (as explained, inability of the equipment). *Note that the limit of detection and the limit of quantification depend on the analytical method, so it will be necessary to define precisely which test methods should be used for each of the substances targeted.*	A dialogue has been started with the manufacturers to know more about the analytical method, since to our knowledge no harmonised analytical method exists for AHPs
TR, TR, section 5.7 criterion 6, 6.1, page 55 Restricted substances in expression The concentration limit of 0.1 % should be calculated for substances, no matter if they are used in form of pure substances or as component of a mixture. So we proposal to replace "shall not contain substances or mixtures in concentrations greater than 0,10% (weight by weight)…" with "shall not contain substances (alone or in mixture) in concentrations greater than 0,10% (weight by weight)…."	COMMENT ACCEPTED This change is proposed as part of the TR2
Pag 55- 0,10% Major "Does this mean that the final product can contain classified substances and mixtures up to 0.01% or is the limit meant for the component articles in the final product. In my opinion the formulation is not very clear.	COMMENT CLARIFIED The wording is proposed to change as part of the TR2. The new wording says that classified substances are not allowed in the final product (according to the limit of detection)
Tr 1.0, p. 58 @ Is there any additional clarifications needed about the proposed wording? *No*	COMMENT ACKNOWLEDGED
TR, TR, section 5.7 criterion 6, 6.1 and 6.3 Derogation on TiO2 Titanium dioxide should be derogated in concentrations up to 1 %. We would be happy to provide more data and information on this.	COMMENT ACCEPTED This change is proposed as part of the TR2. This is in line with the current approach in Nordic Swan and Blue Angel
Tr 1.0, p. 58 @ Areas there any derogation requests foreseen? (note: titanium dioxide is now a pigment that would require derogation if used in quantities >0.1% of the treated article or component part; See criterion 6.3). *No*	COMMENT REJECTED This change is proposed as part of the TR2. This is in line with the current approach in Nordic Swan and Blue Angel, and considers the reclassification of TiO2 as a breathable powder, which is not the form which is used for in absorbent hygiene products in the scope of the EU Ecolabel.
We are not in favour of a derogation for the use of nano-TiO2	
As raised before (see attached mail which went, by the way, unanswered) the Hydrocarbon Solvent Producer Associations, a Cefic Sector Group would like to raise again awareness to the fact that the hazard identified as H304 is NOT related to aspiration TOXICITY but is based on phys chem property of viscosity. A substance or product with H304 is not toxic but due to the viscosity "May be fatal if swallowed and enters airways". *Please see an overview on aspiration hazard and toxicity in our dedicated paper:* *https://www.esig.org/wp-content/uploads/2021/03/H304_HSPA_standalone_final.pdf* *We kindly ask you therefore to correct this in the draft technical report* *Suggestion:*	COMMENT REJECTED We welcome the information shared with the JRC, however the hazard class H304 is on the list of the substances to be restricted in the horizontal criterion for chemical substances for all product groups (not only absorbent hygiene products). The type of property that triggers a H classification is not relevant here. Should a H304 classified substance need derogation for its use in AHPs, a derogation request should be submitted. This will be evaluated by the JRC.

Under 5.2 and 6.3 it should be removed from the line *— acutely toxic, categories 1 and 2 (H300, H310, H330, H304)* *Under 6.1 it should either be removed or corrected (we would advise to remove it as the hazard is based on the phys chem property – and not on toxicity -to avoid further confusion)*	
We are sending in attachment an analytical method developed to detect or quantify certain chemical substances in single-use baby diapers at the stage of the finished product that could be used as a reference ("France - Analytical method - Comment n°5" – the method is also mentioned in the preliminary report of the JRC). See supporting information in pdf- Stratégie d'investigation du Service Commun des Laboratoires (SCL) sur la sécurité des couches pour bébé	COMMENT ACKNOWLEDGED
TR, TR, section 5.7 criterion 6, 6.1, page 56 'Relevant Chemicals' in Assessment and verification A definition for "Relevant Chemicals" should be part of section 6.1, e.g. "Relevant chemicals are chemicals that are used and may end up in the final product".	COMMENT PARTIALLY ACCEPTED The wording relevant chemicals was removed.

Sub-criterion 6.3: Specific restrictions (please note this is now sub-criterion 7.3)

Comments received in AHWG1/written form	JRC Dir. B response
Section 3.7.3, criterion 6.3(a) Substances not to be present It cannot be excluded that the mentioned substances are not present. It can only be guaranteed that the amount is below a detection limit of a selected method. *We therefore suggest modifying as follows: "The following substances shall not be intentionally added in the product, ~~regardless of the concentration~~, neither in a ~~as~~ part of the product, nor ~~as~~ in a part of any mixture included in the product~~, nor as impurities."~~*	COMMENTS PARTIALLY ACCEPTED The introducing sentence in sub-criterion 7.3.a was modified to take into account the comments received. Impurities are now allowed to be present in the product (see Section 5.9.3 for details of what is meant by impurity). The limit threshold is not zero, but it is the limit of detection (LoD).
p. 60-61 6.3(a) Specified excluded substances *The following substances shall not be present in the product, regardless of the concentration, neither as part of the product, as part of any mixture included in the product, nor as impurities: (…)* *The wording maintains the confusion between danger and risk. The requirement "shall not be present" is unrealistic and not feasible (moreover not measurable).* *We will therefore support a proposal that allows the manufacturers to report reasonably on how they meet their obligations to bring safe products to the market.* *Reference to EDANA Stewardship Program CodexTM would be then supported by manufacturers. https://www.edana.org/how-we-take-action/edana-stewardship-programme-for-absorbent-hygiene-products/the-edana-absorbent-hygiene-product-stewardship-programme-codex*	The OEKO TEX Standard 100 and the EDANA Stewardship Programme were reviewed and will be taken into account; however these documents do not contain information about the LoD or the LoQ for different substances analysed according to a specific test method. Stakeholders are invited to provide relevant information on the tests perfomed on the final AHP or on individual materials.
The following is stated: "This criterion lists the substances and compounds that shall not be detectable in the product, regardless of the concentration, in any form, not even as impurities (which are defined according to what stated in section 3)." *It cannot be excluded that the mentioned substances are not present. It can only be guaranteed that the amount is below a detection limit of a selected method. We suggest clarifying or removing.*	See Section 5.9.3 for further discussion on the concentration limits.

Furthermore, we would suggest clarifying the methodology to assess absence of substances. For inspiration, you can refer to Oekotex Standard 100 or the EDANA Stewardship Programme for Absorbent Hygiene Products.	
One French stakeholder disagrees with the wording used at the beginning of the criterion ("The following substances shall not be present in the product, regardless of the concentration, neither as part of the product, as part of any mixture included in the product, nor as impurities"), as it seems impossible to put in place and generates confusion between hazard and risk. This stakeholder would be in favor of an amendment allowing manufacturers to specify the safety of their products in a reasonable way.	
Health and safety are foundational requirements that should never be compromised when looking at environmental footprint of a product. This is an „AND" and not an „OR". The different actions taken to lower environmental impact of a product through its life cycle, must maintain the trace impurities profile of the finished product. *We support transparency and reassurance for consumers regarding trace levels of impurities found in AHP. Any request for substance limitations as described in criterion 6.3.a „not to be present in a product" is very absolute without a defined and enforceable threshold and hence technically not achievable. Thresholds should be substance specific and associated to a validated analytical method. ECHA is providing guidelines on their website on how to define Limit Of Restriction (LOR) as 3 folds the Limit Of Quantification (LOQ). You can consult ECHA document on the following link Forum Methodology. In addition, the voluntary EDANA Stewardship Programme Codex™ provides a set of criteria bound to a test method that could be reapplied for some substances listed in the criterion 6.3.a such as phthalates and formaldehyde. To learn more, you can visit the following Internet page The Stewardship Programme Codex™ | EDANA*	
6.3- The following substances shall not be present in the product, regardless of the concentration, neither as part of the product, as part of any mixture included in the product, nor as impurities: Major "This criterion, as it is written now, is completely impossible to verify. When you know how many different materials a AHP consists of and how long the supply chain is then you understand that you are not going to get the declarations needed. No supplier will sign a declaration that there are zero impurities in their material, not because they think that there are but because they can´t garantee the absence, because they are relying on the information they get from their suppliers. Only way to show adsence of these substances is to analyse each material for ALL of the banned substances before the production of the AHP. Nordic Swan has the limit 100 ppm for impurities and it is very difficult to get the verifications. So all materials need to be tested for all the mentioned banned substances, even when it is not relevant. What is the reason that for example fluff pulp needs to be tested for all of them? What is the risk to find them there? I think that this criterion shoud be about the materials where there is arisk to find these substances. *What do you mean by ""recardless concentration""? Zero or the detection limit?*	
Technical report, p. 60, section 5.7.3, criterion 6.3(a) Acrylamide The list refers to substances in general. Superabsorbent polymers therefore do not need to be mentioned. *We suggest modifying as follows: "Acrylamide ~~shall not be intentionally added to superabsorbent polymers"~~*	COMMENT ACCEPTED
Section 3.7.3, criterion 6.3(a) CMIT CMIT and MIT can sometimes be found in water-based inks for printing, since a water-based ink needs preservatives. The substance is present at very low amounts in the finished products but can also be detected as impurities without being intentionally added (can be a trace substance in process water from pulp and paper making).	COMMENTS ACKNOWLEDGED According to the new wording prposed in the TR2, CMIT and MIT can be present as impurities in an AHP up to 0.0100% w/w, which would solve the issue of them being present in process waster from the pulp manufacturing. Any further data that would be highly appreciated is when CMIT and MIT are added to the product, to fulfil what functions, in what
TR, TR, section 5.7 criterion 6, 6.3 MIT and CMIT We would like to seek consensus and the possibility of place limits on MIT and CMIT, instead of introducing ban on the substance. Please indicate what would be the required information and data for this purpose.	

	concentrations, and if alternatives to MIT and CMIT have been tested already. All data can be sent to: JRC-B5-ABSORBENT-HYGIENE-PRODUCTS@ec.europa.eu
When you ban a whole group of substaces as phatalates then you need to make a list of all CAS numbers in the group because othervise the applicant will ask the CB which phatalates exactly they shoud analyse and we wouldn´t know.	COMMENT ACCEPTED A list of excluded phthalates will be added to the User Manual
"“Phthalates” are a large group of chemicals, with each member having different regulatory status and toxicology profile. There are plenty of data that show that High Molecular Weight (HMW) phthalates are safe for use in all consumer applications (i.e. 11 year EU Risk Assessments on DINP and DIDP published in 2006 in the EU Official Journal, extensive evaluation of new data between 2009 and 2013 by ECHA with the conclusion that no further risks were identified and further ECHA RAC conclusions on DINP not warranting a classification (2018)). We support science and thorough regulatory assessments as the basis for EU Ecolabels and any other legislative and non-legislative initiative promoted by the European Union. *Ecolabels should not be used to discriminate substances that have been proven safe (e.g., RAC opinion on DINP/DIDP in 2018, DEP assessment in 2015)"*	COMMENT REJECTED Some phtalates are on REACH's Authorisation List because toxic for reproduction, for example: DEHP, DBP, BBP, DIBP, DPP, DiPP, and DHNUP. Some other phthalates are inscribed on the EU's priority list of substances that should be investigated more closely for endocrine disruption. The phthalates DINP, DIDP and DNOP are listed onto Annex XVII of REACH, restricting their use as substances or in mixtures, in concentrations > 0.1% in childcare articles that can be placed in the mouth of children. Hygiene products are classified as childcare articles, and they are in contact with the child's kid for many hours. Stakeholders are welcome to submit a derogation request for relevant phthalates, if needed, providing the necessary data to substantiate the derogation request.
In addition to the list of forbidden substances, we recommend to include the OEKOTEX class 1 certification for the products. The OEKOTEX certification ensure the consumer safety regarding endocrine disruptors. This must be the minimum required for the Ecolabel certification.	COMMENT REJECTED The JRC have reviewed the OEKO TEX Standard 100 certification, but no reference to endocrine disruptors was found. We invite the stakeholder to provide further guidance on this
In the specific case of Endocrine Disruptors and when referring to them, a list should be referenced on the criterion to drive clarity on the substances of concerned.	COMMENTS PARTIALLY ACCEPTED For what concerns identified EDs, there are many lists depending on whether the evaluation of the substances was performed according to different Regulations (REACH, the biocidal products Regulation and the plant protection products regulation). The Member States list I provides clarity here, however this list cannot be referenced directly in the legal texts because it is not an official EU document. It is proposed to reference such a list in the User Manual. For what concerns suspected EDs, also the actual list cannot be referenced as it is not a document with a legal validity. Also in this case it is proposed to add such a list in the User Manual. The ANSES list is under development and cannot be referenced.
We recommend extending the list of identified substances with lists currently under development by French stakeholder ANSES, which will establish endocrine disruptors by categories according to the level of evidence available (three categories: proven, presumed, suspected). *More than the ANSES lists, the lists drawn up jointly by the Belgian, Danish, French, Dutch, Spanish and Swedish authorities have the approval of most of the Member States. In the future, when it comes to identifying these substances, we suggest that you take into account the ANSES lists and these European lists* *Link to the lists : ED list* The ED Lists | Endocrine Disruptor List	

Technical report, p. 60, section 5.7.3, criterion 6.3(a) Organotin compounds The list refers to substances in general. It has not to be mentioned that organotin compounds are used as a catalyst in the production of silicone polymers. *We suggest modifying as follows: "Organotin compounds ~~used as a catalysts in the production of silicone polymers"~~*	COMMENT ACCEPTED
Nanosilver in menstrual cups *Two French stakeholders would like to raise concerns on the use of nanosilver or microsilver in menstrual cups for their antibacterial properties, without any clinical study on the interaction with good bacteria of the vaginal flora. We propose to take this concern into account when verifying the relevance of criterion 6.3(a) Specified excluded substances" for menstrual cups.*	COMMENT ACKNOWLEDGED
We support the exclusion of fragrances for the entire product category, in *particular fragrances and ingredients of fragrances mixtures listed in Annex III of Regulation (EC) No. 1223/2009 on cosmetic products, due to the prolonged use of absorbent hygiene product in contact with skin and mucous membranes. This has already been recommended by French stakeholder ANSES in recent studies on menstrual products and baby diapers, as can be read in the links below:* *- Menstrual hygiene products (link to the conclusion and report)* *- Baby diapers: a study at French level (link to the conclusion and report) and a restriction proposal at EU level within the framework of REACH.*	
TR; 49 Criterion 6.3/6.4 we are against the use of fragrances and lotions for any type of product falling under this decision	
6.3 Denmark suggests excluding fragrances in all products. The restriction as referred to in 6.1 and 6.2 is not relevant, hence the fragrance is added in quantities below the limits which is valid in these points. *Same for lotion – a not needed chemical which comes into contact with the baby skin.*	
Fragrances without EU fragrance allergens as listed in the EU Cosmetic Regulation are proven to be safe and could be permitted by the EU Ecolabel AHP product.	COMMENTS ACCEPTED In the second technical report, fragrances are proposed to be excluded in all AHPs.
Sub-criterion 6.3(b) Fragrances Fragrances without EU fragrance allergens as listed in the EU Cosmetic Regulation are proven to be safe and could be permitted by the EU Ecolabel AHP product.	
Tr 1.0, p. 61, 6.3 (b) Fragrances Fragrances should be prohibited for all products. Due to the fact that incontinence products are not included into the product scope there is no reason to permit fragrances.	
Tr 1.0, p. 67 @ Should a tighter threshold limit be set for individual hazardous substances present in fragrances applied in feminine pads and panty-liners? *We propose to exclude fragrances.*	
Tr 1.0, p. 67 @ Should the use of fragrances not be permitted in the EU Ecolabel AHP product? *Yes, we support to prohibit fragrances in AHP products.*	
-criterion 6.3(b): Fragrances Major "We are in favor of a full ban of fragrances in this product group. 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.	

Exclusion of lotions *We support the exclusion of lotions for the entire product category for the same reasons as the exclusion of fragrances.*	
Tr 1.0, p. 61, 6.3 (c) Lotions *Lotions should also be banned for diapers. Parents should decide for themselves whether they use lotions or not.*	COMMENTS ACCEPTED In the second technical report, lotions are proposed to be excluded in all AHPs.
Tr 1.0, p. 61, 6.3 (c) Lotions *Please add:* *The product and any component part thereof.*	
"We are in favor of a full ban of lotions. 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.	
Technical report v1.0 *-First proposal for criterion 6.3: specific restrictions* *-6.3.c) p61Comment on lotions Given the central role diapers have on diapered area skin and the important skin has on the baby's health and well-being (infection risk, discomfort, pain, itch, irritation), ointments have demonstrated a clear functional and core benefit on diapers to help preserving the integrity of the baby skin.* *Baby bottom skin is covered by a diaper to absorb and retain urine and faeces, 24 hours a day and for approximatively 2.5 years. The baby skin in the diaper area is exposed to a warm and wet environment with presence of some irritants such as faeces which could lead to compromised skin.* *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. (Source: Setting the record Straight on Diaper Rash and Disposable Diapers, Jocelyn N et al, Clinical Paediatrics 2014).* *Diapers with a very low amount of pharmaceutical grade petrolatum-based ointment create a beneficial protective water-repellent layer and a long history of safe marketing use (over 20 years). This nearly invisible layer creates a barrier to prevent wetness and irritants such as digestive, proteolytic enzymes present in baby stool, to be in contact with baby skin. It has been proven than humid environment combined to proteolytic enzymes may damage integrity of baby bottom skin. (Source: Setting the record Straight on Diaper Rash and Disposable Diapers, Jocelyn N et al, Clinical Paediatrics 2014). In addition, elevation in skin pH, a risk factor for the development of disease (e.g., diaper dermatitis) can be increased when urea in the infant urine is converted to ammonium via enzymatic activity in the bacteria in stool and on skin. (Source: Etiologic Factors in Diaper Dermatitis: The Role of Urine). This is supported by recommendations and even prophylactic use of emollients by physicians and in hospitals (i.e., premature infants) to maintain or enhance skin barrier function. (Source: Recommendations from a European Roundtable Meeting on Best Practice Healthy Infant Skin Care; Beginning Bottom: at the Evidence-Based Care of Diaper Dermatitis). A clinical study involving over 60 children showed that using diapers with petrolatum-based ointment significantly reduced the severity of skin irritation in the gluteal, anal, and genital area compared with the control group. These data represent the demonstration that a petrolatum containing diaper could impact positively baby's skin condition. Source - "A disposable diaper which continuously administers a topical petrolatum formulation to the skin. It has been shown to reduce the severity of diaper rash significantly as compared to a conventional disposable diaper." Odio et al, Ped Derm 2000."*	COMMENT REJECTED The possibility to allow the use of lotions has been considered, but it is not proposed in this second proposal due to the feedback from the EUEB members and the current practice under other ISO type I ecolabelling schemes (Nordic Swan and Blue Angel), that set a full exclusion of lotions. Stakeholders are invited to send a derogation request specifically for petrolatum-based lotions, if deemed necessary.

A recent clinical study placed in 2021 compared a European diaper, with an ointment formulation on the topsheet (currently marketed in the US) to the same diaper without the ointment formulation. Results show that more infants using the ointment containing diaper were "rash free" and fewer infants experienced moderate-to-severe diaper rash (values of 1.5 of greater) when compared to the non-ointment containing diaper. Importantly, these data demonstrate that a diaper containing a small amount of such an ointment can significantly reduce the incidence and severity of diaper dermatitis to the baby wearing the product with is meaningful to worried parents and babies who suffer from the discomfort, pain and sleep disruptions from periodic diaper dermatitis episodes. *We conclude that these recent data, confirm that our diaper which contains a formulation has been clinically demonstrated to reduce skin rash incidence and severity when worn by babies. A publication of these findings is currently under preparation.* *Petrolatum has a long history of safe use in pharmaceutics and cosmetics. Petrolatum is not absorbed through intact or injured skin and is neither sensitizing nor irritating. Large amounts are essentially nontoxic even when ingested in liquid laxative preparations. Clinical experience has confirmed that petrolatum is safe in the OTC dosage range, commonly found under the name of Vaseline® on several EU markets. Petrolatum is used as a skin protectant and it is the primary treatment by paediatric dermatologists for many skin conditions.*	
Specific restrictions on inks and dyes for TiO2 and menstrual cups *We would like to make the following comments of this criterion:* *- We are not in favor of a derogation for the use of titanium dioxide in dyes because of the potential health risks associated with this substance and the lack of data on the essential or necessary nature of its use in hygiene products.*	COMMENT REJECTED TiO2 has been reclassified as Carc. 2 only in powder form, and only via inhalation route. TiO2 does not occur as powder in a final AHP, and given the wide use of TiO2 as white pigment, a derogation was granted in criterion 5.1
There are no alternatives for TiO2 used as a pigment	COMMENT ACCEPTED TiO2 as white pigment was derogated in criterion 7.1
We recommend verifying the relevance of thresholds on inks and dyes for menstrual cups, and to consider the exclusion of these substances specifically for menstrual cups.	COMMENT ACKNOWLEDGED
One French stakeholder would like to raise attention on the use of dyes in the adhesive strip of the product and recommends requiring proof that there is no migration on skin/mucous membranes during actual use.	COMMENTS PARTIALLY ACCEPTED
Sub-criterion 6.3(d): Inks and dyes Minor There is a derogation on the prohibition of dying for materials that are not directly in contact with the skin and that have a specific function. It would be good to add some conditions to this derogation e.g. only if the dyes do not migrate	A new requirement was introduced for inks and dyes that the colorant used must have been approved as a food contact additive
We would like to understand if printed backsheet will be accepted as this is not clear from the exemption list.	COMMENTS CLARIFIED
Sub-criterion 6.3(d) Inks and dyes Will a printed backsheet be accepted? This is not clear from the exemption list.	Yes, backsheet may be dyed if it is to achieve a clear function
Sub-criterion 6.3(d): Inks and dyes Minor Why is there a derogation on the prohibition of dying for tampon strings? The vaginal mucosa is well vascularized, fragile, and super absorbant => potential great exposure	COMMENT PARTIALLY ACCEPTED The derogation is already present in current criteria in force, and it is in line with current practice in the Nordic Swan and Blue Angel labels. It has now been added that the colorant used must have been approved as a food contact additive

Sub-criterion 6.3(e) Plastic materials (b) Additives used in plastics in concentration above 0,10 % weight by weight shall not be classified with any of the below listed hazard statements, in accordance with the classification rules in Regulation (EC) No 1272/2008 of the European Parliament and of the Council (1): *- acutely toxic, categories 1 and 2 (H300, H310, H330, H304),* *Hazard class not relevant for diapers as a product. Classified as "May be fatal if swallowed and enters airways" / Aspiration hazard / Category 1*	COMMENT REJECTED The list of hazard classes to be restricted is the same for all EU Ecolabel products. Stakeholders are invited to send a derogation request for specific substances, if deemed necessary.
Sub-criterion 6.3(e): Further restrictions applying to plastic material Minor Maybe other heavy metals are also relevant e.g. Ni?	COMMENT REJECTED A specific restriction for Nickel in plastic materials is not present in other ecolabels (Nordic Swan and Blue Angel), nor in other programmes checked (the EDANA Stewardship Programme for example). Without the indication of what the threshold should be, a restriction cannot be added.
TR version 1.0 (September 2021) *- Section "6.3(f) Further restrictions applying to adhesives"* *We would like to know why this criterion is intended only for intentionally added substances and not for the whole product.* *We recommend the following analytical method developed by the French General Directorate for Competition, Consumer Affairs and Fraud Control (DGCCRF), to deepen the testing and verification methods for restrictions applying to adhesives:* *- The document "France - Analytical method - Comment n°5" in attachment.* *We also recommend the following studies on menstrual products and baby diapers by French stakeholder ANSES to work on the threshold of the criterion, as they provide insight on skin sensitizers in textiles (including single-use baby diapers):* *- Menstrual hygiene products (link to the conclusion and report)* *- Baby diapers: a study at French level (link to the conclusion and report) and a restriction proposal at EU level within the framework of REACH.*	COMMENT PARTIALLY ACCEPTED The document provided seems very relevant, although it is in French and cannot be fully understood. However it seems that it provides relevant test methods and related LoD and LoQ for different substances, not directly related to adhesives. This document was taken into account for sub-criterion 5.3.a, and will be probably added to the User Manual.
Technical report, p. 62, Section 6.3f Ambiguous phrasing It is stated that: *"Colophony resins: Adhesives shall not contain more than 0.01% (weight by weight) colophony resin. Modified colophony derivatives that are not classified as sensitizers, e.g. rosin esters, are allowed;"* *What is to be referred to here, is to the substance Colophony. Not multiple substances as could be implied by resin or resins. It is proposed that the word resins and resin after "Colophony resins…" and "…colophony resin…" is removed. As the word resin or resins causes confusion. Secondly, removal of the word resin and resins brings the document in line with the wording in the RAL/Blue Angel documents. Proposed wording: Colophony: Adhesives shall not contain more than 0.01% (weight by weight) colophony. Modified colophony derivatives that are not classified as sensitizers, e.g. rosin esters, are allowed* *It is good see that Modified colophony derivatives that are not classified as sensitizers, e.g. rosin esters, are allowed;*	COMMENT ACCEPTED

is included in the text. This will bring the JRC document in line with Nordic Swan.	
Technical report, p. 69-70 *Section 5.7.3.7 6.3(g) – Superabsorbent polymers (SAPs) We would like to state the following:* • *The assessment against the limits for monomer and soluble extracts are averages from repeated measures over a certain period rather than single measures.* • *Residual monomer of acrylic acid / Na-polyacrylate (CAS 79-10-7, 7446-81-3), <1000ppm, method: NWSP 210* • *From technical point of view, we would appreciate to keep current criteria (1000ppm at maximum) for residual acrylic acid.*	
Technical report, p. 69-70, Section 5.7.3.7 6.3(g) – Superabsorbent polymers (SAPs) AS highlighted in the „Points for discussion" p73, : Acrylic Acid has in the past been evaluated by the EU Commission under Regulation 793/93/EEC and a risk assessment report has been published in 2002 (1). This EU risk assessment report covers (amongst other sources), the dermal exposure from residual AA monomer in SAP used in absorbent hygiene products and is based on data provided by the German Industrieverband für Körperpflege und Waschmittel (IKW) and EDANA. On top of this, the Absorbent Hygiene Products (AHP) Committee of EDANA has done an exposure-based risk assessment (EBRA), led by P&G, that reflects Baby exposure to AA under in-use conditions (2). Experimental measurements conducted by Evonik Stockhausen (December 2006) have also lead to the generation of exposure data reflecting several use conditions from realistic exposure to worst case scenarios. It should be noted that the exposure assessment contains several conservatisms and is based on AA only, while it is expected that under realistic conditions of use, the equilibrium AA/sodium acrylate is mainly on the acrylate side and that the toxicological property of importance (irritancy/corrosion) is lower for sodium acrylate than for AA. This exposure-based risk assessment (EBRA) concludes that: • *From systemic and local dermal toxicological endpoints, residual AA in SAP does not present any risk to consumers* • *A residual monomer content of 1000 mg/kg in absorbent hygiene products is safe*	COMMENTS ACKNOWLEDGED
In the definitions part it is said that release paper is considered as additional packaging. However, I understand that requirement 6.3(h) is planned to cover also release papers. This is quite confusing. There is an own requirement for packaging (8) and if release paper is considered as packaging, it should only fulfil the requirement on packaging.	COMMENT PARTIALLY ACCEPTED The text of the criterion has been changed
- Section "6.3(h) Silicone" *Relevance of the criterion for menstrual cups* *We would like to propose differentiated thresholds for menstrual cups and absorbent hygiene products and keep the 100 ppm threshold for menstrual cups. One French stakeholder was indeed surprised by the increase of the threshold from 100 ppm to 800 ppm proposed in the technical report and would like to warn about the application of this criterion to menstrual cups, for which this new threshold may not be appropriate. However, we agree with the new threshold proposed (800 ppm) for the other products of the scope (absorbent hygiene products).*	COMMENT ACCEPTED The criterion for menstrual cups differs from the one for AHP.
it is proposed to increase the limit of the cyclosiloxanes D4 and D5 to 800 ppm Major The report proposes that limits for D4, D5 and D6 are to be referenced to the silicone mixture. Given the level of these materials (as claimed by silicone suppliers) in the silicone raw materials forming part of the silicone mixture it will not be attainable to achieve this realistically, especially if the suggested limit of 800 ppm refers to the sum of D4, D5 and D6 content. A review of setting a limit is required and a separate subgroup to discuss this matter is already put together. A limit and exact reference (such as that this limit applies to the silicone mixture) should also be harmonised accross other requirements stated under the Blue Angel and Nordic Swan recommendations. Different limits in each of these recommendations creates the issue that a supplier of a release liner may only be able to claim conformance to one or more recommendations but will have to state that his product will ne meet the criteria for other specific recommenations. This may hinder business if requirements need to be met following all or some of these	COMMENT ACCEPTED It was clarified in the criterion text that the limit of 800 ppm is for each of the cyclosiloxanes, separately.

recommendations. A leading Europe-wide recommendation applicable for business in all member states and beyond will be very beneficial. If the limit for each cyclosiloxane is set at 800 ppm separately the aim to reduce the content of these materials may be realistically achievable. This should be the recommendation for a new Ecolabel criteria. As already stated in the draft report (quote: It shall be noted that almost all cyclics are being removed in a final distillation step done by the silicone suppliers. As a matter of fact, a small content of residual cyclics remain in the silicone raw materials for technical/chemical reasons, which cannot be reduced further without disproportional technical effort) realistically it is not possible to reduced cylics amounts further without disproportional technical effort. Efforts that would be required are significantly prolonged distiallation times, increased vacuum during distiallation (is this technically possible?) and perhaps other measures. This would results in reduced production capabilities and cause significant price increases that will need to be passed on to the final consumer.	
Concerning criterion 6.3h to me the words of the proposal are not clear, if each chemical D4, D5 and D6 can be present up to 800 ppm or if the sum of D4 + D5 + D6 has to be less than 800 ppm.	
6.3 (h) silicone *Technical Report, page 63 "with information on the method used to manufacture the silicone": what does this exactly mean? what is here the "method"?*	COMMENT PARTIALLY ACCEPTED The wording in the assessment and verification was changed to process, as it is the information on the process used to manufacture the silicone (and the step(s) used to minimise the presence of the cyclosiloxanes) that must be sent to the competent body.
Technical report, p. 63 section 5.7.3. Assessment and Verification The SDS shall specify the residual monomers contained in the product and the quantities thereof. The following is stated: "The SDS shall specify the residual monomers contained in the product and the quantities thereof." *The specification of concentration limits is regulated in CLP. Residual monomers below 0,1% have not to be specified in the SDS. Without appropriate disclosure agreements, providing this data could infringe on confidentiality.*	COMMENT CLARIFIED As the limit for residual monomers is 1000 ppm, SDSs may be able to provide the information needed. In other cases, the applicant can proof compliance with the requirement by performing laboratory tests
Please write the assessment and verification part right under each subcriterion. It is very difficult to find the right verification needed as it written now.	COMMENT REJECTED In the interest of keeping the test short, and given the similarities in terms of assessment and verification of the different requirements, it is proposed to keep the A&V merged. Please note that it will be explained separately in the User Manual
TR; 50 Criterion 6.5 We are in favour of the increase	COMMENTS IMPOSSIBLE TO TRACK
It is very confusing to have this ban in this subcriterion. It should have its own subcriterion.	

CRITERION 7: Material efficiency in the manufacturing (please note this is now criterion 6)

No comments were received for this criterion.

CRITERION 8: Packaging

Comments received in AHWG1/written form	JRC Dir. B response
Technical report version 1.0 (September 2021) *- Section "8: Packaging"* *- Page 74-79* *Information to be displayed on packaging* *We generally support the new proposed criteria and would like to add the following comments on information to be displayed:* *- We are in favor of labeling the composition of products on their primary packaging. We would like to raise attention on the commitments made in this regard by companies in the French baby diaper market (see press releases of 23 January 2019 and 8 February 2019 following the publication of the notice of French stakeholder ANSES on the safety of baby diapers and September 6th, 2019 report, as well as the results of the subsequent investigations by the French General Directorate for Competition, Consumer Affairs and Fraud Control (DGCCRF) of 2019/early 2020 and late 2020), it would be coherent to require the display of the composition of all products within the scope of the EU Ecolabel on their primary packaging.*	COMMENT ACKNOWLEDGED In the TR1 it was proposed to remove the requirement of displaying the information of the product on the primary packaging while in TR2, it is proposed to maintain the content of criterion 1, requiring the applicant to submit information about the total weight of each product and of each component within the product. However, it is proposed to move it to the general assessment and verification text.
We recommend adding an obligation to mention the risk of Toxic shock syndrome (TSS) on the packaging of internal intimate protection products, as is already done for tampons but not for menstrual cups where it depends on the manufacturers.	COMMENTS ACKNOWLEDGED These comments will be taken into account in the criteria for menstrual cups.
Menstrual cups are usually delivered in a factory sealed bag to ensure there is no contact with the primary packaging. We would like to ask if this secondary packaging (heat-sealed plastic) also needs to be marked, and if so what type of information it should contain.	
Technical report version 1.0 (September 2021) *- Section "8: Packaging"* *- Page 74-79* *Migration of substances from packaging to the product* *We would like to raise attention on the risk of migration from dyes, adhesive, inks or other substances used in the packaging to the product itself, which would then come in contact with skin and mucous membranes – this point could be clarified in criterion 8.*	COMMENT ACKNOWLEDGED
Technical report version 1.0 (September 2021) *- Section "8: Packaging"* *- Page 74-79* *Use of biobased or recycled materials in packaging*	COMMENT ACKNOWLEDGED

A stakeholder would like to raise concerns on adding a requirement on the use of recycled fibers in the packaging (mainly primary packaging, mostly made of plastic), as it seems difficult to do so under conditions that are appropriate to the specificities of these products and of this market, due to the importance of traceability and safety requirements of products for instance.	
Additionally, we fully disagree with the addition of a requirement on a content of biobased material in the primary/secondary/additional packaging, as it is not proven that a biobased plastic is environmentally better than plastic from fossil sources, thus creating a risk of greenwashing.	COMMENT ACKNOWLEDGED
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The following is stated: "The primary packaging must contain information on the packaging and product composition specifying the weight of the packaging and product and of each component as requested in criterion 1." *However, the newly proposed criterion 1: product description does not require the information on weight of product to be displayed in the packaging. The sentence must be adapted to the new requirements.* *Such detailed information should not be printed on the packaging, but should be available online.*	COMMENT ACCEPTED Yes, in TR1 it was proposed to remove the requirement of displaying the information of the product on the primary packaging while in TR2, it is proposed to maintain the content of criterion 1, requiring the applicant to submit information about the total weight of each product and of each component within the product. However, it is proposed to move it to the general assessment and verification text.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging "Additional packaging": • *We suggest "additional packaging" needs to be defined* • *We suggest to stick with the marking requirements of the Single Use Plastics Directive (EU 2019/904), specified to be added to the primary and secondary packaging, not to any additional packaging* • *In case additional packaging refers to the release paper or film, this may pose an issue as silicone paper/film is currently not recyclable* • *In all EU Member States, expect for France, the wrapper is an integral part of the product. Wrappers are part of the product usage experience and used for disposal. Absence of wrappers would lead to compensating behavior, e.g. use of toilet paper for disposal, which has been shown to be more negative than reuse the wrapper.*	COMMENT ACCEPTED This has been addressed in criterion 8.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The presence of recycled materials and the definition of a minimum level should never compromise with • *the processability of the material,* • *the purity of the packaging,* • *the performance and robustness of the packaging as it is designed for* • *the current supply reality,* *For these reasons, a % should not be mandated but rather a motivation to integrate recycled materials* *Supporting information:* • *Packaging purity: We operate in a category with stringent quality and hygiene requirements as disposable diapers are designed for prolonged and direct contact with baby skin. Recycled materials may contain some impurities linked (i) to its origins (household PCR may have contained all kinds of materials from foods to chemicals) and (ii) to the recycling process. There is a risk of contamination of AHP product by impurities from packaging as some contaminants migrate. The highest the % of recycled material is, the highest the presence of impurity might*	COMMENT PARTIALLY ACCEPTED This has been addressed in criterion 8.

be. Good quality materials exist today but in limited quantities to supply the market. Therefore, mandating recycled materials of good quality may lead to few products able to apply. • *Secondary packaging: recycled materials need to be combined with virgin to ensure robustness of the packaging (eg: transportation, protection of AHP, etc.). 100% of recycled materials will not be achievable.*	
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging Packaging criteria should be opened to renewable and mass balance allocated materials being paper / plastic as a solution to decrease fossils-based materials consumption (see LCA p. 11). *The criterion (p. 74) should be rewritten as follows: "Primary packaging, secondary, and additional packaging shall include x % of recycled, renewable or mass balance allocated content in their composition, and it must be recyclable.*	COMMENT PARTIALLY ACCEPTED This has been addressed in criterion 8.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The following is stated: *"Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable."* *It seems better to separate the requirement for recycled content from the requirement for recyclability to avoid confusion.* *The degree of recyclability should be defined. Without a clear classification, this requirement on recyclability may be impossible to implement. Recyclability depends on the availability of technologies in the market.*	COMMENT ACKNOWLEDGED This has been addressed in criterion 8.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The following is stated: "The primary packaging must contain information on the packaging and product composition specifying the weight of the packaging and product and of each component as requested in criterion 1." *It must be noted that there is always a limited space on packaging to provide both branding information as well as other necessary information.* *It should be avoided to print detailed product information on the packaging that could be subject to changes. It should rather be demanded to have the information available on website since the information as such is not a problem to disclose. To change the design of printing on pack can instead be a significant problem.*	COMMENT ACCEPTED This has been addressed in criterion 8. Yes, in TR1 it was proposed to remove the requirement of displaying the information of the product on the primary packaging while in TR2, it is proposed to maintain the content of criterion 1, requiring the applicant to submit information about the total weight of each product and of each component within the product. However, it is proposed to move it to the general assessment and verification text.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The presence of recycled materials and the definition of a minimum level should never compromise with • *Processability of the packaging* • *the purity of the packaging,* • *the performance and robustness of the packaging* • *material supply* *For these reasons, a stepwise approach to increase the content of recycled materials from lower levels will motivate the integration of such materials*	COMMENT PARTIALLY ACCEPTED This has been addressed in criterion 8.

Supporting information: • *Packaging purity: We operate in a category with stringent quality and hygiene requirements. Recycled materials may contain some impurities linked to its origins and to the recycling process. As some contaminants migrate there is a risk of contamination of AHP product.* • *Secondary packaging: recycled materials need to be combined with virgin to ensure robustness of the packaging (eg: transportation, protection of AHP, etc.). 100% of recycled materials will not be achievable, but a combination of recycled content and certified wood fiber source, up to the producer's discretion, is a good way to have packaging with a good environmental profile.*	
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging Packaging criteria should be opened to renewable and mass-balanced materials as a solution to decrease virgin fossils-based materials consumption (see LCA p. 11).	COMMENT ACKNOWLEDGED
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging The criterion (p. 74) should be rewritten as follows: *"Primary packaging, secondary, and additional packaging shall include x % of recycled, renewable or mass balanced content in their composition, and it must be designed for recycling."* Recyclability is not always the case since infrastructure is not present in all markets, but "designed for recyclability" is possible to require.	COMMENT PARTIALLY ACCEPTED This has been addressed in criterion 8.
Technical report, p. ff. 74, Section 5.9 Criterion 8 Packaging Assessment method for recyclability should be specified. The recyclability can only be considered as a technical property since the recyclability as such also demands the presence of an infrastructure for recycling of materials.	COMMENT ACKNOWLEDGED
TR; 74 Criterion 8 this info on the primary packaging does not serve the consumer	COMMENT ACCEPTED
8 we suggest taking out the part of controlling the mandatory labelling on products. This is not the task of the CB. We welcome a mandatory percentage of recycled content plastic. The percentage of 30 is reached in several Nordic Swan licenses, but a higher percentage could be considered.	COMMENT ACCEPTED
"Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable." We welcome the inclusion of a recyclability criteria for EU Ecolabel for Absorbent Hygiene Products (AHPs). We suggest complementing these criteria with precise Design for Recycling criteria for these types of plastic packaging, to provide for a harmonised definition of recyclability for such products. Rationale: Design for Recycling criteria will allow for a uniform interpretation of the term "recyclable" as regards AHPs plastic packaging. For reference, RecyClass Guidelines provide for criteria that enhance the recyclability of packaging: https://recyclass.eu/recyclass/design-for-recycling-guidelines/ Specifically for PE flexible films: https://recyclass.eu/wp-content/uploads/2021/06/Guideline-PE-films-coloured-06.2021.pdf	COMMENT ACKNOWLEDGED
Recyclability verification *Given the inclusion of a recyclability criteria, rules on the assessment of such recyclability should be added for AHPs plastic packaging.*	COMMENT ACKNOWLEDGED

Rationale: a clear verification process through a third-party will be essential to create a level playing field between stakeholders. *RecyClass has developed a packaging recyclability certification which certifies plastics packaging through accredited and independent Certification Bodies auditing the RecyClass tool analysis results. This system can be used as a model in the case of the EU Ecolabel AHPs group.* *For more information: https://recyclass.eu/recyclass/recyclability-product-certification/*	
Recycled content measurement *"Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable."* *We welcome the inclusion of recycled content as a criterion for EU Ecolabel for AHPs.* *We believe that a criterion on the measurement of recycled content should be included. This will ensure an accurate and harmonised evaluation of recycled content in AHPs plastic packaging.* *Rationale: recycled content measurement is essential to demonstrate that the criteria is fulfilled.* *In this regard, RecyClass has developed a Certification Audit Scheme to evaluate and calculate the recycled content used in plastics products. It assesses the traceability of recycled plastics material throughout the value chain and verifies the origin of the pre- and post-consumer material in product claims, to ensure they are accurate.* *For more information: https://recyclass.eu/recycled-content/*	COMMENT ACKNOWLEDGED
Packaging recyclability threshold *Table 5. Primary packaging comparison between labels* *We suggest following the example of the Blue Angel label concerning recyclability threshold for plastic packaging, meaning that the recyclability of the plastic packaging must be at least 95%.* *Rationale: this threshold follows the recyclability criteria of RecyClass, which ensure a full compatibility with current recycling streams.*	COMMENT ACKNOWLEDGED
PACKAGING *p. 74 The primary packaging of feminine care products such as sanitary towels or pads and tampons must comply with the marking requirements according to the Article 7 of Directive (EU) 2019/904 of the EU Parliament and the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment whose harmonised marking specifications must follow the rules laid down by Annex I of the Commission Implementing Regulation, of 17 December 2020 (Commission Implementing Regulation (EU) 2020/2151 of 17 December 2020 laying down rules on harmonised marking specifications on single-use plastic products listed in Part D of the Annex to Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment).* *The additional packaging must include the marking specifications also in the case of sanitary towels or pads. All mentions of mandatory requirements are superfluous. Must be removed from the criterion.*	COMMENT ACCEPTED
TR 1.0 *Criterion 8* *PACKAGING*	COMMENT ACKNOWLEDGED

p. 74 Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable. If we consider plastic recycled content: *According to our current state of knowledge, the requirement for % of recycled content in the packaging should not be added, at least for primary packaging:* *- the traceability of recycled plastic material is deemed not to be sufficiently reliable* *- the availability of reliable material in line of market expectations, is not sufficient* *- 'food contact' requirement is not an option: the requirement is excessive, not adapted to the sanitary products; moreover the risk is to divert the available volumes from their target markets (food).*	
TR 1.0 *Criterion 8* *PACKAGING* *p. 74 Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable. Assessment and verification* *How should be defined the "recyclability" of the packaging material? following which standard(s)?*	COMMENT ACKNOWLEDGED
The communication on the packaging should be mentioned in this criterion. A picture of cotton or a marketing mention of cotton must be forbidden if the product is not composed by at least 80% of cotton. The consumer may be misled and may think that the product is composed by 100% cotton.	COMMENT ACCEPTED
Technical report v1.0 *-Proposed Criterion 8: packaging* *-p73, "* *Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable.* *" Comment on packaging criterion* We suggest a rewriting of the criterion as "*Primary packaging, secondary, and additional packaging shall include ~~x % of~~ recycled or renewable content in their composition, and it must be recyclable* The introduction of recycled materials into the packaging in replacement of virgin fossil is going into the right direction. EU Ecolabel should encourage the transition to <u>good quality recycled</u> materials that does not compromise with the purity of the packaging, without mandating a specific %. By default, packaging independent of recycled content must comply with REACH. Clear guidelines on the supporting document to prove the presence of recycled content should be added in the criteria. The presence of recycled materials in a plastic packaging can be demonstrated by the standard ISO EN 14021 for instance.	COMMENT ACKNOWLEDGED

Packaging criteria should be opened to renewable materials as interesting alternative to reduce packaging dependency to finite **resources and to help lowering impact on some environmental indicators' vs fossil virgin plastic:** 1. Paper bag for primary pack has been introduced few months ago (early 2021) in the AHP category. This new packaging offers an interesting environmental benefit on some indicator's vs plastic. Indeed, paper has a lower impact in terms of (i) climate change, (ii) dependency to fossil resources and (iii) recyclability profile as paper recycling stream is widely available across Europe and accessible to most of the consumers. It delivers on circular economy. 2. Bio sourced plastic are providing interesting solution to decrease dependency to finite resources and to provide better environmental profile when it comes to climate indicator vs conventional plastic. This has been confirmed by the *UN Environment Program „Single-use plastic bags and their alternatives – Recommendation from LCAs".* For inspiration, some external tests exist to confirm presence of bio sourced materials such as TUV „contain Bioplastic" certification. Lastly, the recyclable criteria should be applicable based on technical test and should not be associated to a % that would not be meaningful for consumers to act on it. Indeed, consumers are looking to know if a packaging in its totality IS or IS NOT recyclable. Having a partially recyclable packaging will make it difficult to interpret and may drive confusion on how it should be disposed.	
Tr 1.0, p. 80 @ Should product and packaging composition be shown on the primary packaging? *Yes, we think that is an important fact for some consumers.*	COMMENT REJECTED In TR1 it was proposed to remove the requirement of displaying the information of the product on the primary packaging while in TR2, it is proposed to maintain the content of criterion 1, requiring the applicant to submit information about the total weight of each product and of each component within the product. However, it is proposed to move it to the general assessment and verification text.
Tr 1.0, p. 80 @ Which % of recycled plastic/cardboard should be set in the primary/secondary/additional packaging? *We suggest to have 80% (weight %) for packaging made from plastic (recycled plastic) or paper (recycled paper).* *For transport packaging it should be used re-usable packaging.*	COMMENT ACKNOWLEDGED
Tr 1.0, p. 80 @ Should there be a requirement on content of bio-material in the primary/secondary/additional packaging, similar to Nordic Swan and Blue Angel? *Yes, we support this from the point of harmonization.*	COMMENT ACKNOWLEDGED
The primary packaging of feminine care products such as sanitary towels or pads and tampons must comply with the marking requirements according to the Article 7 of Directive (EU) 2019/904 of the EU Parliament and the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment[48] whose harmonised marking specifications must follow the rules laid down by Annex I of the Commission Implementing Regulation, of 17 December 2020 (Commission Implementing Regulation (EU) 2020/2151 of 17 December 2020 laying down rules on harmonised marking specifications on single-use plastic products listed in Part D of the Annex to Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment)[49]. Major *As this is legislation all femine care products should fullfill this criterion, so it shouldn't be mentioned in the EU Ecolabel criteria*	COMMENT ACCEPTED
Primary packaging, secondary, and additional packaging shall include x % of recycled content in their composition, and it must be recyclable. Major We are in favor of adding a requirement of a certain % of recycled content. As the EU Ecolabel has to play a rol in the	COMMENT ACCEPTED

circular economy it is probably better to as only for % of recycled content in order to encourage the use of secondary materials and not and not primary materials even if they are of renewable origin	
The primary packaging must contain information on the packaging and product composition specifying the weight of the packaging and product and of each component as requested in criterion 1. Major There is no need to have as detailed information on the packaging as the infromation submitted to the CB. It should be enough to declare the different type and shares of the palstic and othe materials (but not on the component level).	COMMENT ACCEPTED
The applicant shall provide a sample of the primary packaging by submitting either a sample itself or a primary packaging photo (where information requested appears clearly). Major "This should be rephrased to be as in the next criterion *""The applicant shall provide a high resolution image of the primary packaging (where information regarding xxxx appear clearly).""*	COMMENT ACCEPTED Addressed in criterion 8.

CRITERION 9: Guidance on the packaging and product disposal (new criterion title: Guidance on the disposal of the product and of the packaging)

Comments received in AHWG1/written form	JRC Dir. B response
Technical report, p. 80, Section 5.10 Guidance on product disposal The following is stated: "... that the primary packaging and additional packaging should be disposed of within the recyclable waste." *In the rationale it is explained that "more precise indications are not possible at this stage given the variation in product used as well as in waste management systems across MSs." The packaging of absorbent hygiene products is generally designed for several Member State markets. Not all MSs offer recyclable waste solutions for packaging. Therefore, an indication that the packaging should be disposed of in the recyclable waste is likely to mislead and confuse consumers in those Member States.*	COMMENTS ACCEPTED Please refer to new proposal for criterion 9 (section 5.11).
Technical report, p. ff. 90, Section 5.10 Criterion 9 Product disposal The suggested criteria that it should be visualized on pack that the primary and additional packaging should be disposed of within the recyclable waste should be avoided. The recyclability of these components cannot be guaranteed on all markets, depending on infrastructure status, and hence a printed information can be invalid and cause unnecessary confusion.	
TR; 80 Criterion 9 Disposal information should be put on the primary packaging	COMMENT ACKNOWLEDGED

TR 1.0 *Criterion 9* *GUIDANCE ON THE PACKAGING AND PRODUCT DISPOSAL* *p. 80 The primary packaging must contain information on the guidance of the primary packaging, the additional packaging and the product disposal. The following information shall be written or indicated through visual symbols on the primary packaging:* *— that the primary packaging, the additional packaging and the hygiene used product must not be flushed into toilets, and* *—that the hygiene used products should be disposed of within the household waste.* *— that the primary packaging and additional packaging should be disposed of within the recyclable waste. Wording confusion: both disposal and sorting instructions are mixed.* *- The product must not be flushed in the toilets (therefore a picto)* *Additional disposal instructions for primary & additional packaging are linked to national requirements.* *Verification should be made for disposal household waste: are the requirements fully compatible with national Extended Product Responsability (EPR) – in all European countries?*	COMMENT ACKNOWLEDGED Please refer to new proposal for criterion 9 (section 5.11). EPR is out of the scope of the EU Ecolabel regulation.
The information about the product disposal must be clearly visible for the consumer. We propose that this information must be next to the product composition.	COMMENT ACKNOWLEDGED Please refer to new proposal for criterion 9 (section 5.11).
Technical report v1.0 *-Proposed CRITERION 9: Guidance on the product disposal* *- p 80* *" - that the primary packaging and additional packaging should be disposed of within the recyclable waste. " Comment on packaging/ labelling criterion Background provided by JRC: Finally, a third sentence is proposed to indicate that the primary packaging (which is normally made out of cardboard or plastic) should be disposed of within the recyclable waste. More precise indications are not possible at this stage given the variation in product used as well as in waste management systems across MSs.* *We would consider the instruction for disposal "in recyclable waste" as misleading in member states without respective recycling schemes and thus vote for this labelling instruction to be VOLUNTARY.*	COMMENT ACCEPTED Please refer to new proposal for criterion 9 (section 5.11).

CRITERION 10: Fitness for use and quality of the product

Comments received in AHWG1/written form	JRC Dir. B response

Technical report version 1.0 (September 2021) *- Section "10: Fitness for use and quality of the product"* *- Page 83-88* *Addition of testing requirements* *We generally support the proposed evolutions. However, we wish to make the following comments:* *- We recommend the addition of requirements for biocompatibility testing (especially for menstrual cups) and for the content of aerobic microorganisms in tampons.*	COMMENT PARTIALLY ACCEPTED Biocompatibility testing will be included in criterion on fitness for use for reusable menstrual cups. Further investigation concerning the content of aerobic microorganisms in tampons is included in the rationale for the proposal of the criterion text. Find the new proposed criterion text in section 5.12 of TR2.
Technical report v1.0 *Proposed CRITERION 10* *Fitness for use and quality of the product* *"The addition of a requirement for tampons on aerobic microorganism content in EU Ecolabelled tampons should therefore be discussed."* *pg 87* *Comment on tampon test criterion under discussion:* *"Specification on aerobic microorganism content in tampons"* *As there is no standard or recommended test method and the fact is accepted that "The low water activity value of these products and their raw materials will therefore mitigate the risk of microbial growth and survival. In addition, manufacturers' adherence to Good Manufacturing Practices (GMP), use of high quality materials and the highly-automated manufacturing process under which these products are produced minimise the possibility of microbial contamination during production. They also comply with any local regulatory requirements where relevant when evaluating the potential presence of any microbial growth in feminine care products and their raw materials",* *We recommend to not further proceed the discussion of the addition of such a requirement to the criterion for tampons.*	COMMENT ACCEPTED Further investigation concerning the content of aerobic microorganisms in tampons is included in the rationale for the proposal of the criterion text. Find the new proposed criterion text in section 5.12 of TR2.
We do not agree with the proposition to increase the recommended number of testers from 30 to 100 and would like to point out that this would increase costs and delays for manufacturers, without giving any additional guarantee or benefit for consumers.	COMMENT ACCEPTED Find the new proposed criterion text in section 5.12 of TR2.
Pag 8- ou cinq à dix ans Major "Les fabricants doivent prouver la stabilité du produit pendant toute la durée d'utilisation pour la coupe menstruelle. *L'allégation 5 ou 10 ans doit être prouvée par une étude stabilité au stockage et à l'utilisation comme les dispositifs médicaux invasifs selon le réglement européen 2017/ 745 ou autre réglementation international: FDA, Santé Canada..."*	COMMENT ACCEPTED Included in the criterion on fitness for use for reusable menstrual cups.

TR 1.0 *Criterion 10* *FITNESS FOR USE AND QUALITY OF THE PRODUCT* *Assessment & verification* *Additional guidelines for user tests.* *p. 85 The recommended number of testers shall be at least 100 (for products that are not specifically designed for one gender). There is no rationale supporting the move from 30 to 100 tests.* *This increase will result in unnecessary extra costs and unacceptable delays, forcing companies to outsource/externalise routine tests.* *There is no benefit for this increase, moreover statistically irrelevant.* *Please refer to Nordic Ecolabel criterion O39 – Performance, which seems to be efficient and sufficient.*	COMMENT ACCEPTED Find the new proposed criterion text in section 5.12 of TR2.

CRITERION 11: Corporate Social Responsibility with regard to Labour Aspects (previously Social aspects)

Comments received in AHWG1/written form	JRC Dir. B response
Technical report, p. ff. 90, Section 5.12 Criterion 11 Social aspects By default requesting 3rd party auditing of the manufacturing site is not the best measure. It is also not in line with the OECD guidelines laid out in their due diligence guidance for responsible business conduct. We are more in favor of a risk based approach, and not taking only the manufacturing site of final product into consideration, but also the producer of input material. *When the company owns and manage the sites producing the final products, there is a total operations control, transparency and access to all kinds of information.*	COMMENT REJECTED Please, refer to the proposed criterion text in section 5.13 of TR2.
Technical report, p. ff. 90, Section 5.12 Criterion 11 Social aspects From suggested criteria: *"The third-party site audit shall be carried out by private auditors qualified to assess the compliance of the AHP industry supply chain with social standards or codes of conduct or, in countries where the ILO Labour Inspection Convention, 1947 (No 81) has been ratified and ILO supervision indicates that the national labour inspection system is effective54 and where the scope of the inspection systems covers the areas listed above, by labour inspector(s) appointed by a national authority. "* *Suggestion that also ISO certifications should be accepted - such as ISO 45001, the older 18001 or OHSAS.*	COMMENT REJECTED All the cited certifications refer to Health and Safety in the work place. Please, refer to the proposed criterion text in section 5.13 of TR2.

Technical report, p. ff. 91, Section 5.12 Criterion 11 Social aspects *From: Rationale behind the proposed 'assessment and verification':* *"Applicant provides SMETA - Sedex members ethical trade audit or Code of conduct (public declaration), also from his suppliers. Not much costs or burden with fulfilling the criterion. Production site visit of applicant during assessment process. "* *Comment:* *Not clear - can the applicant either present a SMETA audit report or a Code of Conduct document? As a Sedex member with all sites registered in Sedex, information can be shared through this channel. If a company is an EcoVadis member the EcoVadis assessment of the company can also be shared.*	COMMENT PARTIALLY ACCEPTED SMETA (Sedex's social auditing methodology) could be used to fulfil this criterion. However this would have to be evaluated by the correspondent CB when application is submitted. EcoVadis is provider of business sustainability ratings which may not be appropriate to fulfil this criterion. Please, refer to the proposed criterion text in section 5.13 of TR2.
TR 1.0 *Criterion 11* *SOCIAL ASPECTS CORPORATE SOCIAL RESPONSIBILITY WITH REGARD TO LABOUR ASPECTS* *Assessment & verification* *p. 91* *The third-party site audit shall be carried out by private auditors qualified to assess the compliance of the AHP industry supply chain with social standards or codes of conduct or, in countries where the ILO Labour Inspection Convention, 1947 (No 81) has been ratified and ILO supervision indicates that the national labour inspection system is effective54 and where the scope of the inspection systems covers the areas listed above, by labour inspector(s) appointed by a national authority.* *Question raised by manufacturers:* *Would the "Label Engagé RSE, AFAQ 26000" be considered as compliant?* *https://certification.afnor.org/en/sustainable-development-csr/corporate-social-responsibility-commitment-label*	COMMENT ACCEPTED If the cited label is a Corporate Social Responsibility Commitment Label it could. However this would have to be evaluated by the correspondent CB when application is submitted. Please, refer to the proposed criterion text in section 5.13 of TR2.
Tr 1.0, p. 90 The final assembly production site of diapers is mostly in Europe. Therefore, is does not make sense to include social criteria. Normally, all suggested social criteria should be regulated by national law of the European countries. From our perspective, it is not goal-oriented for European companies. *What are the final production sites of other products for example menstrual cups? Maybe for these (other) product groups it makes sense to address social criteria?*	COMMENT PARTIALLY ACCEPTED Please, refer to the proposed criterion text in section 5.13 of TR2.
Tr 1.0, p. 92 @ Should the criterion verification refer to the final Absorbent Hygiene Product assembly (manufacturing site)? *For the product group diapers it does not make sense to refer to the final assembly site because these companies are mostly located in Europe.*	COMMENT REJECTED

Tr 1.0, p. 92 @ Should the criterion welcome a non-exhaustive list of acceptable proofs (Sustainability reports, Corporate policies, ISO-certificates) as well? *No. the acceptable proofs should be reliable. From our perspective a sustainable report or corporate policy is not an acceptable proof. Certificates, audits etc. are reliable proofs.*	COMMENT ACCEPTED
Pag 91- or the cup the menstrual cup, it is necessary to add to the points of discussion to validate the quality of the product: *- Add stability tests of the menstrual cup to storage and use over the total shelf life of the product* *- Add the validation of cleaning and disinfection of the menstrual cup.* *- Add chemical characterization tests according to ISO 10993-13 standards; ISO 10993-17 and ISO 10993-18* *- Add microbiological tests for the development of Staphylococcus aureus in the menstrual cup to determine the time of use and prevent toxic shock syndrome*	COMMENT ACKNOWLEDGED This comment will be taken into account in the criteria for Reusable Menstrual Cups
Is this requirement relevant at all in this product group? Perhaps it could be rephrased to saying "In case of suspicion of deviation from ILO principles a third-party site audit shall be carried out..." in other cases it should be enough with *Sustainability reports, Corporate policies, ISO-certificates and so on*	COMMENT ACKNOWLEDGED
The audit process shall include consultation with external stakeholders in local areas around sites, including trade unions, community organisations, NGOs and labour experts. The applicant shall publish the aggregated results and key findings from the audit online in order to provide evidence of their supplier's performance to interested consumers. Major This is too complex and strict requirement. We are working only with European AHP factories where most of the criterion content is regulated by the law.	COMMENT ACKNOWLEDGED
Should the criterion verification refer to the final Absorbent Hygiene Product assembly (manufacturing site)? Major Yes, it is enough	COMMENT ACKNOWLEDGED

CRITERION 12: Information appearing on the EU Ecolabel

No comments were received for this criterion.

ANNEX II – Comments to second technical report (AHP)

Comments received after the 2nd Ad-Hoc Working Group meeting (October 2022). Comments refer to the second version of the revised criteria proposal

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,
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.	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. 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). [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?	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.
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	COMMENT ACCEPTED

When explaining the rationale for the proposed scope text, there is a reference missed ("Error, reference not found"). Please modify.	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. Proposed amended definition: *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.*	COMMENT REJECTED
(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.	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
[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.	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	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.

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.*	
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 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.	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
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 *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.*	COMMENTS PARTIALLY ACCEPTED 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).	COMMENT ACKNOWLEDGED

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.	
[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.*	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

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.*	from weak non-condensable gas collection, NCG burners, lime kilns and recovery boilers.
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.*	
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.	
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;	COMMENTS ACCEPTED

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
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.	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

[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 electricity only when demonstrated by contracts or certifications for specific electricity.
[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.*	
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. [redacted] 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]	COMMENT ACKNOWLEDGED

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.*	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 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.*	COMMENT ACKNOWLEDGED Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. 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 ACKNOWLEDGED

[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.	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.	COMMENT ACKNOWLEDGED

[Rationale] Blue Angel accepts documents directly from the suppliers to enable confidentiality.	
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." *It is correct that currently there are no harmonize standards of the analytical method. The industry is working towards developing such standards.*	COMMENT ACKNOWLEDGED

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). 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.	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.
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.*	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.

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]* *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).*	Testing is required only in the context of specific substances, as reported in the individual assessment and verification, e.g. for formaldehyde, impurities, etc.
[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.
[redacted] 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

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.	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.
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.* *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 [...] p**hthalates. 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.*	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".
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
[redacted] *supports the ban on fragrances*	
[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	
[redacted] *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	COMMENT ACKNOWLEDGED

Not functional for the product" *We would like to bring some evidence to the above statements showing that "lotions & ointments are known to fight diaper dermatitis".* *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. (Source: 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) capture/isolation/removal of key irritants that cause diaper dermatitis (faeces/urine removal, reduced humidity, etc): superabsorbent and breathable diapers have a key role to play* *2) preventing access of these same irritants from accessing the skin via a physical barrier: 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.* *Literature on the Use of Topical Products for bottom dDermatitis* • *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*	

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 O11.4 and O11.5, 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 [...] pht**halates. 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	COMMENT ACCEPTED

of migration of hazardous substances. We think that this is an important aspect, but that it is 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.	COMMENT PARTIALLY ACCEPTED Please, refer to the new proposal for criterion 8 as specified in Technical Report 3.

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*	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 depe**ndent 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.*	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.

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	
Technical report version 2.0 (May 2022); Section "8: Packaging"; Page 131-133 Percentage of recycled material in plastic packaging *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.*	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.
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. [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.	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.
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.
	COMMENT ACKNOWLEDGED Please, refer to the new proposal for criterion 8 as specified in Technical Report 3.

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.	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] 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.

ANNEX II – Comments to second technical report (RMC)

Comments received after the 2nd Ad-Hoc Working Group meeting (October 2022). Comments refer to the second version of the revised criteria proposal

General remarks

Comments received in AHWG2/written form	JRC Dir. B response
In general, the terms "silicon" and "silicone/s" are mixed up in the whole document; in particular in Criterion 1.1 or Criterion 1.2, but not only."Silicon" exclusively describes the silicon metal. "Silicone(s)" describes the polymer(s), raw materials for the RMC. "PDMS" stands for "polydimethylsiloxane": basic linear silicone chain polymer, as basis polymer for silicone elastomers	COMMENT ACCEPTED We thank you for the clarification.
We strongly recommend paying special attention to translations. Using the skills of national CBs and/or Professional Federations, for revisions before any publication. Thank you.	COMMENT ACKNOWLEDGED

Scope and definitions

Comments received in AHWG2/written form	JRC Dir. B response
[redacted] would like to see a clarification on how selective the listed requirements are. It is important to set the requirement on the most relevant hotspot, but it is equally important to set requirements that are selective in order to ensure that the certified products are products of environmental excellence.	COMMENTS CLARIFIED Unfortunately, there are not enough data to evaluate how restrictive EU Ecolabel criteria are on the market. However, proposed criteria ensure low emissions to air and water from the production of the raw materials, as well as a conscious system for optimising the use of water, the generation and management of waste and the consumption of energy, thus saving resources and controlling air and water pollution. Moreover the criteria ensure that hazardous substances cannot be added to the product, in line with the Chemicals Strategy for Sustainability: colourants must be approved for food, fragrances cannot be added, and CMR impurities such as cyclosiloxanes have very low limits. Besides, the packaging of the RMC must be recyclable and contain a certain amount of recycled material. The bag for the menstrual cup shall be made of 100% sustainable certified fibres. As the use phase was found as the most impacting one from an environmental point of view, requirements were developed on the fitness for use of the cup and the information for the user. These two criteria ensure a high quality of the cup (in terms of safety for the user, prevention of leakage and durability of the cup) and a correct
The ecolabelling criteria should be selective and point out the environmental best products on the market. That means that there are products on the market with different environmental status with potential for improvements and that the ecolabelling criteria can make a difference. However, as regards RMC it seems that there are no big differences between the different cups and in this case ecolabelling becomes only a health or quality label. We can´t see the relevance with ecolabelling RMCs.	

	use by the user, in line with safety aspects but without wasting resources (mainly energy and water used to clean the cup), thus reducing the risk of an earlier disposal of the cup compared to its expected (long) lifetime. Finally, a social criterion was set to guarantee that the working rights of the workers have been respected.
Why is it that RMCs shall not be included in the EU regulation 2017/745 medical devices? Other administrations, such as FDA, class menstrual cups as medical devices already and RMCs have also been found to non-invasively used as a collection method for stem cells, which could also fall into medical device regulation. - Faramarzi et al. (2016) / (https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4904135/)	COMMENT CLARIFIED As mentioned in the scope section, the EU Ecolabel shall not be awarded to products that are registered as medical devices. Therefore, if a menstrual cup is registered as medical device in the EU, it cannot be awarded the EU Ecolabel
For horizontal criteria, all my comments from chapter 5 apply as well	COMMENT ACKNOWLEDGED

Assessment and verification (including *Product Description*)

No comments received.

CRITERION 1: Emissions during production of the raw material

Sub-criterion 1.1 Emissions of dust and chlorides to air

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

Sub-criterion 1.1(a) Dust

Comments received in AHWG2/written form	JRC Dir. B response
The following wording is suggested: *(i) This requirement applies to silicones only. The storage and handling of the elemental silicon raw material containing silicon powder/dust shall* *apply at least one of the following techniques:* ·*Storing elemental silicon after grinding in silos;* ·*Storing elemental silicon after grinding in covered areas protected from rain and wind;* ·*Using equipment designed with hooding and ducting to capture diffuse dust emissions during the loading of* *elemental silicon after grinding into storage;*	COMMENT PARTIALLY ACCEPTED The sentence 'containing silicone powder/dust' was not added because unclear. All other suggestions were accepted.

·*Maintaining the atmosphere of the grinder at a slightly lower pressure than atmospheric pressure.* *[Rationale]* Elemental silicon before grinding consists of massive chunks, where dust is not relevant, therefore in these areas, the techniques to minimize emissions of dust are not relevant and not applied. It must be made clear, that the techniques are only applicable for elemental silicon after grinding, containing powder/dust.	
[Criterion 1(a)(ii)] The following changes are proposed: *"(ii) This requirement applies to both silicones and other elastomers. The ~~yearly average from~~ channelled emissions of dust shall be below 5 mg/Nm3. Where a monitoring is required, the dust emissions should be ~~continuously~~ monitored at least every 3 years."* *[Rationale]* According to the final draft of the WGC BREF, the minimum monitoring frequency for dust is once every 3 years (BAT 8, footnote 7). Continuous monitoring is not applied, thus there is no yearly average from a continuous monitoring. Monitoring may also be replaced by the monitoring of substitute parameters (e.g. pressure drop) in combination with filter specifications in some cases. Monitoring requirements are laid down in the permits.	COMMENT ACCEPTED Monitoring of emissions is proposed to be kept at once per year, since no information could be found that emissions of dust during production of silicones and other elastomers is sufficiently stable.

Sub-criterion 1.1(b) Chlorides

Comments received in AHWG2/written form	JRC Dir. B response
The following wordings is suggested: *"(iThis requirement applies to silicones only. The off-gases from the methyl chloride, direct synthesis and distillation process steps shall undergo thermal oxidation followed by scrubbing. The thermal oxidation shall be authorised to burn chlorinated compounds. "* [*Clarification*] Not wrong - but not due to the risk of PCDD/F formation, but for the organic compounds in general – this is not correctly assessed on page 30. Although chlorinated and organic compounds are present, the formation of PCDD/F is largely depending on temperature profiles in the process. PCDD/F is not a relevant compound in the waste gas of the processes: methyl chloride synthesis, direct synthesis and distillation in the production of silicones. PCDD/F formation is not relevant in these processes	COMMENT ACCEPTED
The following wording is suggested: *(i)* This requirement applies to ~~both silicon and~~ other elastomers than silicones. PCDD/F emissions shall be below 0.01 ng TEQ/Nm3. Monitoring of the PCDD/F emissions should take place at least once every year ~~six months~~. [*Rationale*] ·The processes for the production of silicones are not likely to form PCDD/F due to the temperature profiles.	COMMENT PARTIALLY ACCEPTED Monitoring of emissions is proposed to be kept at every six months, since no information could be found that emissions of PCDD/F during production of elastomers is sufficiently stable.

Note: The BAT AEL-range is <0.01 – 0.05 ng TEQ/Nm³, hence the value should be 0.05. Note: According to the final draft of the WGC BREF, the minimum monitoring frequency for PCDD/F is once every year (BAT 8, footnote 9), Note: Waste gas treatment is often organized in a separate unit/installation, especially at integrated production sites, and different monitoring frequencies may apply. •1.1(b) may be not applicable at all – it should therefore be deleted completely	
No standards or test methods are named [Suggestion] List standards or test methods where possible. [Rationale] Does that mean all kind of measurements are acceptable? For CBs it might be hard to judge whether the report/test is ok. Are measurements of the applicant itself acceptable?	COMMENT ACCEPTED Relevant test methods were referenced
The following changes are proposed: *Assessment and verification:* *The applicant shall provide a declaration of compliance from the raw material supplier with criterion 1.1. ~~In addition:~~* *~~– To show compliance with criterion 1.1(a).i, the silicon supplier shall indicate which measure is used on site, providing pictures or projects of the measure installed as supplementary data;~~* *~~– To show compliance with criterion 1.1(a).ii, the raw material supplier shall provide the results of the dust measurements taken on site, together with the yearly average of the dust emission. For the production of silicon, the measurement shall cover grinding, storage and handling of elemental silicon containing silicon powder/dust as a minimum;~~* *~~– To show compliance with criterion 1.1(b).i, the silicon supplier shall provide details on the processing of the off-gases from the methyl chloride, direct synthesis and distillation steps,;~~* *~~– To show compliance with criterion 1.1(b).ii, the raw material supplier shall provide the results of the PCDD/F emissions measurements of the treated gases.~~* [Rationale] A declaration of compliance can be delivered in a standardized way. All other additional named documents would mean a huge personal/time effort for the silicone raw material supplier, that would not be covered by a reasonable cost/benefit range.	COMMENT REJECTED The listed information is needed in order to verify that the criteria are fulfilled. This information need to be submitted only once.

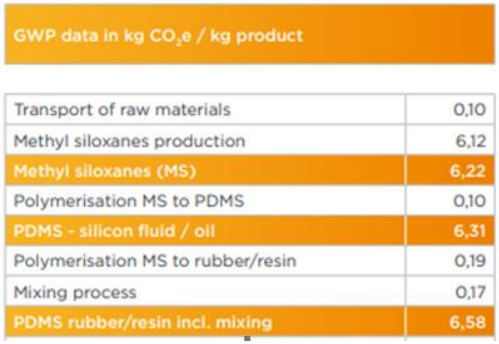
Sub-criterion 1.2 Emissions of copper and zinc to water

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

After dewatering of the sludge before disposal, why given the option to either recover the solid metal residues in metal recovery plants or either disposing the sludge via incineration or landfill. The last option would imply that the solid metals are not recovered and that they may end up contaminating the environment, which does not seem very aligned with the circular economy principles and the waste hierarchy.	COMMENT ACCEPTED

Sub-criterion 1.3 Emissions of CO_2

Comments received in AHWG2/written form	JRC Dir. B response
[redacted] suggests focusing on the reduction on energy consumption, and not only CO2 emissions. 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. Using national CO2emissions factors shall not be possible. In [redacted], this is subject to parliamentary scrutiny.	COMMENTS PARTIALLY 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). A new criterion on energy consumption could not be added due to the lack of data.
The [redacted] strongly disagree with rewarding nuclear energy through the EU Ecolabel. Only when electricity from renewable sources is used an incentive should be provided by deducting from the total calculation of CO2 emissions. Otherwise, the average EU energy grid should be used as a reference.	
The following wording is proposed: - *BREF for SIC 1.3-2.8 kg CO2eq/ kg PDMS (page 35)* - *Global Silicon Council 1.14 kg CO2eq/kg PDMS (page 35)* - *CO2 emissions from the production of the silicon shall not exceed 1.3 kg per kg silicon (criterion 1.3)* PDMS and silicon do not have the same meaning, see comment No. 1. Moreover, we do not understand the values given on page 35 and in criterion 1.3. The value of 1,3 kg CO2eq pro kg PDMS (or silicon?) is roughly 5 times below the current technology. These values do not seem to be representative and need further explanation before we can comment on that. In the current version of the Carbon Balance Study, 2012 from GSC Silicon - Chemistry Carbon Balance (siliconescarbonbalance.eu) the following values were developed across companies:	COMMENT ACCEPTED A new threshold of 6.58 kg CO2eq/kg PDMS rubber is proposed, in line with the GCS report.

	
Regarding the methodology of Calculating PCFs (pages 36 & 37) we would like to point out that TfS (Together for Sustainability) developed a PCF-guideline which specifically meets the requirements of the chemical industry. The guideline is expected to be published in September 2022. We would like to recommend to refer to this PCF guideline. In general a reference to the standards for the calculation should be provided, e.g. with a statement like that:*„The calculation of PCFs should follow the international standards ISO 14040:2006+A1:2021 and ISO 14044:2006+A2:2020 for Life Cycle Assessment. In addition to these generic guidelines, ISO 14067:2018 for Product Carbon Footprints should be followed, taking also into account other guidelines such as the GHG protocol developed in recent years. The WBCSD guideline Pathfinder 1.5 SOS and of Life Cycle Assessments should be considered as well.“* All of these guidelines mentioned above were the basis for a new PCF guideline from TfS (Together for Sustainability). The 100-year GWP characterization factors (GWP100y) according to the Intergovernmental Panel on Climate Change (IPCC) shall be used in the PCF calculations, based on the IPCC's Sixth Assessment Report (AR6).	COMMENTS REJECTED At this stage, a PCF-based calculation is not proposed, as differing very much from the previous approach. Moreover, a PCF-based calculation is expected to increase the costs for companies, due to the analysis to be carried out and to be verified by a third-party verifier. Nevertheless, this aspect has been added to the TR3 as a point for discussion, to gather the other stakeholders points of view.
It is probably not useful to fix data as given in Table 1, as it is state of the art for the industry to update such data continuously, based on new scientific findings. Therefore, TfS prefers to refer to the evaluation method of a PCF calculation, because LCA softwares (such as GaBi for ex.) update such values in the background, for example values of the IPCC AR5 are replaced by the values of the IPCC AR6.	

CRITERION 2: Environmental management of production

Comments received in AHWG2/written form	JRC Dir. B response
The [redacted] support the integration of an EMS, as this requirement will bring savings for the environment and for manufacturers. Why referring only to ISO 14001? EMAS should also be integrated as a reference. Having verified targets would make this criterion more meaningful. In any case, it would be in line with the approach of EMS which are implemented through a continuous improvement approach, by analysis of environmental impacts based on specific indicators, formulation of improvement targets and an action plan to achieve those.	COMMENT ACCEPTED Please, refer to the new proposal for criterion 2 as specified in Technical Report 3.

The following wording is suggested: "The applicant shall provide a declaration of compliance with the cited requirement from (1) the producer of raw materials (silicone or other elastomers) and (2) from manufacturer of reusable menstrual cups. Companies have either to provide their ISO 14001 and/or ISO 50001 certificate(s), which is/are then sufficient as proof for compliance with Criterion 2 or the declaration shall be supported by a report describing in detail the procedures adopted by the suppliers in order to fulfil the requirement for each of the sites concerned in accordance with standards, such as ISO 14001 and/or ISO 50001."	COMMENT PARTIALLY ACCEPTED Please, refer to the new proposal for criterion 2 as specified in Technical Report 3. A similar wording is added in the criterion.

CRITERION 3: Material efficiency in the manufacturing

Comments received in AHWG2/written form	JRC Dir. B response
[redacted] *finds the level at 8% high since the production is done with a homogeneous material where waste should be relatively easy to sort and collect to ensure a high degree of reuse.*	COMMENT ACCEPTED Please, refer to the new proposal for criterion 3 as specified in Technical Report 3. The % of waste generated requirement has been lowered to 4%.

CRITERION 4 Excluded and restricted substances

Sub-criterion 4.1 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

Page 177 –Requirement clarification and implications *"The use of substances or mixtures that are chemically modified during the production process, so that any relevant hazard for which the substance or mixture has been classified under Regulation (EC) No 1272/2008 no longer applies, shall be exempted from the above requirement"* Which requirement: Table 2 or Table 4? this is not clear If Table 2 applies to all the ingredients of the silicone elastomer raw materials before crosslinking to a silicone elastomer, then platinum-catalyzed silicone elastomer raw materials are not useable as raw materials for RMC: - the very commonly used platinum catalyst Karstedt's catalyst, CAS Nr 68478-92-2, is classified as H361d - the very commonly used platinum inhibitor 1-Ethinylcyclohxanol, CAS Nr 78-27-3, is classified as H311 - the very commonly used filler "silanated silica", CAS Nr 68909-20-6, is classified as H373 (18th adaptation to technical progress (ATP))	COMMENT CLARIFIED The exemption refer to both Table 2 and Table 4.

Sub-criterion 4.2 Substances of Very High Concern (SVHCs)

Comments received in AHWG2/written form	JRC Dir. B response
With respect to the challenges raised by the dynamic approach of the SVHC candidate list. Manufacturers would need to find alternatives not only from the moment they chemicals are added to the Candidate List. Even before this, they are aware of the problematic properties of the substances which have a CLP classification and the need to substitute them.	COMMENT ACKNOWLEDGED

Sub-criterion 4.3 Other specific restrictions

Sub-criterion 4.3(a) Excluded substances

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

[redacted] [redacted] would like to recommend to JRC to take into account further sources when determining which hazardous subtsances should be tested in reusable menstrual cups. The following research and references seems relevant: ANSES https://www.anses.fr/fr/system/files/CONSO2016SA0108Ra.pdf ANSES highlights the lack of information regarding material composition also with respect to the use of auxiliaries and intentional additives such as perfumes or colourants (p. 6). In page 7 they describe tests that have been performed with respect to chemicals and VOCs on 9 menstrual cups. Phthalates and plasticisers were not found. As to VOCs they found some problematic levels in 5 menstrual cups. However, the tests were done in conditions that are not representatives of menstrual cycles 60 million consumers (see link below and attached file). https://www.60millions-mag.com/2019/09/13/nous-avons-teste-les-coupes-menstruelles-et-c-est-rassurant-16808 60 million consumers tested the presence of Bisphenol A, SF, phthalates, PAH and azo dyes. All the products were ok. They also point out to different types of silicone quality (medical silicone based on "platine" seems more stable than peroxide, although they did not take this into account in the test).	COMMENT ACKNOWLEDGED The JRC would like to thank the stakeholder for providing such information
"x. Substances identified to have endocrine disrupting properties;" According to which regulation or which list? this must be clarified	COMMENT CLARIFIED This is clarified in the definition section, where it is reported: "'Substances identified to have endocrine disrupting properties' means substances which have been identified to have endocrine disrupting properties (human health and/or environment) according to Article 57(f) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (candidate list of substances of very high concern for authorisation), or according to Regulations (EU) No 528/2012( ) or (EC) No 1107/2009( ) of the European Parliament and of the Council

Sub-criterion 4.3(b) Fragances

No comments received.

Sub-criterion 4.3(c) Inks and dyes

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

[AHWG2 PPT – day 2 Criterion 4.3.c, p. 67] Colour Mixes [redacted] *is made of 100% medical grade silicone. We use FDA and EU approved dye for medical & food use, no heavy metals/phthalates, and colour within the silicone does not leach.* *- EU Regulation 1333/2008* *We propose that the colours used in RMCs should comply with EU regulations for food use, not exceeding specific limits e.g. 2% of total weight.* *- FDA does not approve some Elastosil colour pastels, such as red colours over amounts as low as 1% of total weight (https://www.wacker.com/h/medias/7461E-EN.pdf)*	COMMENT ACCEPTED
TR2, Page 182-> Colorants clarification The dying colorants listed in Regulation (EC) No 1333/2008 are not used in silicone elastomers. Pigments are commonly used for coloring the silicone elastomers and they are not listed here.	COMMENT ACKNOWLEDGED

Sub-criterion 4.3(d) Further restrictions applying to plastic materials

No comments received.

Sub-criterion 4.3(e) Cyclosiloxanes

Comments received in AHWG2/written form	JRC Dir. B response
The following changes are proposed: 1. *"Octamethyl cyclotetrasiloxane D4 (CAS 556-67-2), decamethyl cyclopentasiloxane D5 (CAS 541-02-6) and Dodecamethylcyclohexasiloxane D6 (CAS 540-97-6) shall not be present in the final product in concentrations above 100 ppm (0,01 % w/w). The 100 ppm limit is to be applied to each substance separately."* 2. ~~To demonstrate compliance with sub-criterion 4.3(e), the applicant shall provide a declaration from the supplier that the requirement has been fulfilled.~~ *[Rationale]* 1. Reliable available analytical methods detect cyclosiloxanes in elastomeric matrixes down to 100 ppm, see https://www.silicones.eu/wp-content/uploads/2019/01/Quantification-of-Residual-Amounts-of-Cyclic-Volatile-Methyl-Siloxanes-in-Silicone-Elastomers_final-002.pdf 2. *The cyclosiloxane content in end-articles, made of silicone elastomer raw materials, very much depends on the processing conditions at the manufacturer of the end-article, and only in a limited way on the cyclosiloxane content in the starting raw materials. For ex., following parameters can have a major influence on the content of cyclosiloxanes in the RMC: processing temperatures in the crosslinking process at the end-article manufacturer; post-curing or no post-curing at the end-article manufacturer; and wall thicknesses of the finished end-article, etc…*	COMMENT PARTIALLY ACCEPTED The requirement is proposed to apply to the silicone raw material or other elastomers, before the production of the cup. There was a mistake in the previous report and the proposed limit is indeed 100 ppm

Silicones However different levels and definitions are used for the AHP and menstrual cups criteria, which is a bit confusing and to my understanding the criteria for AHP are more strict as it covers the silicon mixture (which after curing probably gives lower values of D4, D5, D6) where the menstrual cups criteria looks at the polymer itself. When comparing the suggested criteria levels for menstrual cups with the ECHA consultation answers for authorization of D4, D5 and D6 it seems as if the levels suggested for the criteria (shall not be present in the final product in concentrations above 10 ppm) are lower than the level industry says exists in medical devices (which I think is quite similar to menstrual cups). Comparing the suggested levels with the KemI tests six out of seven silicon menstrual cups will meet the requirements. One of the tested cups has levels 74-2000 times higher than the proposed levels. The cups made in TPE don't contain any of the tested substances. This is however what could be expected as the substances where chosen with silicone in mind. kemI made a risk assessment for the levels of D4, D5 and D6 in the cups and found that the use could be considered safe also for the highest level detected. I know the Swedish Chemicals Agency made a monitoring project in 2018 on the topic (unfortunately in Swedish, but with an English summary) https://www.kemi.se/download/18.60cca3b41708a8aecdbc26a8/1587038798179/rapport-3-18-kartl%C3%A4ggning-av-farliga-kemiska-%C3%A4mnen-i-intimhygienprodukter.pdf The three substances in the KemI report that where not risk assessed are three cyclosiloxanes: D7, D8 and D9. These are not as common as D4, D5, and D6. Norm from EMA There is n ICH guideline on unwanted impurities in medical devices which could be applied to menstrual cups: ICH Q3D Elemental impurities | European Medicines Agency (europa.eu)	COMMENT PARTIALLY ACCEPTED There was a mistake in the previous report and the proposed limit is indeed 100 ppm and not 10 ppm. The requirement is now proposed to apply to the silicone raw material or other elastomers, before the production of the cup.

CRITERION 5: Packaging

Comments received in AHWG2/written form	JRC Dir. B response
- Ensuring that packaging materials, particularly primary packaging, are from already 100% recycled sources can be difficult, as there can be questions about the purity of the packaging (e.g. FDA etc. medical device). - We propose that the packaging should be 100% recyclable in further stages, and recycling information and how widely recycled the material is, could also be included in the packaging - Due to differences in materials, such as paper/carton that are very widely recycled, versus some plastics such as PET or plastic films that are not recycled widely and do not result in durable recycled material [redacted] cup packaging is made of carton and paper, including the outer carton shell, inside carton, paper user instructions, and paper stickers. The transparent window is made of cellulose fibre, instead of plastic film and can be normally recycled with carton/paper. These materials are also widely recycled with accessible recycling facilities for most. [redacted] Cup packaging is 100% recyclable, and Lunette secondary packaging includes cardboard boxes, paper stickers, paper sheets to minimise product movement in postage and paper packaging tape, which are also easily recyclable. RMC storage pouch Storage pouch provided with [redacted] are pouches made of recycled polyester materials. Cotton fibre residual on the cup surface could be an issue, and particularly organic cotton is less processed and results in more residual fibres. - [redacted] has decided to opt for this material, since cotton production is very water intensive and often with materials produced from organic cotton it is not certain that the given cotton is organic but only the reflective portion of the production quantity.	COMMENT PARTIALLY ACCEPTED Please, refer to the new proposal for criterion 5 as specified in Technical Report 3. - Cardboard and paper used for the primary and secondary packaging of reusable menstrual cups is requested to be made of 40 and 80 % recycled material respectively. - Plastic used for the primary and secondary packaging of reusable menstrual cups is requested to be made of 10 % recycled material. After 1st January 2028, plastic packaging is requested to contain 25% recycled material. - - The reusable bag or pouch shall be made of 100% sustainable certified fibres and certified as such.

- Other materials, particularly recycled materials, but also hemp, bamboo and cellulose fibre could also be proposed to be included in storage pouch materials, for more reduction in environmental impacts.	

CRITERION 6: Guidance on the disposal of the product and of the packaging

No comments received.

CRITERION 7: Fitness for use and quality of the product

Comments received in AHWG2/written form	JRC Dir. B response
ISO 10993 or USP Class VI guideline for raw material testing, and technical tests on biocompatibility of materials used in manufacturing are supported. We think that some of these tests are not necessary for the final product, like for example biocompatibility for the final menstrual cup. Rather proposing durability tests, design validation or corresponding post-market data analysis from a longer time period would be endorsed to ensure the product durability in the intended use. In-use tests In-use tests such as leakage protection, fit and comfort and overall performance for the final RMC, with an 80% satisfactory rating, or comparable post-market data analysis would be favourable. - For example, we have found that 99% of 1,903 [redacted] users would recommend [redacted] to others ([redacted]). [redacted] has recommended wearing time of up to 12h (except due to market specific regulations in in Germany, Australia, & France - 8h) and within the 17 years of user data, since 2005, [redacted] have not been connected to any TSS (toxic shock syndrome) cases.	COMMENT PARTIALLY ACCEPTED Please, refer to the new proposal for criterion 7 as specified in Technical Report 3. For wearing time and TSS specifications, please refer to criterion 8.
Regarding testing for biocompatibility and general leachability tests: The norm for medical devices contains information on how to test for biocompatibility and there are other guidelines for testing silicones or elastomers, but the issue here is that the "environment" in which a menstrual cup is placed is very different from other contact areas in and on the human body. While the cup will be surrounded my mucous tissue this can probably not be compared with dental products also in contact with mucous tissue since the pH in the mouth and the vaginal tract is not the same. So the testing setup has to be carefully considered.	COMMENT ACKNOWLEDGED

The text reads: *"Technical tests shall be conducted for the material(s) used for the manufacturing of reusable menstrual cups applying for the EU Ecolabel. If it can be demonstrated that several reusable menstrual cups models are manufactured with the same material, it can be enough to test only one material. Special care shall be taken regarding sampling, transport and storage of the materials and products to guarantee reproducible results."* It is not clear if only the cross-linked silicone elastomers shall undergo biocompatibility tests or if the RMC shall undergo biocompatibility tests. This must be clarified (See also comment related to the question *Shall biocompatibility tests be performed to the final menstrual cup as well?)*	COMMENT ACCEPTED Please, refer to the new proposal for criterion 7 as specified in Technical Report 3. Clarification has been added.
It is suggested the following change: ~~A minimum of five samples shall be tested. Average results shall be reported together with indication of the standard deviation~~. [Rationale] From a toxicological point of view, from an ethical point of view and from an animal-welfare point of view (DIRECTIVE 2010/63/EU), it is not acceptable to repeat unnecessarily tests on animals. The demand for representativeness of the sample is already written in Criterion 7: *"The following elements shall be specified: place and date of the tests; criteria used to select the products tested and their representativeness;"* So a repetition on 5 samples is absolutely redundant, useless and not justifiable.	COMMENT ACCEPTED Please, refer to the new proposal for criterion 7 as specified in Technical Report 3. Clarification has been added.
- *Shall both ISO 10993 series and the USP Class VI standard be considered equivalent for biocompatibility compliance*? Yes, as they are intended for the same purpose, they should be handled equivalently. It is to be noted, that USP Class VI tests are exclusively tests on animals (See previous comment on minimum sample number!). - *Shall biocompatibility tests be performed to the final menstrual cup as well*? No. If the raw material supplier can already provide relevant biocompatibility tests certificates on one representative cross-linked silicone elastomer sample, then it is not necessary to perform new tests on the end-article (See previous comment on minimum sample number!). - *Shall hemolysis testing (ISO 10993) be required at all*? No. RMC do not get into contact with circulating blood, therefore this test is not relevant at all for the RMC.	COMMENTS ACCEPTED Please, refer to the new proposal for criterion 7 as specified in Technical Report 3. Clarification has been added.

CRITERION 8: Information for the user

Comments received in AHWG2/written form	JRC Dir. B response
[redacted] suggests setting more clear advice on how to use and clean the products. The guidance shall ensure both safety and the environment.	COMMENT PARTIALLY ACCEPTED Please see the new proposal for criterion 8 at section 6.9 of the TR3.

EU Ecolabel should precisely prescribe the content of the consumer information. [Rationale] The discussion showed that the specifications could differ greatly depending on the manufacturer. To ensure the highest possible level of safety and environmental compatibility, should the core content be given.	COMMENT PARTIALLY ACCEPTED The new proposal adds more details and prescribes the need for validation studies backing up the guidance of the manufacturers. However, very specific indications cannot be given in the context of the EU Ecolabel criteria, as it depends on the specificities of the product and should be the manufacturer's responsibility, especially given the absence of data in the literature.
Due to different materials and designs used for RMCs, we believe all cups should have a product specific cleaning validation test to determine the efficiency of the proposed cleaning practice. General guidelines could potentially be misleading for some materials or different cleaning products might not be sufficient for cleaning the cup during the cycle. As for [redacted], it was found in a lab study that cleaning the cup during the periods with our Cup Cleanser, which is specifically designed for medical grade silicone cups, and boiling it for 5-10 minutes after the period was sufficient to sanitise the RMC.	COMMENT PARTIALLY ACCEPTED The new proposal sets the need for validation studies backing up the guidance of the manufacturers. However, very specific indications cannot be given in the context of the EU Ecolabel criteria, as it depends on the specificities of the product and should be the manufacturer's responsibility, especially given the absence of data in the literature.
The 8 to 12 hour wearing time of the internal protection as indicated in the LCA RMC report is not acceptable. After 6 hours the bacteria reach a critical development threshold, at which point the TSST-1 toxin is produced. The toxin leads to Toxic Shock Syndrome (TSS) which can lead to amputations and even death of the user. Because of this risk, there is a lack of information on which hygiene protection to prohibit at night, the recommendations of the French social security system are not to wear internal protection at night in order to reduce the risk of developing TSS (Toxic Shock Syndrome). We recommend a change of cup 4 times a day at least every 6 hours. We therefore warn you that wearing a menstrual cup for 8 hours to 12 hours puts the user at risk. Supporting documents: Study of the ANSES (Safety of intimate protection products December 2019, referral number: 2016-SA-0108) (In collaboration with the expertise of the Claripharm Laboratory) Internal study of wearing time in the face of Toxic Shock Syndrome: with evolution of Staphilococcus aureus Claripharm can make available the study performed on the development of the bacteria.	COMMENTS REJECTED After researching the relevant literature, clear guidance on the wearing time of the cup could not be concluded. For this reason, and given the absence of an official guidance, it is not proposed to set a maximum wearing time in criterion 8. Rather, it is proposed that the wearing time recommended by manufacturers should be proven by submitting relevant studies supporting the guidance. Relevant studies include biological risk assessment and toxicology studies. Moreover, given the ANSES's findings on the fact that only one woman out of three wash her hands before changing protections, it is proposed to add to the instructions information on the importance of washing the hands to avoid the transmission of bacteria. Please refer to section 6.9 of the TR3 for more details.
based on different studies (with focus on tampons) and for safety reasons, the maximum wearingtime allowed is 6 hours.	
We would like to highlight the variability in literature regarding recommended wearing times (normally 4-8 hours but also found as high as 12 hours)	

With respect to information for use it is important to consider the following: - Washing hands before use. According to ANSES less than one women in three was hands before changing protections, while hands are the main vector for transmission of staphylococcus. - Avoid wearing the menstrual cup more than 6 hours. There is not yet official recommendations developed, although in the 2nd AHWG we learned that in France a law is in preparation with regards to this. Some manufacturers recommend 12 hours, but this is far too long compared to the maximum duration recommended by "Centre National de Reference des staphylococcus" in France which is 6 hours. The main reason for this is the risk Toxic Shock Syndrome. This center also advices not to wear tampons or menstrual cups overnight. We understand that there is a trade-off with environmental impact that would be lower if wearing the cup for more hours. However, safety should come first. We recommend to the JRC to take into account the recommendations from ANSES, the CNR and the decree under preparation in France. See more details in this article: https://www.60millions-mag.com/2019/09/13/nous-avons-teste-les-coupes-menstruelles-et-c-est-rassurant-16808	
In the LCA RMC report it is stated that the lifetime of the cup is 10 years, however each supplier must be able to justify the lifetime of the silicone. Addition: A justification for the lifetime of the cup is necessary and is to be proven by the "Biological Risk Assessment" for example.	COMMENT ACCEPTED

CRITERION 9: Corporate Social Responsibility with regards to Labour Aspects

No comments received.

CRITERION 10: Information appearing on the EU Ecolabel

Comments received in AHWG2/written form	JRC Dir. B response
As mentioned repeatedly in the TR, "according to the LCA screening study performed on RMC, the use phase is the most relevant life cycle phase, accounting for 96-99% of the results, depending on the impact category". As vehemently reminded during the AHWG, any modification of the use phase to reduce this impact (namely, increasing the duration of use) is strictly not recommended for obvious (and documented) sanitary reasons. If we take this in account, the EE claim "Product designed to reduce environmental impact" is not only inappropriate but also misleading. It could be useful to make a double check – with legal advisors - before going ahead.	COMMENT ACKNOWLEDGED The LCA screening study performed on Reusable Menstrual Cups (RMC) identified that when the use phase is excluded from the assessment, raw material acquisition is the most relevant life cycle stage for all impact categories for both cup types, with the shares between 84% and 100% (silicone cup), and 80% and 100% (TPE cup). The study concluded that silicone production was the most relevant process in Resource Use – minerals and metals (95%) and Human Toxicity – non-cancer (95%) impact categories, which were not identified among the most relevant life cycle stages when analysing results with the use phase. In the same way, for the

	thermoplastic elastomer production the most relevant process was also Resource Use – fossils impact category (36%). Criteria are designed in line with these requirements. All in all, it is sufficiently proven that EU ecolabelled RMCs would: - be designed to reduce impact on the environment, - fulfil strict requirements on harmful substances, - have verified performance.

ANNEX III – Comments to third technical report (AHP)

Comments received after the EUEB meeting (February 2023). Comments refer to the third version of the revised criteria proposal.

Act

Comments received in EUEB/written form	JRC Dir. B response
Decision/Act Relation to EU Textile criteria *Ecolabelling Denmark / Ministry of Environment finds that the new text in recital (9) in the proposal is not correct and should be either adjusted or deleted. Washable diapers made of cotton is included in the current scope of EU Ecolabel criteria for Textiles (2014/350/EU). The wording in recital (9) anticipates that this is not the case.* *Moreover, it should be clearly stated that an EU Ecolabel license cannot be granted or marketed as a product regulated by the Medical Devices Regulation. This opens the possibility to ecolabel incontinence products, but only if they are not CE labelled.*	COMMENT ACCEPTED The recitals in the Act have been modified accordingly.

Scope and definitions

Comments received in EUEB/written form	JRC Dir. B response
-Technical Report 3 -Definitions -Page 20 The definition refers to recycled content certifications, including both PCR and PIR. RecyClass Recycled Content audit scheme covers both and the scheme is able to trace the physical presence of recycled plastic in packaging and products (controlled blending chain of custody methodology). Other schemes based on different methodologies are not able to trace the physical presence of the recycled plastic in packaging (being the only methodologies able to trace it 'segregation' and 'controlled blending'). More information are available at: https://recyclass.eu/get-certified/recycled-plastic/#1 We would make you aware that the PPWR only refers to PCR.	COMMENT ACKNOWLEDGED
Scope We appreciate that the added value of reusable textile products has been recognised and that the preamble refers to its potential inclusion within the upcoming revision of the EU Ecolabel for textiles. The promotion of reusable alternatives by the EU Ecolabel brings environmental benefits and would be in line with the goals of the Circular Economy Action Plan. We also recommend that incontinence products remain in the scope.	COMMENTS ACKNOWLEDGED

Considering the high environmental impacts of incontinence products and the fact that its market share will certainly increase in the near future due to the aging of the society, we support that this type of products falls within the scope of the current draft Decision. We also believe that a clear wording will avoid any potential confusion amongst future applicants.	
TR3 Annex 1 – AHP definition, page 2 and section 7 Modification and clarification in User Manuel Impurity: the threshold of impurity should be aligned to those expressed in other legislation such REACH, CLP when applicable. The defined 0,01% i.e. 100ppm may be referred to as the limit to restricted substance in the impurity (as in the in-going substance), but it should be used as definition for impurity in general. Therefore, it is suggest to change as the following: page 2 '(6) 'Impurities' means residuals, pollutants, contaminants etc. from production, including the production of raw materials, that remain in the <u>final</u> ~~chemical~~ product. ~~in concentrations less than 100 ppm (0,0100 w-%, 100 mg/kg).~~ [to be added to the User Manual: Examples of impurities are residues of the following: residues or reagents including residues of monomers, catalysts, by-products and detergents for production equipment and carry-over from other or previous production lines.]' Page 22: 'Moreover, the final product and any components ~~articles~~ therein, shall not contain ingoing substances (alone or in mixtures) in concentrations greater than 0,010% (weight by weight) that are assigned any of the hazard classes, categories and associated hazard statement codes stated in Table 6, in accordance with Regulation (EC) No 1272/2008 – unless derogated in Table 7.' To Add here: <u>The impurities in the final product and any components therein shall not contain in concentration greater than 0,01% (weight by weight) any substances (alone or in mixtures) that are assigned any of the hazard classes, categories and associated hazard statement codes stated in Table 5 and 6.</u>	COMMENT PARTIALLY ACCEPTED The definition refers now to final product, whereas a clarification on the limit for impurities has been given in the assessment and verification of criterion 7.1
- Page 13-16 Extension of the scope and translation We would like to indicate that the title of the the product group's name is still confusing. It would be beneficial to either mention "Reusable menstrual cups" first, because otherwise the adjective "Reusable" could be considered to be applicable to both the "Absorbent hygiene products" and the "Menstrual cups"; or to mention "Single-use absorbent hygiene products", to avoid any confusion in French.	COMMENT ACKNOWLEDGED The name of the PG is kept as Absorbent Hygiene Products and Menstrual Cups. However the title of the Commission Decision has been amended to be called 'COMMISSION DECISION 2023/XXX of XXX establishing the EU Ecolabel criteria for absorbent hygiene products and for reusable menstrual cups'.
TITLE OF THE EU ECOLABEL Clarification of the scope and translations The actual title of the ECOLABEL may be a subject of misinterpretation and particularly in its translation into European languages with the characteristics of reusable or single-usable. REQUEST : we would like to suggest to retile the ECOLABEL as "<u>single-use absorbent hygiene products and reusable menstrual cups</u>" (which would be in French *« produits d'hygiène absorbants à usage unique et coupes menstruelles réutilisables »*	
Art 1 Scope Although we regret that incontinence products in general cannot be part of the scope, we don't think that it is a good idea to extend the scope to incontinence products without CE mark. In our opinion it can be confusing e.g. public authority ask for EU Ecolabel in their tenders and no EU Ecolabel products are on the market. This can be negative for the reputation of the EU Ecolabel. And we also think that it 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. So if incontinence products cannot be included as a whole we propose to exclude all incontinence products from the scope.	COMMENT REJECTED In GPP criteria the EU Ecolabel is only one of the means that can be used to verify the GPP criteria, but never the only one.
Scope Medical device We would like to remind you that, as for every kind of products destined for incontinence, they are classified as medical device in France.	COMMENT ACKNOWLEDGED
Technical report v. 3.0 October 2022, 3 Scope and definition Pg.13 Overall comment regarding AHP definitions. <u>Recommendation to harmonize definition of key words with EU regulation and replace following definitions</u> a. "cellulose" (definition #3 in AHP): Replace the cellulose definition from REACH with the CAS number	COMMENT PARTIALLY ACCEPTED Definition for polymer has been added as defined in as defined in REACH Regulation 1907/2006/EC. The definition of ingoing substances has not been changed as this is in line with other ISO type I ecolabels and with others EU Ecolabel product groups.

265-995-8 Cellulose Pulp 65996-61-4 b. "ingoing substances" (definition #7 for AHP): Add the definition of "use" from REACH to replace the one they have called "in-going" substance which also refers to the release of formaldehyde/acrylamide in a very unspecific and unharmonized way c. "Plastic" (definition #10 in AHP): Add the "polymer" definition from REACH Regulation d. Add the definition of "unintentional ingredients" from the POP Regulation https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02019R1021-20210315: 'unintentional trace contaminant' means a level of a substance that is incidentally present in a minimal amount, below which the substance cannot be meaningfully used, and above the detection limit of existing detection methods to enable control and enforcement	
Additives: means substances added in small quantities to components, materials or the final product in order to improve or preserve some its characteristics. What is meant with small quantities? And what is the difference between "additive" and a "component"? And what is meant with "preserve some of its characteristics"?	COMMENT CLARIFIED A component is a material that is part of the AHP, for example fluff pulp, SAPs, adhesives; an additive is a substance that is added to the material so that the material can fulfil its function, e.g. a stabiliser in SAP. "Preserve some of its characteristics" means for example a substance that prevents the degradation of a material.
Technical report v. 3.0 October 2022, 3 Scope and definition, Pg.15 Recyclability capacity …means the amount (mass or percentage) of an item available for recycling Is this before or after use?	COMMENT ACKNOWLEDGED Definitions on recyclability do not specify if that capacity is before/after the product/packaging/etc is used and in any case it does not seem to affect (or it should not). A product/packaging/etc is discarded and then enters a certain process for its recyclability (consumers should have used it but it may not also). If by any means, an item is prevented from being recycled because it is used, then that item cannot be recyclable and it cannot be specified that the item is recyclable.
Pg.18 (Last Paragraph) Incontinence products might fall under Medical Devices Regulation (MDR) (EU) 2017/745 when the manufacturer demonstrates the intention of covering a medical purpose. Option 1: Absorbent Hygiene Products ~~Incontinence products~~ might fall under Medical Devices Regulation (MDR) (EU) 2017/745 when the manufacturer demonstrates the intention of covering a medical purpose according to applicable harmonised standard (1) Option 2: Incontinence products fall under Medical Devices Regulation (MDR) (EU) 2017/745 when the manufacturer demonstrates the intention of covering a medical purpose according to applicable harmonised standard (1) Option 1 or 2	COMMENT ACKNOWLEDGED

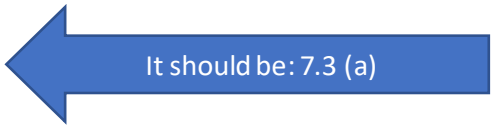
(1) As refers the Regulation (EU) No 1025/2012 Rationale: Manufacturer must comply with the requirements for operating in medical device (facility) and evidence the safety and effective use of the Medical Device	
Pg.18 Incontinence products might fall under Medical Devices Regulation (MDR) (EU) 2017/745 when the manufacturer demonstrates the intention of covering a medical purpose. The refer to adult incontinence products, where this would apply, which are excluded by Article 1, i.e. the scope of the EU Eco Label for AHP.	COMMENT ACKNOWLEDGED
ANNEX I, definitions, (5) technical Please delete the term "compostability" (see also to No. 5) Criterion 5. Biodegradability Compostability According to the scope The product group 'absorbent hygiene products' shall comprise any article whose function is to absorb and retain human fluids such as urine, faeces, sweat, menstrual fluid or milk, excluding textile products.: which of these products could be compostable in a private way? We think this is misleading. Consumers might think that they can throw the diaper or something similar on a compost. All hygienic products contain composite materials. These materials are not compostable and should not come in the natural environment. Therefore, we suggest to delete the criterion.	COMMENT ACCEPTED In the last step of the revision process all comments and discussions were not in favour of the introduction of a criterion on compostability as currently there is no standard that defines the compostability of a full AHP, it can be confusing for consumers, the waste management of AHP is different in each MS and moreover, composting facilities usually do not accept AHP. Although there are some examples of recycling facilities in Italy and The Netherlands, this solution does not apply to all MS. All these reasons led to the conclusion that it is more appropriate to eliminate this criterion.
ANNEX I, definitions, (5) technical A better term for "Man-made cellulose fibres" is regenerated fibres. We discussed this a lot during the revision of the Blue Angel for Textiles. We used the following definition: Regenerated fibres: Fibres made from natural polymers by dissolving and regenerating them. These polymers can be cellulose or proteins. Currently, Lyocell, Modal and Viscose are approved in these award criteria.	COMMENT ACKNOWLEDGED We have used the definition currently used in the EU Ecolabel for textiles. However a clarification is added in the definition section for MMCF, also known as regenerated fibres.

Assessment and verification (including *Product Description*)

Comments received in EUEB/written form	JRC Dir. B response
Technical report v. 3.0 October 2022, 4 Assessment and verification Pg.21 Overall comment / Assessment and Verification requirements *Recommendation to have a simplified approach (eg: scientific rationale) for last minute material changes with reduced lead time to get approval to continue production and avoid product disruption. EU Ecolabel should allow for a more dynamic change management approach to follow product innovation and supply chain changes.* *a. Innovation is key to constantly push the boundaries of absorption and performance while improving the environmental footprint of the product across its life cycle. The heaviness of EU Ecolabel administrative process slows down the innovation rhythm for awarded products. This means that the portfolio of awarded products may become outdated and would not reflect the best industry practices few years after the initial certification.*	COMMENTS ACKNOWLEDGED The procedure of awarding the EU Ecolabel applies indistinctively to all product groups, and any changes should be discussed and approved at Competent Body Forum level.

b. In current period, last minute changes are unpredictable and dependent of external factors. Currently, the only solution for AHP manufacturer is to stop the production of awarded products creating a product shortage for the consumers.	
MINOR MODIFICATIONS Simplified procedure We would like to take into account a simplified procedure (such as scientific justification) for minor modification with a reduced delay. This, in order to allow a necessary flexibility for an industrial product and to avoid the interrupt of production for an ecolabel product and allow the minor changes.	

Criteria proposal for absorbent hygiene products. Summary of changes

Comments received in EUEB/written form	JRC Dir. B response
Technical report v. 3.0 October 2022, 5.1 Summary of changes proposed for the overall structure of the current EU Ecolabel criteria for Absorbent Hygiene Products Page 24: Typo 7.3. Other specific restrictions *5.3(a). Specified excluded substances* 	COMMENT ACKNOWLEDGED We do not see where the 5.3 is.
General It is crucial to keep in mind that Absorbent Hygiene Products are single-use products. If the EU Ecolabel will be displayed on such products, the criteria should truly differentiate best in class products based on best available manufacturing processes.	COMMENT ACKNOWLEDGED

CRITERION 1: Fluff Pulp

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

In general, [redacted] agrees with the proposals presented regarding criteria 1 (including 1.5), 2, 4.2, 5 and 8.	COMMENT ACKNOWLEDGED

Sub-criterion 1.1 Sourcing of fluff pulp

Comments received in EUEB/written form	JRC Dir. B response
We welcome that the proposal requires 100% of fluff pulp suppliers to be covered by a chain of custody, and that 70% is the minimum share for both fluff pulp and man-made cellulose originating from sustainably managed forests. This threshold is a minimum acceptable level, in line with the required share by sustainable forest certification schemes, such as FSC. The offer of FSC nappies is very common in the EU market and therefore the EU Ecolabel should not lag behind this standard. The protection of forests is essential to curb climate change and biodiversity loss. Therefore, the ultimate goal should be that 100% of fluff pulp is orginating from sustainably managed forests.	COMMENT ACKNOWLEDGED
We welcome that the JRC proposes to increase the ambition level of the share to be covered by Sustainable Forestry Management certificates to 70% for both pulp and cellulose fibres. However, we consider that 70% is not a very ambitious requirement but rather the minimum level that should be used as a reference. *70% is in line with the required share by sustainable forest certification schemes, such as FSC. The offer of FSC nappies is very common in the EU market and therefore the EU Ecolabel should not lag behind this standard.* *The protection of forests is essential to curb climate change and biodiversity loss. Therefore, the ultimate goal should be that 100% of fluff pulp and cellulose fibres is originating from sustainably managed forests.*	COMMENT CLARIFIED A 70% threshold is proposed (instead of 100%) in order to take into account important factors such as the security of supply. As documented in the Technical Report 2.0, the vast majority of fluff pulp in AHPs comes from the Americas, and especially the US (75-85%). Given that the % of forest certified as SFM in the US is not as much as in the EU, a 100% threshold cannot be proposed. When consulted, the EU Ecolabelling Board members have agreed with this approach. However, it is clear that this % will be re-examined for the next revision to protect the biodiversity of forests.
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. *This ambition level is very important due to the fact that the EU Ecolabel allows fluff pulp from eucalyptus plants. The cultivation of Eucalyptus brings many disadvantages for the natural environment. Therefore, it is so important that eucalyptus is grown sustainably.* *The Blue Angel also demands for 100 % and the latest certifications shown that this level is feasible.*	COMMENT REJECTED There is probably a misunderstanding about the criterion and the different systems in place for the SFM certifications. First of all, the EU Ecolabel criterion applies to the raw material, not to the product – therefore all the SFM certifications must refer to the ingoing fibre materials and not to the labelling of the final product. Indeed, the scenario depicted by the stakeholder could apply only with the FSC %-system, which is allowed in the EU Ecolabel, but that current licenses have never used so far. Nevertheless, with such FSC %- system, the 70% threshold applies to have the right to label the product with FSC mix. In the EU Ecolabel, if you have the right to label the product with FSC mix, then your product fulfils the requirement 70% certified fibres automatically. You don't calculate 70% out of 70%. For the other systems allowed in the EU Ecolabel, FSC credit system and PEFC, this scenario does not apply.
The audited accounting documents shall be valid for at least one year prior to the application date.	COMMENTS ACCEPTED

Difficult to understand the meaning of this. Must a pulp supplier then have a valid amount of certified forest fiber for one full year before this would be valid to fulfil the criterion?	The certifications shall not be valid 12 months before the application date; rather, they shall be valid during the whole duration of the license. The wording has been changed in the legal proposal.
Difficult to understand the meaning of this. Must a pulp supplier then have a valid amount of certified forest fiber for one full year before this would be valid to fulfil the criterion? What is the purpose? If you manage to get contracts for certified fiber, you have a date when you have the specified amount and from that date it must be valid as the fulfilment of the criteria. Other criteria don't have to be fulfilled a year in advance.	
Assessment and verification:***…."The audited accounting docu****ments shall be valid for at least one year prior* ***to the application date."*** Comment: No, just the opposite, the criterion fulfilment shall be checked 12 months after the license has been awarded. You can never ask the applicant to fulfil a requirement before the license is awarded, perhaps they don´t even know 1-2 months before that they will apply for a license. We always check the documentation regarding the certification requirements 12 months after. The other requirements need to be fulfilled before the license is awarded. The CoC certificate must also be there from the beginning, as well as the accounting system, but the 70% is checked afterwards.	

Sub-criterion 1.2 Bleaching of fluff pulp

Comments received in EUEB/written form	JRC Dir. B response
Bleaching of fluff pulp and man-made cellulose fibres (criterion 1.2 and 2.2) We have advocated in this criteria revision process for a minimum AOX threshold of 0.10kg/ADt and eventually aiming for allowing exclusively bleaching through TCF processes. However, we welcome the proposal to set this level at 0.14 10kg/ADt as compromise on the path towards clean processes. Only ECF bleaching from well performing manufactories should be acceptable under the EU Ecolabel. Making AOX emissions stricter is the right approach to align the EU Ecolabel with the goals of the Zero Pollution Action Plan. The criteria of the label should reward those companies that are taking extra steps to reduce the environmental footprint of their products. In 2015, already 19 out of 35 EU pulp mills could deliver AOX emission levels at or below 0.10 AOX. Since then, and until 2020, the pulp capacity in the EU has increased by around 3 million tonnes from modern ECF mills that can meet a low AOX threshold. While the EU demand of fluff pulp was 1,6 million tons in 2019, the two largest fluff pulp producers in the EU have a capacity of approximately 500 000 tonnes per year. They can deliver fluff pulp meeting low AOX levels. Moreover, recently EU Storaenso has announced an investment of 40 million € in increasing their capacity of fluff pulp produced without bleaching. This will allow a further increase in the offer of more environmentally friendly fluff pulp in the Europe. We would not support increasing the AOX above 0.14 since this would not be in line with EU Best Available Techniques and undermine the efforts by companies engaged in reducing pollution.	COMMENTS ACKNOWLEDGED
We have advocated in this criteria revision process for a minimum AOX threshold of 0.10kg/ADt and eventually aiming for allowing exclusively bleaching through TCF processes. However, we welcome the proposal to set this level at 0.14 10kg/ADt as a compromise on the path towards clean processes. Only ECF bleaching from well performing manufactories should be acceptable under the EU Ecolabel. Research shows that with an AOX value of 0,20 there is a big difference in toxicity between ECF and TCF processes. Although this research is not available with respect to comparing the value of 0,10 and 0,14,	

lowering the AOX value minimises the risk of chlorine chemicals pollutants. ANSES concluded that eliminating chlorinating agents from the bleaching process reduces the risk of hazardous chemicals being present in baby diapers. Making AOX emissions stricter is the right approach to align the EU Ecolabel with the goals of the Zero Pollution Action Plan. The criteria of the label should reward those companies that are taking extra steps to reduce the environmental footprint of their products. With respect to the argumentation that lowering the AOX value will lead to more use of chemicals, we would like to highlight that the chemicals used are oxygen, ozone and hydrogen peroxide. The first two are produced in the mill and the last one needs to be bought. However, also chlorate to produce chlorine dioxide is necessary. An overview of comparative data on inputs of chemicals would be necessary to accept the argumentation that lower AOX value leads to higher inputs of chemicals. The following numbers and developments justify stricter AOX limits: In 2015, already 19 out of 35 EU pulp mills could deliver AOX emission levels at or below 0.10 AOX. Since then, and until 2020, the pulp capacity in the EU has increased by around 3 million tonnes from modern ECF mills that can meet a low AOX threshold. While the EU demand of fluff pulp was 1,6 million tons in 2019, the two largest fluff pulp producers in the EU have a capacity of approximately 500 000 tonnes per year. They can deliver fluff pulp meeting low AOX levels. Moreover, recently EU Storaenso has announced an investment of 40 million € in increasing their capacity of fluff pulp produced without bleaching. This will allow a further increase in the offer of more environmentally friendly fluff pulp in Europe. We are aware that this capacity would not be sufficient to cover all the production of AHP or other pulp-based products in Europe, but we think that considering this development is relevant since the EU Ecolabel, as the best-in-class label, is expected to reward the 10-20% most environmentally friendly products. Between September 2021 and September 2022, the number of certified Absorbent Hygiene Products more than doubled to over 400. A stricter AOX limit building on Best Available Techniques will encourage more EU pulp mills to produce fluff pulp that meets EU Ecolabel requirements. https://www.anses.fr/en/system/files/CONSO2017SA0019EN.pdf	
Even if we understand the rationale, in the absence of feedback from our companies our request is to maintain the previous limits (0.35 kg/ADT) for the two types of chemical pulp (Bleached chemical pulp - except sulfite pulp and unbleached pulp) as currently provided for tissue paper. *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 correctly implement this requirement*	COMMENT REJECTED According to the data available to the JRC, the proposed limits are achievable by fluff pulp producers.
Comment: Just repeating: The measurement frequency should be once a week. The variations in the AOX emission levels during a continuous production may be so big that a single sample every month does not give a representative picture of the emissions.	COMMENT REJECTED The monitory frequency is set in accordance with the Best Available Techniques, which set it at once a month for kraft pulp.

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 EUEB/written form	JRC Dir. B response
COMMENTS ON CRITERION 1, FLUFF PULP	COMMENTS ACCEPTED

Fluff pulps produced at non-integrated mills Fluff pulps are usually produced at integrated mills, but can also be produced at non-integrated mills. Non-integrated mills are operating with market pulps as raw material and converting them to fluff pulp. Producing fluff pulps at non-integrated mills typically leeds to bigger emissions and energy use because of an additional drying stage. Non-integrated mills can provide special fiber mixtures and tailor-made grades for specific applications which otherwise would not be available. Current criteria proposal do not acknowledge at all this separate conversion process, hence it makes it difficult to fulfil the tightened criteria. It is difficult for example for a "non-integrated TCF fluff pulp" to meet the criteria. According to our knowledge there are only two producers of TCF fluff pulp and one of these two is a non-integrated fluff pulp mill. We ask JRC to consider adding separate reference values for non-integrated fluff pulp production. This means separate reference values for pulps used as raw material and for the conversion process. Unbleached pulp There is more and more interest in the use of unbleached pulp in hygiene products. The functional requirements of the end products, however, sharply limits the options of suitable unbleached pulp type and manufacturing process for them. The pulp must be as clean as possible and have good absorbency, which is not inherent to unbleached pulp, e.g. due to the high amount of residual lignin. For this reason, when converting chemical pulp to fluff pulp, the only suitable totally unbleached pulp is the so-called UKP-E quality. Other unbleached pulps, like the ones used in liquid packaging boards, are not good enough in terms of absorbency. The reference values for unbleached pulp in the current criteria proposal are however adjusted to production of basic grades of unbleached chemical pulp, not for UKP-E pulp. Mechanical pulp The use of mechanical pulp (CTMP) in hygiene products has attracted increasing interest during the past couple of years. There are two main reasons for the interest; one is the clearly cheaper raw material price; the other is that the yield of mechanical pulp from wood is almost double compared to chemical (kraft) pulp (95% vs. 50%). The proposed new criteria would probably prohibit the use of mechanical pulp in hygienic products at least when the fluff pulp is being produced at non-integrated mills, unless the energy reference limits of CTMP pulp are changed or separate reference limits for the conversion step in a non-integrated production process are created.	Limits have been revised and separate cases are now possible under the EU Ecolabel for integrated mills and non-integrated mills.
NOx limit The 1,5 kg/ADt limit for NOx emissions is fine for pulp mills. For non-integrated fluff pulp producers, it is not. A distinct case should be defined for them as Nordic ecolabel is in the process of doing. Please contact them for details.	
Summary of corrective proposals *a. Fluff pulp is produced both by integrated and non-integrated pulp mills.* *Non-integrated mills are operating 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.*	
b. The limits should allow operating room for non-integrated fluff pulp producers. 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.* *[Suggestion] Create separate reference values for the conversion process or otherwise leave NOx at 1,6 kg/ADt.* *Note, that Nordic Ecolabel has already started a rectification process regarding this topic.*	
Separate reference values for the converting process in non-integrated manufacturing Comment from previous round: 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. JRC Dir. B response: COMMENT ACKNOWLEDGED Contacted them. Fact is that no one from JRC has been in contact with the manufacturer since the previous round to clarify and to learn more about the issue. It is of utmost importance that JRC truly understands and acknowledges the non-integrated process type at an early stage of this criteria update process, as neglection can have heavy impact on current label holders.	
NOx limit 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. [Suggestion] Create separate reference values for the conversion process or otherwise leave NOx at 1,6 kg/ADt. Note, that Nordic Ecolabel has already started a rectification process regarding this topic.	
Phosphorus (P) Totally unbleached fluff pulp is produced only in a non-integrated process, as the functional requirements of the end products sharply limits the options of suitable manufacturing processes. The pulp in question must be as clean as possible and have good absorbency, which is not inherent to unbleached pulp, e.g. due to the high amount of residual lignin. For this reason, when converting chemical pulp to fluff pulp, the only suitable unbleached pulp is the UKP-E quality. UKP-E is the purest possible unbleached pulp quality and is therefore suitable for hygiene product applications designed for intimate areas. Other unbleached pulps are simply not good enough in terms of absorbency. Reference values for unbleached fluff pulp should be adjust according to usable raw material, in other words according to UKP-E emission levels. Note, that Nordic Ecolabel has already started a rectification process regarding this topic.	
Totally unbleached fluff pulp is produced only in a non-integrated process, as the functional requirements of the end products sharply limits the options of suitable manufacturing processes. The pulp in question must be as clean as possible and have good absorbency, which is not inherent to unbleached pulp, e.g., due to the high amount of residual lignin. For this reason, when converting chemical pulp to fluff pulp, the only suitable unbleached pulp is the UKP-E quality. UKP-E is the purest possible unbleached pulp quality and is therefore suitable for hygiene product applications designed for intimate areas. Other unbleached pulps are simply not good enough in terms of absorbency. [Suggestion] Reference values for unbleached fluff pulp should be adjust according to usable raw material, in other words according to UKP-E emission levels. Note, that Nordic Ecolabel has already started a rectification process regarding this topic.	
Pine species	

Instead of loblolly pine, should mention Southern pine species and remove the condition about supplemental P added during wastewater treatment. Loblolly pine is never used alone, but always with other Southern pine species.	
Page 34, Annex I, has a table with Pref in the column header. In this column on the Bleached chemical pulp (others than sulphite) row there is a value of 0,09 and footnote (2). This footnote under the table appears to have a typographical error where the value of 0.3 kg P/ADT is written, yet it assumed the intended value is 0.03 kg P/ADT. This assumption is based on the use of the 0.03 value on page 37 where the application of this value is discussed. *While we recognize the value of minimizing supplemental phosphorus addition to the wastewater treatment system, we believe that an explicit limitation on this activity is not necessary to minimize phosphorus release to the environment and may have unintended impacts on wastewater treatment operations. The most common secondary treatment technologies require a minimum amount of phosphorus to function as designed (Tchobanoglous et al 2014, Grady et al. 1999). It is not clear if these technology concerns were considered in the development of the phosphorus supplementation limit of 0.03 kg P/ADT. Our initial calculations suggest that mills using activated sludge technology (ASTs) will have difficulty operating properly under this limit. There are several problems associated with under-supplementation of phosphorus in ASTs, most notably difficulties with secondary clarification, potentially resulting in high discharges of BOD and TSS. The substantial cost of supplemental phosphorus combined with effluent quality goals incentivize mills to identify the minimum amount of supplemental phosphorus necessary to operate wastewater treatment units as designed, as there are no benefits associated with adding more phosphorus beyond this minimum amount. We suggest that the supplemental phosphorus limit be removed to allow mills the flexibility to meet the phosphorus effluent criterion in accordance with their on-site wastewater treatment plant technology. If the supplemental phosphorus limit is maintained, better scientific justification for the 0.03 kg/ADT supplemental limit is necessary.* *In the same table discussed above in Annex I, the reference value for Unbleached chemical pulp does not have accommodations for phosphorous naturally occurring in wood raw materials or water. We recommend incorporating the same accommodations for bleached and unbleached chemical pulp considering that naturally occurring phosphorous in wood raw material or water will have the same effect regardless of whether the pulp is bleached or not.* *We recognize the important change made in this revision that incorporates an accommodation for the higher phosphorous levels naturally occurring in pine tree species in the southern United States. Southern pine species are the predominate feedstock for mills providing the majority of market fluff pulp in Europe.* *As noted in the additional memo sent on March 14, 2022, titled "Phosphorus contents in Southern loblolly pine", there is less published nutrient information on the other Southern pine species, but due to the similarity among the species, phosphorus contents in Southern loblolly should be generally applicable to other Southern pine species. The discussion on page 37 of the proposed EU Ecolabel criteria includes southern pine species in general, "…loblolly pine is the primary species used in fluff pulp production in the US, and other species typically used are: slash pine (Pinus elliottii Engelm.), longleaf pine (Pinus palustris Mill.), shortleaf pine (Pinus echinate Mill.), pond pine (Pinus serotine), Virginia pine (Pinus virginiana), sand pine (Pinus clausa), spruce pine (Pinus glabra), and white pine (Pinus strobes). The average content of the P naturally occurring in such wood species is 0.054 kg P/t dry wood (average based on four types of wood studied between 1965 and 2006 from a variety of geographical locations within the Southern United States)." However, the concluding paragraph on that page identifies only loblolly pine and eucalyptus for limit accommodations. We suggest*	COMMENTS ACCEPTED The requested changes have been made, however this implied a reconsideration of the limit for phosphorus.

aligning the final paragraph and accommodation with the prior information and data on phosphorous content by replacing "loblolly pine" with "southern U.S. pine species". *See additional information if needed.*	
Technical report v. 3.0; 5.2.3 Sub-criterion 1.3 – Emissions of COD and phosphorous to water…; p. 34 The limit of supplemental P to wastewater treatment systems Assuming the supplemental addition of P is limited to 0.03 kg P/ADt (and not 0.3 as is currently noted but assumed to by an error), the following comment is made. Many wastewater treatment systems will not operate properly at this level of phosphorous addition, which may result in higher emissions of BOD and TSS. Also, the amount of P used to feed the wastewater treatment system does not necessarily correlate to the amount of P discharged in the effluent water. Please consider removing the limit on the amount of supplemental P added to the wastewater or providing scientific justification for an achievable limit.	
Technical report v. 3.0; 5.2.3 Sub-criterion 1.3 – Emissions of COD and phosphorous to water…; p. 34 Loblolly is one species southern US pine As noted in a memo from NCASI on March 14, 2022, titled "Phosphorus contents in Southern loblolly pine", phosphorus contents in Southern loblolly pine should be generally applicable to other Southern pine species. It is suggested that the wording "southern US pine" be used to describe wood for which the phosphorus limit accommodation applies, rather than specify only one species of southern US pine.	
Criterion 1.3 The same p-value threshold should apply to all wood species We do not agree with the higher thresholds for eucalyptus and loblolly pine. Generally, different wood species should not be treated differently. As shown in a comparative table of emission values from different mills extracted from the websites of the operators (please see separate attachment), pulp mills in Spain running on eucalyptus can achieve the same p-values as mills running on other wood species (such as Northern Spruce and Pine). *There are two pulp mills based on eucalyptus wood on the Iberian Peninsula that reach a p-value below 0,05. This is at the same level as other kraft mills based on Northern Soft wood species. Also, other emission values of these two mills show better performance than many other European pulp mills. This is a good example that investing in modern technique to reach EU Ecolabel requirements shows results. To lower the criteria levels gives these mills a worse competitive role. The EU Ecolabel should support investments in modern, less polluting techniques. Therefore, we do not support a higher limit of other species.*	COMMENT PARTIALLY ACCEPTED The criterion is left as it is (i.e. a separate higher limit for P emissions from mills using eucalyptus or southern US pine) however the limit is set to converge to the same value for all mills starting from 1 January 2028.
We support the criteria for unbleached fluff pulp. Knowing that this is an emerging product we will look deeper into this product until the next revision as more experiences will become available.	COMMENT ACKNOWLEDGED
Technical report v. 3.0; 5.2.3 Sub-criterion 1.3 – Emissions of COD and phosphorous to water…; p. 34 P accommodation for species of raw material The same wood raw materials (i.e., species) can be used to make both bleached and unbleached chemical pulps. Therefore, the accommodation for high phosphorous content of wood used to make bleached pulp should also be applied to unbleached pulps.	COMMENT REJECTED
Technical report v. 3.0; 5.2.3 Sub-criterion 1.3 – Emissions of COD and phosphorous to water…; p. 34 & p. 37 Typo Note 2 on p. 34 states "The higher value refers to mills using eucalyptus or loblolly pine species, provided that the amount of supplemental P added during the wastewater treatment is lower than 0.3 kg P/ADt". The discussion of this topic on page 37 states, "… provided that their supplemental addition of	COMMENTS ACCEPTED

P during the process or wastewater treatment is lower than 0.03 kg P/ADt." These values should be the same number.	
1.3 Emissions of COD and phosphorous (P) to water, and of sulphur compounds (S) and NOx to air from fluff pulp production Comment: What is the background for***" ...**P added during the wastewater treatment is lower than 0,3 kg P/ADt"* In the TR it said 0,03 kg p/ADt instead, please check.	
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. Comment: What does the yellow marked sentence mean actually? We know that in some areas, in different countries outside Europe, authorities have different opinions about air measurements but that does not mean that air emissions don´t need to be measured there for the ecolabel. If you don´t test you don´t know what you are letting out. It is not fair to European mills that are required to measure S and NOx continuously and have invested in the devices. If you don´t measure the emissions, then you don´t know if you fulfil the requirement either.	COMMENT ACCEPTED
Purchased energy The description of what is included and excluded related to purchased power and steam is not clear enough. Consider revising.	COMMENT ACCEPTED It is suggested to address this comment when developing the User Manual for the applicants. The JRC will develop an excel file which will clarify how to treat the sources of purchased electricity and steam.

Sub-criterion 1.4 Emissions of CO_2 the production

Comments received in EUEB/written form	JRC Dir. B response
1.4 Emissions of CO2 from fluff pulp production/p. 9 Process definition and related emissions ORIGINAL TEXT 1.4. Emissions of CO2 from fluff pulp production SUGGESTION: 1.4 Emissions of CO2 from <u>fluff pulp production</u> and <u>fluffing processing (defibration)</u> - Fluffing processing (defibration) should be defined as to what process it is:	COMMENT ACCEPTED

- *Fluffing processing relates to the defibration process that occurs in the AHP producer to transform a standard fluff pulp sheet into the fluffy content through the individualization of fibers. This process generally occurs with hammermill equipment.* Assessment: If paragraph 1.5 about energy consumption comprises the fluffing processing (defibration), here we need to also sum the CO2 emission related to the defibration process. The same occurs with Paper Ecolabel that considers both pulp energy and paper energy specifying the CO2 emission to each process and reference value. *page 12 (1.5) consider fluff pulp production and fluffing process. ORIGINAL TEXT The CO2 emission data shall include all sources of non-renewable fuels used during the production of pulp, including the emissions from the production of electricity (whether on-site or off-site). SUGGESTION: The CO2 emission data shall include all sources of non-renewable fuels used during the production of fluff pulp and in the fluffing processing at the AHP producer including the emissions from the production of electricity (whether on-site or off-site).	
1.4 Emissions of CO2 from fluff pulp production Assessment and verification**:……** *unless the applicant presents documentation establishing the average value for its suppliers of electricity (contract for specified electricity or National Inventories certified electricity),* Comment: The word "average" is confusing because if you mean contract for "specified electricity" then you should write that the applicant shall present the documentation for the specific electricity they are purchasing instead of the supplier's "average".	COMMENT ACCEPTED

Sub-criterion 1.5 Energy consumption for fluff pulp production - NEW

Comments received in EUEB/written form	JRC Dir. B response
Reference values On page 12, line 4 Assessment.	

- The energy comprises fluff pulp production and fluffing process (defibration), despite that the Fluffing energy is not considered in the formulas and reference table, so: - Adjust the formula adding the fluffing consumption: like in Paper Ecolabel. Add comment: - if a mix of fluff pulps is used, the energy must be proportionally calculated to each fluff pulp. - There are no reference values given for fluffing in the table. In corresponding paper criteria there are references for paper but here not for fluffing. Must add CO2 to the fluffing process and review paragraphs 1.4 and 1.5	
Criterion 1.5. Energy consumption for fluff pulp production *Ecolabelling Denmark / Ministry of Environment supports in general the emission criteria, including criterion 1.5 on criteria for energy consumption for fluff pulp production – NEW.*	
Criterion 1.5 Energy consumption for fluff pulp production We welcome this new criterion that is aligned with the reference values of the Nordic Swan for electricity and fuel consumption. Since the criteria from the Nordic Swan date back to 2016, we recommend considering the possibility of increasing the ambition level for the EU Ecolabel.	
1.5 Energy consumption for fluff pulp production Comment: We support this new energy criterion but we are a bit confused about the fact that you have put all other pulps than CTMP together and called them "non-CTMP" . About 90% of fluff pulps are non-CTMP and as the different pulp processes have different emissions, they also have different energy consumption data, especially bleached and unbleached chemical pulps. The following sentence was introduced in the paper criteria more than 20 years ago and nobody know why. The energy consumption is energy consumption and there is no point to give any discount, so, please be the first one to delete the sentence. ***"However, the applicant only needs to count 80 % of the heat energy from such sources when calculating the total heat energy."***	

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 EUEB/written form	JRC Dir. B response

Sourcing of fluff pulp and man-made cellulose fibres (criteria 1.1 and 2.1) We welcome that the proposal requires 100% of fluff pulp suppliers to be covered by a chain of custody, and that 70% is the minimum share for both fluff pulp and man-made cellulose originating from sustainably managed forests. This threshold is a minimum acceptable level, in line with the required share by sustainable forest certification schemes, such as FSC. The offer of FSC nappies is very common in the EU market and therefore the EU Ecolabel should not lag behind this standard. The protection of forests is essential to curb climate change and biodiversity loss. Therefore, the ultimate goal should be that 100% of fluff pulp is orginating from sustainably managed forests.	COMMENTS ACKNOWLEDGED A 70% threshold is proposed (instead of 100%) in order to take into account important factors such as the security of supply. As documented in the Technical Report 2.0 and TR3.0, the vast majority of MMCF in AHP comes from Asia and America. Given that the % of forest certified as SFM in these areas is not as much as in the EU, a 100% threshold cannot be proposed. When consulted, the EU Ecolabelling Board members have agreed with this approach. However, it is clear that this % will be re-examined for the next revision to protect the biodiversity of forests.
Criterion 2.1. Manmade fibers (viscose) [redacted] *supports the criteria demanding a minimum of 70% certified sustainable wood fiber in manmade fibres.*	
Criterion 1.1 and 2.1 Certification for fluff pulp and cellulose fibres We welcome that the JRC proposes to increase the ambition level of the share to be covered by Sustainable Forestry Management certificates to 70% for both pulp and cellulose fibres. However, we consider that 70% is not a very ambitious requirement but rather the minimum level that should be used as a reference. 70% is in line with the required share by sustainable forest certification schemes, such as FSC. The offer of FSC nappies is very common in the EU market and therefore the EU Ecolabel should not lag behind this standard.The protection of forests is essential to curb climate change and biodiversity loss. Therefore, the ultimate goal should be that 100% of fluff pulp and cellulose fibres is originating from sustainably managed forests.	
TR3 Annex 1 – AHP, section 2.1, page 13 clarification It is stated on the paragraph 'If the dissolving wood pulp is 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'. This might be misleading in interpretation that such credit allocation is possible for air-laid/nonwoven, but not for others. Suggestion: credit allocation should be applicable for MMCF producers as well in the same way.	COMMENT ACCEPTED Suppliers and also producers shall allocate credits to the air- laid or nonwoven delivered to the product. Please, refer to the changes in the wording of the legal proposal.
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, Criterion 2, Pg.45, 2.1 Sourcing of man-made fibers. The audited accounting documents shall be valid for at least one year prior to the application date. Difficult to understand the meaning of this. Must a pulp supplier then have a valid amount of certified forest fiber for one full year before this would be valid to fulfil the criterion?	COMMENTS ACCEPTED The certifications shall not be valid 12 months before the application date; rather, they shall be valid during the whole duration of the license. The wording has been changed in the legal proposal.
Criterion 1, Pg.45 2.1 Sourcing of man-made fibers See above, why demand on accounting document valid for at least a year prior to application date?	
Sourcing of man-made cellulose fibres See nr. 3, i.e.: *Criterion 1.1 Sourcing of fluff pulp 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*	COMMENT REJECTED There is probably a misunderstanding about the criterion and the different systems in place for the SFM certifications. First of all, the EU Ecolabel criterion applies to the raw material, not to the product – therefore all the SFM certifications must refer to the ingoing fibre materials and not to the labelling of the final product.

wood. This means that in the end less than 50 % of the whole material comes from sustainably managed forests. *This ambition level is very important due to the fact that the EU Ecolabel allows fluff pulp from eucalyptus plants. The cultivation of Eucalyptus brings many disadvantages for the natural environment. Therefore, it is so important that eucalyptus is grown sustainably.* *The Blue Angel also demands for 100 % and the latest certifications shown that this level is feasible.*	Indeed, the scenario depicted by the stakeholder could apply only with the FSC %-system, which is allowed in the EU Ecolabel, but that current licenses have never used so far. Nevertheless, with such FSC %- system, the 70% threshold applies to have the right to label the product with FSC mix. In the EU Ecolabel, if you have the right to label the product with FSC mix, then your product fulfils the requirement 70% certified fibres automatically. You don't calculate 70% out of 70%. For the other systems allowed in the EU Ecolabel, FSC credit system and PEFC, this scenario does not apply.

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

Comments received in EUEB/written form	JRC Dir. B response
Bleaching of fluff pulp and man-made cellulose fibres (criterion 1.2 and 2.2) We have advocated in this criteria revision process for a minimum AOX threshold of 0.10kg/ADt and eventually aiming for allowing exclusively bleaching through TCF processes. However, we welcome the proposal to set this level at 0.14 10kg/ADt as compromise on the path towards clean processes. Only ECF bleaching from well performing manufactories should be acceptable under the EU Ecolabel. Making AOX emissions stricter is the right approach to align the EU Ecolabel with the goals of the Zero Pollution Action Plan. The criteria of the label should reward those companies that are taking extra steps to reduce the environmental footprint of their products. In 2015, already 19 out of 35 EU pulp mills could deliver AOX emission levels at or below 0.10 AOX. Since then, and until 2020, the pulp capacity in the EU has increased by around 3 million tonnes from modern ECF mills that can meet a low AOX threshold. While the EU demand of fluff pulp was 1,6 million tons in 2019, the two largest fluff pulp producers in the EU have a capacity of approximately 500 000 tonnes per year. They can deliver fluff pulp meeting low AOX levels. Moreover, recently EU Storaenso has announced an investment of 40 million € in increasing their capacity of fluff pulp produced without bleaching. This will allow a further increase in the offer of more environmentally friendly fluff pulp in the Europe. We would not support increasing the AOX above 0.14 since this would not be in line with EU Best Available Techniques and undermine the efforts by companies engaged in reducing pollution.	COMMENTS ACKNOWLEDGED
Criterion 1.2 and 2.2 AOX threshold for bleaching processes [redacted] *have advocated in this criteria revision process for a minimum AOX threshold of 0.10kg/ADt and eventually aiming for allowing exclusively bleaching through TCF processes.* *However, we welcome the proposal to set this level at 0.14 10kg/ADt as a compromise on the path towards clean processes. Only ECF bleaching from well performing manufactories should be acceptable under the EU Ecolabel.* *Research shows that with an AOX value of 0,20 there is a big difference in toxicity between ECF and TCF processes. Although this research is not available with respect to comparing the value of 0,10 and 0,14, lowering the AOX value minimises the risk of chlorine chemicals pollutants. ANSES concluded that eliminating*	

chlorinating agents from the bleaching process reduces the risk of hazardous chemicals being present in baby diapers. *Making AOX emissions stricter is the right approach to align the EU Ecolabel with the goals of the Zero Pollution Action Plan. The criteria of the label should reward those companies that are taking extra steps to reduce the environmental footprint of their products.* *With respect to the argumentation that lowering the AOX value will lead to more use of chemicals, we would like to highlight that the chemicals used are oxygen, ozone and hydrogen peroxide. The first two are produced in the mill and the last one needs to be bought. However, also chlorate to produce chlorine dioxide is necessary. An overview of comparative data on inputs of chemicals would be necessary to accept the argumentation that lower AOX value leads to higher inputs of chemicals.* *The following numbers and developments justify stricter AOX limits:* *In 2015, already 19 out of 35 EU pulp mills could deliver AOX emission levels at or below 0.10 AOX. Since then, and until 2020, the pulp capacity in the EU has increased by around 3 million tonnes from modern ECF mills that can meet a low AOX threshold. While the EU demand of fluff pulp was 1,6 million tons in 2019, the two largest fluff pulp producers in the EU have a capacity of approximately 500 000 tonnes per year. They can deliver fluff pulp meeting low AOX levels. Moreover, recently EU Storaenso has announced an investment of 40 million € in increasing their capacity of fluff pulp produced without bleaching. This will allow a further increase in the offer of more environmentally friendly fluff pulp in Europe. We are aware that this capacity would not be sufficient to cover all the production of AHP or other pulp-based products in Europe, but we think that considering this development is relevant since the EU Ecolabel, as the best-in-class label, is expected to reward the 10-20% most environmentally friendly products.* *Between September 2021 and September 2022, the number of certified Absorbent Hygiene Products more than doubled to over 400. A stricter AOX limit building on Best Available Techniques will encourage more EU pulp mills to produce fluff pulp that meets EU Ecolabel requirements.* https://www.anses.fr/en/system/files/CONSO2017SA0019EN.pdf	
AOX Remove the sentence in blue: In case the applicant could not provide the actual value of AOX level measured in the wastewater from pulp manufacturing, a corresponding declaration of compliance signed by the pulp manufacturer, in accordance with the exposed requirement, shall be provided. All pulp mills have this data.	COMMENT REJECTED We understand all mills have these data, however to allow flexibility for some companies when they cannot disclose the information, it has been decided to request a declaration of compliance.

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

Comments received in EUEB/written form	JRC Dir. B response
TR3 Annex 1 – AHP, section 2.3, note (b1-b7) page 15 Modification and clarification in User Manuel	COMMENTS ACCEPTED The text of the criterion has been slightly modified to increase the frequency of measurements as suggested: 'The supporting documentation shall include an indication of the measurement frequency for S, Zn, COD and SO_4^{2-}. The minimum measurement frequency, unless specified otherwise in the

In general, in order to estimate emissions accurately, the frequency of sampling and test should be more than two a year. On S emission to air, it is not clear the frequency of sampling and testing. It is suggested that in the User Manuel, there should be more details on minimum data requirement for verification.	operating permit, shall be weekly for COD, S, Zn and SO_4^{2-}, in addition to any measurements stipulated in the regulatory requirements'. In all cases, more information on testing requested in this sub-criterion will be provided in the User Manual.

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 EUEB/written form	JRC Dir. B response
TR3 – Annex I _ AHP, p.15 Criterion 3 3.1. Sourcing and traceability of cotton and other natural cellulosic seed fibres Wording of the criterion seems to be not fully consistent with the title. The body of the text and the name of the criterion are not aligned: it seems to us that the entire criterion is only written in terms of cotton. The reference to Regulation (EU) 2018/848 concerning rules for organic production and labelling of organic products is enough for the whole scope ? Not sure. The scope of Regulation (EU) 2018/848 is limited. See Article 2 (and especially: *This Regulation also applies to certain other products closely linked to agriculture listed in Annex I to this Regulation, …*). But Annex I don't mention any "natural cellulosic seed fibres" related to AHP or such products. OTHER PRODUCTS REFERRED TO IN ARTICLE 2(1) · Yeasts used as food or feed, · maté, sweetcorn, vine leaves, palm hearts, hop shoots, and other similar edible parts of plants and products produced therefrom, · sea salt and other salts for food and feed, · silkworms cocoon suitable for reeling, · natural gums and resins, · beeswax, · essential oils, · cork stoppers of natural cork, not agglomerated, and without any binding substances, · cotton, not carded or combed, · wool, not carded or combed, · raw hides and untreated skins, · plant-based traditional herbal preparations. Proposal:	COMMENTS ACCEPTED The scope of Regulation (EU) 2018/848 has been thoroughly checked and the conclusion is that other types of natural cellulosic seed fibres should be included in the scope, under point 1.(a) of Article 2, even if not explicitly stated under Annex I. Even if currently not part of the scope, other natural cellulosic seed fibres could be added to Annex I in the future by analogous reasoning as per cotton or wool. In order not to preclude innovation, the criterion is formulated with the necessary flexibility to allow for innovation (use of alternative materials to cotton). Furthermore, EU Ecolabel does not require obtaining the EU logo for organic production but rather to ensure compliance with the (more sustainable) production practices and associated verification controls. The text of the criterion has been modified to reflect the fact that natural cellulosic fibres other than cotton are also included in the criterion.

a) check the compliance of the criterion for "other natural cellulosic seed fibres" and detail assessment & verification rules. b) Adapt the wording of the criterion, intended to include all fibres – and not only coton.	
- *Technical report version 3.0 (October 2022)* - *Section "3.1: Sourcing and traceability of cotton and other natural cellulosic seed fibers"* - *Page 58-59 Regulatory update We would like to point out that the title of the criterion and the body of the criterion text are not aligned; the title mentions "cotton and other natural cellulosic seed fibers from seeds", whereas the criterion itself only mentions "cotton". Hence, we would like to have a confirmation that the whole criterion, and in particular the verification rules, can indeed be applied to other resources than cotton (other natural cellulosic seed fibres, such as hemp, flax, bamboo, etc).*	
Annex1 *CRITERION3.1: SOURCING AND TRACEABILITY OF COTTON AND OTHER NATURAL CELLULOSIC SEED FIBRES* *Verification of the consistency between title and content* It looks like there is no consistency between the title 3.1 which covers "cotton and other natural cellulosic seed fibres" and the content of this section which seems to be exclusively oriented only on cotton. JRC added the reference of the Regulation (EU) 2018/848, but is that enough ? REQUEST : we suggest to make sure that the whole criterion (and particularly the verification rules) indeed can be applied to other resources than cotton (natural cellulosic seed fibres such as hemp, flax, bamboo...).	

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

Comments received in EUEB/written form	JRC Dir. B response
Bleaching of cotton (criterion 3.2) We welcome that only total chlorine free bleaching is allowed. 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. Also the Blue Angel only accepts TCF technologies for the bleaching of cotton fibres.	COMMENT ACKNOWLEDGED

CRITERION 4: Production of synthetic polymers and plastic materials

Comments received in EUEB/written form	JRC Dir. B response
4.1. Production of synthetic polymers and plastic materials Comment: I just repeat: 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 event relevant. There is no water used in the process etc. Even if you have specified the accepted standards, it will still be difficult knowing the distance to the supplier's supplier's suppliers and the big number of them, especially, when they can be located all over the world. Just delete this requirement, please.	COMMENT REJECTED This criterion cannot be deleted as synthetic polymer and plastic materials represent a significant share of the weight of AHP, either as a component of the product or as packaging. Moreover, the LCA study pointed this group of materials as environmental hotspots. It has been added that 'This criterion applies to each synthetic polymer and plastic material that represents ≥ 5% w/w of the final product and of the packaging'. For water savings, it has been proposed that the requirement will apply 'if relevant, i.e. if water is used in the plant'. Further clarification will be given in the User Manual.
Technical report v. 3.0 October 2022, 4 Assessment and verification Pg.21 Assessment and verification Considering that the respondents (plastic producers) are far removed from the AHP producers, it is very unlikely that they will create and share report describing in detail the procedures adopted by the suppliers in order to fulfil the requirements for each of the sites concerned in accordance with standards, such as ISO 14001 and/ or ISO 50001 for water, waste and energy plans. Proof of ISO 14001 and/ or ISO 50001 certification should be sufficient. Please clarify if ISO 14001/ ISO 5001 is enough.	COMMENT ACKNOWLEDGED In the criterion it is explained if the ISO standards to which are referred are enough: Applicants registered with EU Eco-Management and Audit Scheme (EMAS) and/or certified according to ISO 14001, ISO 50001, EN 16247 or an equivalent standard/scheme shall be considered as having fulfilled these requirements if: (1) the inclusion of water, waste and energy management plans for the production site(s) are documented in the company's EMAS environmental statement; or (2) the inclusion of water, waste and energy management plans for the production site(s) are sufficiently addressed by the ISO 14001, ISO 50001, EN 16247 or an equivalent standard/scheme.

CRITERION 5: Biobased plastic materials - NEW

Comments received in EUEB/written form	JRC Dir. B response
What is description of Bio-based plastic? There is not said that in draft of criteria.	COMMENT ACCEPTED Definition added in line with the 'Communication – EU policy framework on biobased, biodegradable and compostable plastics'. Definition proposed: 'biobased plastic' means a plastic manufactured from biobased raw materials as feedstock for its production. While conventional plastics are made from fossil resources (oil and natural gas), biobased plastics are made from biomass. The biomass currently originates mainly from plants grown specifically to be used as feedstock to substitute fossil resources, such as

	sugarcane, cereal crops, oil crops or non-food sources like wood. Other sources are organic waste and by-products, such as used cooking oil, bagasse and tall oil. Plastics can be fully or partially made from biobased feedstock. Biobased plastics can be both biodegradable and non-biodegradable;
-Technical Report 3 -Summary of changes in TR3.0 for sub-criterion 4.2 -Page 76 Claim The product (and/or packaging) shall voluntarily be labelled as bio-based only if >50% by weight of the total weight of plastics comes from bio-based resources. The above claim is misleading because it implies that up to 50% by weight of the packaging comes from fossil sources. There are no technical limits to use bio-based resources therefore we would recommend Ecolabel to allow bio-based claims only in case the packaging is made 100% by bio-based sources; otherwise the label should specify 'made by X% of bio-based resources'.	COMMENT PARTIALLY ACCEPTED In the Communication – EU policy framework on biobased, biodegradable and compostable plastics it is specified that: *In order to avoid misleading consumers, claims should only refer to the exact and measurable share of biobased plastic content in the product, stating for instance, that the 'product contains 50% biobased plastic content'.* The criterion has been modified and finally to avoid any misunderstanding it is requested to refer to the exact %: *The final product, separate components, and/or packaging may be voluntarily labelled as containing biobased plastic. In this case, the claim shall be that 'x % of plastic contained in the product [separate components, and/or packaging] is biobased' (where x >1, and x is the exact and measurable share of biobased plastic content in the product [separate components, and/or packaging])* [to be included in the User Manual: *expressed as a percentage by weight of the corresponding weight of biobased plastic raw materials in relation to the total weight of the plastics contained within the product, separate components and/or packaging*]. Generic claims such as 'bioplastics', 'biobased', 'plant-based', 'natural-based' and similar shall not be used.
-Technical Report 3 - Summary of changes in TR3.0 for sub-criterion 4.2 -Page 76 Certificates To track the material and ensure physical presence in products/packaging segregation and controlled blending methodologies only should be supported. Mass balance approach is not able to track the physical presence of the material up to the final product/packaging. 'Allowed raw materials' proof of purchase shall be based on processes according to segregation and controlled blending.'	COMMENT ACCEPTED Please refer to new criterion proposal and rationale for the criterion where it is explained that radiocarbon methods are preferred, and mass balance is only allowed when explanations are provided: *'The standards based on radiocarbon methods such as EN 16640 or EN 16785 or ASTM D 6866-12 shall be used to determine the biobased carbon content of the synthetic polymers and plastic materials present in the product, separate component, and/or packaging. When radiocarbon methods cannot be used, the mass balance method is allowed if a high level of transparency and accountability is ensured and supported by agreed standards'.* This is aligned with the 'Communication – EU policy framework on biobased, biodegradable and compostable plastics'.
- *Technical report version 3.0 (October 2022)* - *Section "4.2: Bio-based plastic materials"* - *Page 68-69 Removal of criterion 4.2 We are not in favor of the inclusion of this criteria. Indeed, as the environmental superiority of bio-based plastics over fossil plastics has not been fully demonstrated, it is dangerous to include criteria without real proof of the environmental added value. It will be contrary of the EU Ecolabel regulation (No 66/2010 of 25 November 2009):*	COMMENT REJECTED Please refer to new criterion proposal and rationale in the Technical Report where this is discussed and explained in detail. This criterion is not contrary to the EU Ecolabel regulation 66/2010 as it is requested to demonstrate the reduced environmental impact of biobased plastics used in AHP in relation to their fossil-origin counterparts. The criterion specifically requests: (a) To demonstrate the superior environmental profile of the biobased plastic raw materials used in the product, separate components, and/or packaging, the applicant shall provide an independent third-party certification that refers to the methodology currently available (*). (*) Latest methodologies are the framework developed by the Commission's Joint Research Centre, referred to as the 'Plastics LCA method' available at https://publications.jrc.ec.europa.eu/repository/handle/JRC125046 or Commission Recommendation of 8.12.2022 establishing a European assessment framework for 'safe and sustainable by design' chemicals and materials available at

(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.	https://research-and-innovation.ec.europa.eu/system/files/2022-12/Commission%20recommendation%20-%20establishing%20a%20European%20assessment%20framework%20for%20safe%20and%20sustainable%20by%20design.PDF.
Annex1 *CRITERION 4.2: 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). Mandatory percentage of bio-based plastic materials.* 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. [redacted] is not in favour of the development of bioplastics but if they were to be used more widely, [redacted] 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	COMMENT PARTIALLY ACCEPTED The standard CEN/TS 16137 is now withdrawn and the standards based on radiocarbon methods such as EN 16640 or EN 16785 or ASTM D 6866-12 shall be used. Mass balance is allowed but not preferred. When radiocarbon methods cannot be used, the mass balance method is allowed if a high level of transparency and accountability is ensured and supported by agreed standards. The wording has been modified in line with the requests set in other ecolabels type I for AHP and harmonised with similar criteria requesting *a 'declaration of compliance supported by a valid, independently certified chain of custody certificate'* and mainly in line with the cited 'Communication from the EC - EU policy framework on biobased, biodegradable and compostable plastics'. In fact, this criterion is optional and a minimum % of biobased plastic materials is not been requested. Biobased raw materials used for the production of to produce biobased plastics in the absorbent hygiene final product, separate components, and/or packaging shall be covered by chain of custody certificates issued by an independent third-party certification scheme officially recognised by the European Commission, which In line with the sustainability requirements related to the sourcing of biobased raw material as per the review of the Renewable Energy Directive (RED III). The certification schemes officially recognised by the European Commission for biobased plastics are: Better Biomass, Bonsucro EC, International Sustainability and Carbon Certification (ISCC EU), KZR INiG, REDcert, Round Table on Responsible Soy EU RED (RTRS EU RED) and Sustainable Biomass Program (SBP). Available at: https://ec.europa.eu/energy/topics/renewable-energy/biofuels/voluntary-schemes_en Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.

should promote the collection of biowaste in bulk or in paper containers (kraft bags), which better fits the natural cycle of the material. → PROPOSAL : 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: (...)*	
Criterion 4.2 Bio-based plastic materials *After listening to the discussion at EUEB, we agree with some other CBs that the voluntary criterion adds confusion, so it is better to remove it.*	COMMENT REJECTED This criterion cannot be deleted as polymer and plastic materials represent a significant share of the weight of AHP, either as a component of the product or as packaging. Moreover, the LCA study pointed this group of materials as environmental hotspots. The addition of biobased raw materials to replace fossil-origin plastics used in AHP is optional and shall demonstrate the reduced environmental impact of biobased plastics. The criterion specifically requests: (a) To demonstrate the superior environmental profile of the biobased plastic raw materials used in the product, separate components, and/or packaging, the applicant shall provide an independent third-party certification that refers to the methodology currently available (*). (*) Latest methodologies are the framework developed by the Commission's Joint Research Centre, referred to as the 'Plastics LCA method' available at https://publications.jrc.ec.europa.eu/repository/handle/JRC125046 or Commission Recommendation of 8.12.2022 establishing a European assessment framework for 'safe and sustainable by design' chemicals and materials available at https://research-and-innovation.ec.europa.eu/system/files/2022-12/Commission%20recommendation%20-%20establishing%20a%20European%20assessment%20framework%20for%20safe%20and%20sustainable%20by%20design.PDF
Criterion 4.2. Bio-based plastic materials [redacted] *propose that criterion 4.2 on bio-based plastic material should cover all bio-based plastic material (> 1 %), also if not claimed on the product, and covered by a certification scheme recognised in the Renewable Energy Directive. A relevant question is, if a minimum level at 'mass balance' is enough, as it is foreseen that the deforestration regulation will regulate at product segregation.* *Moreover, plastic material used in the packaging shall not be claimed either as compostable (or biodegradable), but fit into today's and future recycling plants for plastic to avoid littering, see criterion 5.*	COMMENT PARTIALLY ACCEPTED This criterion applies only to the final product, separate components, and/or packaging that contain > 1% w/w of biobased plastic material while biodegradability and compostability criterion is deleted now. Please, refer to the new proposal for this criterion in TR and legal documents for which further clarification will be added in the UM.
Criterion 4.2, Bio-based plastic materials Sustainability criteria applicable to the energy sector What does the following sentence mean? "Besides, the	COMMENT ACKNOWLEDGED

applicant shall provide a declaration of compliance for the bio-based raw materials used for the production of bio-based plastic in absorbent hygiene products aligned with the sustainability criteria applicable to the energy sector."	The wording has been modified in line with the requests set in other ecolabels type I for AHP and harmonised with similar criteria requesting *a 'declaration of compliance supported by a valid, independently certified chain of custody certificate'* and mainly in line with the cited 'Communication from the EC - EU policy framework on biobased, biodegradable and compostable plastics'. In the Communication – EU policy framework on biobased, biodegradable and compostable plastics it is specified that: "Biomass used to produce biobased plastics must meet the EU sustainability criteria for bioenergy. As proposed by the Commission under the review of the Renewable Energy Directive (REDIII) of July 2021, these criteria include measures related to forest biomass and to biofuels with high risk of direct and indirect land-use change, such as those derived from palm oil. Pending finalisation of REDIII negotiations, the REDII sustainability criteria for bioenergy should be applied. This is also the approach taken in the EU Taxonomy for sustainable investments for "agricultural biomass used for the manufacture of plastics in its primary form". With regard to greenhouse gas emissions, the bioenergy framework cannot be directly applied to biobased plastics as these are not used to generate energy. Methodologies to assess the impacts of biobased plastics compared to fossil-based plastics from a life-cycle perspective are still under development. The most harmonised methodology currently available is the framework developed by the Commission's Joint Research Centre, referred to as the 'Plastics LCA method', which builds upon the EU Product Environmental Footprint (PEF) method. Moreover, innovations should be assessed at an early stage to ensure the development of safe and sustainable alternatives". Please, refer to the new proposal for this criterion in TR and legal documents for which further clarification will be added in the UM.
Criterion 4.2 Biobased plastics materials: the exact share of biobased plastic should be visible on the packaging Currently, the criterion requires that specific share of biobased plastic added to the product or packaging "shall be stated in the application". And if the share is above 50%, the product can be labelled as containing "bio-based" plastic materials. *However, in addition it should be required that the share is also clearly communicated on the packaging. Otherwise, it might be confusing for consumers who might wrongly believe the entire product or packaging was made from biobased plastics.* *The Commission Communiation on the EU policy framework on biobased, biodegradable and compostable plastics says about biobased plastics that "claims should only refer to the exact and measurable share of biobased plastic content in the product"* *Thus, it would make sense to also integrate this consideration in the criterion.* *Suggestion of modification:* *"In such case, the percentage of bio-based plastic material added to the product (and/or packaging) shall be stated in the application. (add) The percentage shall also be stated clearly and visible on the packaging or product."*	COMMENT ACCEPTED In the Communication – EU policy framework on biobased, biodegradable and compostable plastics it is specified that: *In order to avoid misleading consumers, claims should only refer to the exact and measurable share of biobased plastic content in the product, stating for instance, that the 'product contains 50% biobased plastic content'.* The criterion has been modified and finally to avoid any misunderstanding it is requested to refer to the exact %: *The final product, separate components, and/or packaging may be voluntarily labelled as containing biobased plastic. In this case, the claim shall be that 'x % of plastic contained in the product [separate components, and/or packaging] is biobased' (where x >1, and x is the exact and measurable share of biobased plastic content in the product [separate components, and/or packaging])* [to be included in the User Manual: *expressed as a percentage by weight of the corresponding weight of biobased plastic raw materials in relation to the total weight of the plastics contained within the product, separate components and/or packaging*]. Generic claims such as 'bioplastics', 'biobased', 'plant-based', 'natural-based' and similar shall not be used. Please, refer to the new proposal for this criterion in TR and legal documents for which further clarification will be added in the UM.
Criterion 4.2 Sustainable sourcing of biobased materials: the accepted certification schemes should be stated within the criterion	COMMENT PARTIALLY ACCEPTED

We support that all biobased raw materials used must be covered by a chain of custody certificate. *However, currently, the proposal refers to certifications that are recognized by the EC under the Renewable Energy Directive.* *But the ambition level of the Renewable Energy Directive and the EU Ecolabel might differ. As an example, the certification schemes acknowledged by the Blue Angel differ significantly from the list of the Renewable Energy Directive .* *Therefore, we recommend that it should be for the EUEB to discuss and determine which standards fulfil the environmental excellence that the EU Ecolabel strives for. We suggest aligning with the approach of the Blue Angel where the accepted standards are listed individually in the criteria document.* https://produktinfo.blauer-engel.de/uploads/criteriafile/de/DE-UZ%20208-202101-de%20Kriterien-V3.pdf, p.21 https://energy.ec.europa.eu/topics/renewable-energy/bioenergy/voluntary-schemes_en https://ecostandard.org/wp-content/uploads/2021/07/ECOS-RPa-REPORT-Too-Good-To-Be-True.pdf	The wording has been modified in line with the requests set in other ecolabels type I for AHP and harmonised with similar criteria requesting *a 'declaration of compliance supported by a valid, independently certified chain of custody certificate'* and mainly in line with the cited 'Communication from the EC - EU policy framework on biobased, biodegradable and compostable plastics'. Biobased raw materials used for the production of to produce biobased plastics in the absorbent hygiene final product, separate components, and/or packaging shall be covered by chain of custody certificates issued by an independent third-party certification scheme officially recognised by the European Commission, which In line with the sustainability requirements related to the sourcing of biobased raw material as per the review of the Renewable Energy Directive (RED III). The certification schemes officially recognised by the European Commission for biobased plastics are: Better Biomass, Bonsucro EC, International Sustainability and Carbon Certification (ISCC EU), KZR INiG, REDcert, Round Table on Responsible Soy EU RED (RTRS EU RED) and Sustainable Biomass Program (SBP). Available at: https://ec.europa.eu/energy/topics/renewable-energy/biofuels/voluntary-schemes_en Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.
4.2. Bio-based plastic materials Why is it necessary explicitly to mention that the applicant may source from bio-based raw materials? In criterion 2 and 3 is a comparable phrase also not included. *Our suggestion is to delete this sentence…*	COMMENT REJECTED This criterion targets polymers and plastic materials used in AHP which are usually sourced from fossil resources, thus requesting a certain % of the total plastics to be biobased sourced. Criterion 1, 2, and 3 refer to materials from biobased origin already so there is no need to further specify this aspect. The applicant may source, on a voluntary basis, a certain percentage of the total synthetic polymers and plastic materials in relation to the total weight of polymers in the final product (including super absorbent polymers (SAP)), the separate components and/or in the packaging, from biobased raw materials (*). (*) Circular economy principles shall guide the selection of feedstocks, as an example producers should prioritise the use of organic waste and by-products as feedstock (in line with the Communication from the European Commission on EU Policy Framework on biobased, biodegradable and compostable plastics. Available at: https://environment.ec.europa.eu/publications/communication-eu-policy-framework-biobased-biodegradable-and-compostable-plastics_en).Please refer to the new proposal. Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.
4.2. Bio-based plastic *materials* Comment: This kind of voluntary requirements don´t work in ecolabelling. The requirements need to be mandatory, give points or be alternative. There is the possibility to do this even without ecolabel.	COMMENT ACKNOWLEDGED Currently there is not a possibility to provide a criterion with two alternatives like in other ecolabels but to foster sustainable biobased plastic materials only. This will be something to take into account for next revision. Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.

In order to support the development of a sustainable bioeconomy, to gradually replace fossil resources, so the industry can use less fossil resources, it is detrimental to exclude mass-balance solutions, such as ISCC Plus. Any trade of sustainable material under ISCC refers to a specific batch of sustainable material. For a delivery of sustainable material, a Sustainability Declaration or a Proof of Sustainability (PoS) shall be issued to the recipient which is linked to a specific amount of physical sustainable material. The issuance and trading of sustainability declarations or PoS without the link to an equivalent amount of physical sustainable material is considered as book-and-claim and thus not allowed under ISCC. So including ISCC Plus solutions, enables gradually replacing fossil resources, while still excluding book-and-claim.	COMMENT ACKNOWLEDGED In line with the sustainability requirements related to the sourcing of biobased raw material as per the review of the Renewable Energy Directive (RED III), the certification schemes officially recognised by the European Commission for biobased plastics include International Sustainability and Carbon Certification (ISCC EU). As listed in European Commission approved voluntary schemes and national certification schemes: https://energy.ec.europa.eu/topics/renewable-energy/bioenergy/voluntary-schemes_en Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.
Technical report v. 3.0 October 2022, 4 Assessment and verification Pg.21 Assessment and Verification requirements The term "book-and-claim" to be part of the ISCC system the suggested text for point 5 can be changed to: In order to support the development of a sustainable bioeconomy, to gradually replace fossil resources, so the industry can use less fossil resources, it is detrimental to exclude mass-balance solutions, such as ISCC Plus. Any trade of sustainable material under ISCC refers to a specific batch of sustainable material. For a delivery of sustainable material, a Sustainability Declaration or a Proof of Sustainability (PoS) shall be issued to the recipient which is linked to a specific amount of physical sustainable material. The issuance and trading of sustainability declarations or PoS without the link to an equivalent amount of physical sustainable material is considered as book-and-claim and thus not allowed under ISCC. So including ISCC Plus solutions, enables gradually replacing fossil resources, while still excluding book-and-claim.	COMMENT ACKNOWLEDGED In line with the sustainability requirements related to the sourcing of biobased raw material as per the review of the Renewable Energy Directive (RED III), the certification schemes officially recognised by the European Commission for biobased plastics include International Sustainability and Carbon Certification (ISCC EU). As listed in European Commission approved voluntary schemes and national certification schemes: https://energy.ec.europa.eu/topics/renewable-energy/bioenergy/voluntary-schemes_en Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.

CRITERION 5: Compostability – REMOVED

Comments received in EUEB/written form	JRC Dir. B response
Criterion 5. Compostability	COMMENT ACCEPTED This criterion has been deleted, please refer to the final proposal.

We are not in favour of the inclusion of this criteria (biodegradable or compostable) as a precautionary principle and in the current state of scientific knowledge, for several reasons: 1. There is currently no standard that defines the compostability of AHPs Currently the standards relating to the compostability of plastics such as EN 14995 standard (that defines the requirements allowing to qualify a packaging as biodegradable in composting industrial) : - Have a 90% biodegradation threshold. This raises questions about the fate of the remaining 10% and bioaccumulation. - look at disintegration with a cut-off threshold of 2mm, everything below is forgotten and could end up in agricultural soils, without microplastics having ever been tested for their biodegradation in soils and in the waters (where they will partly end up). There is therefore an unassessed risk of dispersion of microplastics in the environment. - Plastic additives can represent a small or a large fraction with the polymer and some of them have ecotoxic characteristics that are not evaluated in the compostability standard (ecotox tests are only phytotoxicity). There is therefore an unevaluated risk of dispersion in the environment of chemicals. - Currently there isn't standard for biodegradability of polymers "super- absorbents". - 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. Moreover: 2. 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. 3. 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. I hope that through these different scientific elements we will be able to reconsider the presence of such a criterion for an environmental label of excellence.	
- *Technical report version 3.0 (October 2022)* - *Section "5: Compostability"*	COMMENT ACCEPTED This criterion has been deleted, please refer to the final proposal.

- Page 77 Removal of criterion 5 We are not in favour of the inclusion of this criterion (biodegradable or compostable), as a precautionary principle and in the current state of scientific knowledge, for several reasons: *- There is currently no standard that defines the compostability of AHPs: currently the standards related to the compostability of plastics such as EN 14995 standard (that defines the requirements allowing to qualify a packaging as biodegradable in composting industrial):* *o Have a 90% biodegradation threshold. This raises questions about the fate of the remaining 10% and bioaccumulation.* *o Look at disintegration with a cut-off threshold of 2mm, everything below is not taken into account and could end up in agricultural soils, without microplastics having ever been tested for their biodegradation in soils and in the waters (where they will partly end up). Therefore, there is an unassessed risk of dispersion of microplastics in the environment.* *o Plastic additives can represent a small or a large fraction with the polymer and some of them have ecotoxic characteristics that are not evaluated in the compostability standard (Ecotox tests are only phytotoxicity). Therefore, there is an unevaluated risk of dispersion in the environment of chemicals.* *o Currently there aren't standard for biodegradability of polymers "super- absorbents".* *o 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 AHPs.* *- Moreover, it can be very confusing for consumers, the risk being that they throw the product in their own composter, or even worse, in the natural environment.* *- 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.*	
Annex1 *CRITERION 5: COMPOSTABILITY of the product (including the packaging) Criterion to be optional* The term "compostable" can itself be a source of confusion: it does not mean that the material can degrade in all biological processes (local composting, anaerobic digestion, etc.), but only that the material fulfils a degradation standard in 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	COMMENT ACKNOWLEDGED This criterion has been deleted, please refer to the final proposal.

- 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.	
Criterion 5 *The criterion is on compostability, not biodegradability, which to us seems more reasonably achievable and provable. We confirm the request to apply the criterion only on biodegradability.*	COMMENT ACKNOWLEDGED This criterion has been deleted, please refer to the final proposal.
<u>Criterion 5. Compostability</u> *In the previous proposal, criterion 5 referred to both biodegradability and compostability. Now it only refers to compostability, as biodegrability could be misunderstood by consumers as environmentally harmless, thus potentially encouraging littering.* *It is, however, also relevant to ask if an AHP product should be composted (and under which conditions). Ecolabelling Denmark / Ministry of Environment suggests – as other member states – that claiming 'compostable' shall not be allowed for the same reason as regards the term 'biodegradable': The risk of littering. Moreover, very few plants – if any – exist that can composte such products (or packaging). Any use of the terms 'biodegradable' and/or 'compostable' shall not be allowed. The market for this is not mature enough yet, and might not be in future.* *There are of course areas where composting a packaging product or a product is relevant. This could be bags for collecting biowaste, tea bags, coffee pods or even stickers used to label fruits. On the other hand, consumers are increasingly confused as to the proper disposal route for compostable plastic packaging, but also complex products as a used diaper or hygiene product. The resulting cross-contamination of the conventional and compostable plastic waste (if a packaging) leads to lower quality of the resulting secondary raw materials and should be prevented at source.* *Finally, the criterion states that: "If the product and/or packaging is compostable, theoretical timeframe for composting shall be specified and whether compostability shall be done industrially or at home, shall be specified in the application." It is relevant to ask if consumers will be able to distinct between home or industrial composting, and also know of the right theoretical timeframe for the process.*	COMMENT ACKNOWLEDGED This criterion has been deleted, please refer to the final proposal.
Criterion 5 Compostability should not be addressed in the criteria We recommend not including this new criterion on compostability at this stage. *Firstly, compostability is a claim that can confuse consumers and mislead them to believe that the product is automatically more environmentally friendly. Besides, compostability is often misinterpreted by consumers, believing the products readily compost in home conditions (whereas it would most often require composting in an industry facility). Related claims could thus lead to increased littering. Besides, there is still a lack of*	COMMENT ACCEPTED This criterion has been deleted, please refer to the final proposal.

understanding how the components of the AHP would behave during composting and what, potentially negative, implications the process might have regarding the release of microplastics and soil biodiversity . *Regarding the super absorbent polymers used in most AHP, there is no standard that could be applied to certify the biodegradability of these polymers. Lastly, the actual compostability of the product will depend on separate biowaste collection and on the availability of composting facilities that accept these products in each country/region.* https://ecostandard.org/wp-content/uploads/2021/07/ECOS-RPa-REPORT-Too-Good-To-Be-True.pdf	
Criterion 5. Biodegradability Compostability *According to the scope* *The product group 'absorbent hygiene products' shall comprise any article whose function is to absorb and retain human fluids such as urine, faeces, sweat, menstrual fluid or milk, excluding textile products.: which of these products could be compostable in a private way?* *We think this is misleading. Consumers might think that they can throw the diaper or something similar on a compost. All hygienic products contain composite materials. These materials are not compostable and should not come in the natural environment.* *Therefore, we suggest to delete the criterion.*	COMMENT ACCEPTED This criterion has been deleted, please refer to the final proposal.
Criterion 5. Compostability Comment: In Sweden we don´t have systems for industrial composting and it is not a good idea that consumers put these kinds of products in their home composts.	COMMENT ACKNOWLEDGED This criterion has been deleted, please refer to the final proposal.
We consider that there is a lack of information to support a criterion on compostability. *A requirement on compostability would only have a positive impact if a specific collection scheme is settled in a Member-State, and in Portugal it was not yet implemented an EPR scheme for biowaste.*	COMMENT ACKNOWLEDGED This criterion has been deleted, please refer to the final proposal.

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

Comments received in EUEB/written form	JRC Dir. B response
TR3 – Annex I – AHP, p.20 Criterion 6 Waste end-of-life options Energy recovery The quantity of waste generated during the manufacture and packaging of the products (and sent to landfill or incineration), ~~, at the net of the fraction that is reused or converted into useful materials and/or energy),~~ shall not exceed: 8 % by weight of the end products for tampons, 4 % by weight of the end products for all the other products.	COMMENTS PARTIALLY ACCEPTED Wording was modified for a clearer understanding and verification by competent bodies. Please, refer to the new proposal for this criterion where energy recovery is considered.

Deleting part of the criterion leads to a reversal of the assessment: the limited fraction of residual waste considered is therefore that which would go to landfill or incineration. 1. We do not understand why this part of the criterion was deleted. Especially since, under Assessment and verification, the following sentence clearly indicates that energy recovery is considered: *The applicant shall provide evidence of the quantity of waste that has not been reused within the manufacturing process or that is not converted into materials and/or energy.* 2. If incineration with energy recovery were effectively eliminated, the waste rate (8% for tampons, 4% for other products) is unattainable/unfeasible. These products are composite products, the manufacturing waste of which (trims, cuts, occasional defects) cannot be reused nor recycled as is. Proposal: To be consistent with "assessment and verification", please restore the entire/original wording of the criterion (the deleted part of the sentence). - *Technical report version 3.0 (October 2022)* - *Section "6: Material efficiency in the manufacturing of the final product"* - *Page 81 Quantity of waste generated We would like to point out that the removal of the "useful materials and/or energy" claim is problematic and makes it difficult to meet the thresholds set and ask for this claim to be reintegrated.*	
TR3 – Annex I – AHP, p.20 *CRITERION 6 MATERIAL EFFICIENCY IN THE MANUFACTURING OF THE FINAL PRODUCT Waste end-of-life options* *Energy recovery* *"The quantity of waste generated during the manufacture and packaging of the products (and sent to landfill or incineration), ~~, at the net of the fraction that is reused or converted into useful materials and/or energy),~~ shall not exceed: 8 % by weight of the end products for tampons, 4 % by weight of the end products for all the other products."* Deleting part of the criterion leads to a reversal of the assessment: the limited fraction of residual waste considered is therefore that which would go to landfill or incineration. 1. We do not understand why this part of the criterion was deleted. Especially since, under Assessment and verification, the following sentence clearly indicates that energy recovery is considered: *The applicant shall provide evidence of the quantity of waste that has not been reused within the manufacturing process or that is not converted into materials and/or energy.*	

2. If incineration with energy recovery were effectively eliminated, the waste rate (8% for tampons, 4% for other products) is unattainable/unfeasible. These products are composite products, the manufacturing waste of which (trims, cuts, occasional defects) cannot be reused nor recycled as is. REQUEST: restore the entire/original wording of the criterion (the deleted part of the sentence).	

CRITERION 7: Excluded and restricted substances

Comments received in EUEB/written form	JRC Dir. B response
Comment: For the clarity it should be declared at the beginning of the criterion that impurities are allowed 100 ppm if not said otherwise in each sub-criterion and not in the assessment and verification part.	COMMENT PARTIALLY ACCEPTED This information has been added directly in the text of the assessment and verification section of each sub-criterion

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 EUEB/written form	JRC Dir. B response
Table 7 in the draft technical report (page 87) Change to Substance type Substances and mixtures with a harmonized classification as H304	COMMENTS ACCEPTED The criterion text has been amended accordingly
Table 7 in the draft technical report (page 87) Change to derogation condition for H304 The content of the column "Derogation condition" for H304 should be deleted, as with a viscosity at 40°C over 20.5 cSt (and not 20.5 St), a substance or mixture is not classified H304.	
Table 7 in the draft technical report (page 87) Applicability In our opinion, there is no need to differentiate between absorbent hygiene products for adult or baby diapers, and this specification should be deleted. *Based on the filed derogation request, we believe to have demonstrated that substances/mixtures with harmonized classification H304 are no longer present in the final product, as the classification relates to a phys-chemical property (viscosity), but no fluid substance is present in the absorbent hygiene product when put on the market (whatever its final purpose is).*	
Table 4 and 5 in the draft technical report (page 84/86) Wrong hazard class attribution H304 is not a hazard of the acute toxicity category (Part 3.1 of CLP annex I) but an Aspiration Hazard in its own category (part 3.10 of CLP annex I). To be exposed, the substance/mixture would have been swallowed and then accidentally enter airways.	
Derogation request, H304 substances As a consequence, to get a risk for human health, the absorbent hygiene product must both have the substance classified H304 in its liquid form and be swallowed. This is considered an unlikely situation, leading to no risk for human health.	
Pg.90 Derogation request, H304 substances "…As a consequence, to get a risk for human health, the absorbent hygiene product must both have the substance classified H304 in its liquid form and be swallowed. This is considered an unlikely situation, leading to no risk for human health."	

Also for a baby diaper the substance classified H304 is not in its liquid form, and hence the two circumstances will not happen and the derogation should be valid also for baby diapers. If any form of ingestion would happen, an elderly person suffering from dementia would most likely be able to ingest far more of an absorbent product than would a baby.	
Table 7. Derogations to restrictions on substances with a harmonised classification under Regulation (EC) No 1272/2008 and applicable conditions Odour control substances Change the wording in the last derogation column *Only in adult incontinence products if used according to criterion 7.3.b* To "according to CE regulation"	COMMENTS REJECTED The derogation for odour control substances in adult incontinence products has been removed
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.8.3.2 Sub-criterion 7.1 Restriction on substances, *Pg.87 Table 7, derogations Derogation request - Odour control substances* *These are not the same derogation as for the Nordic Swan. The Nordic Swan also have H332 and H373. It is important that the derogations for the odour control are the same in both labelling systems.*	
Page 84-88 Derogation for substances with a harmonized classification under Regulation (EC) No 1272/2008 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).	COMMENT REJECTED The classification for TiO2 is in terms of respiratory hazard, and is needed as TiO2 is the main pigment used for white colour.
Substances and mixtures The current criterion (and its equivalent in Blue Angel) prohibits substances AND mixtures subjected to certain classification requirements (pertaining to human health and environment). The new proposal is much more restrictive as it prohibits said substances but this time it is specified when they are "ALONE OR IN MIXTURES". What is the rationale behind this evolution? Should we not stay in alignment with Blue Angel and Nordic Swan by focusing on the classification of substances AND mixtures present in articles. Furthermore, the latest version of the technical report indicates that the maximum concentration of substances classified for the environment is 0.01%. Why is such a value used, where does it come from? Why not pick 0.1% for example, which is the threshold for SVHC's. And does this maximum concentration apply to the finished product, or to each of the components? We would also point out that the first proposal for the new criterion was proposing a total weight content of substances or mixtures (0.1% w/w to the finished article), how did we go from there to the new version?	COMMENT REJECTED The wording "alone or in mixtures" is in line with recently published EU Ecolabel criteria for other product groups (cosmetic products for example), and also with the overall aim of increasing the ambition level of the EU Ecolabel. The restriction is thus set at the substance level, independently if the substance is used as such or within a mixture. The criterion for a maximum of 0.01% of substances classified for the environment was first proposed in June 2022. The JRC is aware that the threshold proposed is lower than the limit stated in REACH for SVHCs. However, the limit of 0.01% comes as a result of the JRC Chemical Task Force for the EU Ecolabel, the feedback of the EU Ecolabelling Board members and recently published EU Ecolabel criteria for other product groups (cosmetic products for example), that also set a 0.01% threshold for these substances.
Pg.86 and Pg.91 Tables 5, 6 and 7.2 SHVC The different limits (if at all specified) between these three tables are hard to understand and seem not to be consistent.	COMMENT CLARIFIED The limit for table 5 and criterion 7.2 is no limit, i.e. substances with those classifications cannot be added to EU Ecolabel products. The limit for table 6 is 0.01% w/w of the product or component.
In the Assessment and Verification the following is written: *"For restricted substances and unavoidable impurities with a restricted classification, the concentration of the restricted substance or 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] Justifications for any deviation from a retention factor of 100% (e.g., solvent evaporation) or for chemical modification of a restricted impurity must be provided." This describes how one should declare the content of restricted substances, but not what the limit is. In the following parenthesis, that references the User Manual, it says the impurities can be present up to 0.0100% w/w. If this is what is valid for table 5, it should be written up-front. It should also state what is valid for intentionally added substances, both for final product and material. It is a very unfortunate way to write the criteria. The only way to interpret table 5 with its present look is that you can't have on single PPM intentionally added of any of the listed substances. Neither in a single material or in the final product, which is a very strict requirement.	
There is no limit set for the substances in table 5. REACH: Annex to the restriction proposal (where also the IN-list could be found) a table is found: Registry of restriction intentions until outcome - ECHA (europa.eu) The limit 130 ppm is set from the possible elicitation for substances that not already have a lower classification limit (such as MIT) whether they are intentionally added or not. It seems reasonable that the EU ecolabelling limit is not lower than the one in this REACH proposal. Besides, in the case of exception for impurities < 100 ppm, it says in table 5 and table 6 that the ban is for each material, while for SVHC it is only for the final product.	COMMENT CLARIFIED Indeed the threshold limit for substances is stricter for the EU Ecolabel than for REACH. The limit for Table 5 is actually no limit, i.e. substances with a harmonised classification as listed in Table 5 cannot be added to EU Ecolabel products or component. Such substances can only be present in the form of impurities. Substances with a harmonised classification as listed in Table 6 can be included up to 0.01% of EU Ecolabel products or components.
"Assessment and verification: *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 ~~relevant~~ safety data sheet or chemical supplier declaration and any relevant declarations that demonstrate the compliance with the requirement."* The way it is expressed it can be understood that also the process chemicals should be declared. Please clarify wording on "production process". Whose process? And which chemicals?	COMMENT ACCEPTED The wording has been amended to indicate that process chemicals do not need to be reported/declared.
Comparing with the CLP (EC no 1272/2008) classification rules, the handling of the H-phrases of Acute toxicity (table 5) and Acute aquatic toxicity (table 6) is strange. First, it is difficult to understand which the limits are. Secondly, when you classify chemical mixtures of substances with acute toxicity according to CLP, it is all about the concentration in the final product. According to the EU Ecolabelling proposal, you can´t use any substances at all (?) classified with e g H301, but you are free to use how much you prefer of a substance classified with e g H302 even though the toxicity of the final product could be the same. It can be agreed that substances classified as toxic to health are scarce and normally not used in hygiene business, however the principle is a bit odd. There should be an approved upper limit also for intentionally added substances, not only for impurities. Or, at least, a possibility to get an exemption if you could show that the amount used doesn´t have an impact on the health effects/environmental effects of the final product.	COMMENT CLARIFIED The limit for table 5 and criterion 7.2 is no limit, i.e. substances with those classifications cannot be added to EU Ecolabel products. The limit for table 6 is 0.01% w/w of the product or component. The list of hazard classifications that is taken into account for EU Ecolabel criteria has been decided in past years through the work carried out under the Chemical Task Force for the EU Ecolabel. Please note that the possibility was given throughout the revision process to present derogation requests for substances or compounds, when it was possible to get an exemption if the amount was shown not to have an impact on the health effects/environmental effects of the final product
Criterion 7.1. Derogations concerning excluded and restricted substances	COMMENT PARTIALLY ACCEPTED

a) This derogation (Table 7) needs to be clarified and also the documentation in the Technical Report shall be elaborated. The Nordic Swan has checked two examples of wetness indicator mixtures. These don't contain dipropylene glycol dibenzoate, but other wetness indicator mixtures. None of the wetness indicators were classified, but contained classificed substances – H412 and H413. Two comments: 1) If the derogations shall be specific, then add Cas. Number). 2) If the derogations shall cover similar mixtures with the same function, then the derogation should be on a general substrate level. The TR3.0 does not mention alternatives, but since the Nordic Swan have identified two alternatives, we suggest degation on a general substrate level and make the derogation more general for substances in wetness indicators. *We would like to have a clarification or confirmation that the derogation is on substance level.* *b) It shall be clarified for which specific material this derogation is relevant, including examples.*	The derogation is indeed at the substance level, and stems from a derogation request received. We agree on the principle that if dipropylene glycol dibenzoate is accepted in EU Ecolabel products, then other substances classified as H412 and used to indicate wetness should be accepted as well. However, we do not want to incentivise the use of classified substances in EU Ecolabel products; rather, manufacturers should try to identify non-classified alternatives. For this reason, we propose to keep the derogation for dipropylene glycol dibenzoate but not to other substances used for the same function. Please note that this derogation is in line with the Blue Angel. The CAS no. of dipropylene glycol dibenzoate will be added in the User Manual. In Table 8 we specified that dipropylene glycol dibenzoate can only be used in hot melt adhesives.
Criterion 7.1, Restrictions…. Verification It is said in the assessment and verification part that "The applicant shall provide a signed declaration of compliance with sub-criterion 7.1….". Does this mean that the producers of the components of the final product shall not do this?	COMMENT CLARIFIED No, signed declarations can also be provided by producers of components, as specified in the last sentence if the assessment and verification section: "The above evidence can also be provided directly to competent bodies by any supplier in the applicant's supply chain." It is also added in the Verification section that this is also valid for the producer of components.
Verification It is said in the assessment and verification part that "The applicant shall provide a signed declaration of compliance with sub-criterion 7.1….". Does this mean that the producers of the components of the final product shall not do this?	
7.1. Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council11 *This criterion shall not apply to: — substances not included in the scope of Regulation (EC) No 1907/2006 (12) as defined in Article 2(2) of that Regulation; — substances covered by Article 2(7)(b) of Regulation (EC) No 1907/2006, which sets out the criteria for exempting substances included in Annex V to that Regulation from the registration, downstream user and evaluation requirements. In order to determine if this exclusion applies, the applicant shall screen any ingoing substances or mixtures present in the product* Coomment: What does the yellow mean? Why shall the applicant screen any ingoing substance if there is only one substance that can be exempted?	COMMENT ACCEPTED The sentence was deleted
There is a contradictory between 7.1 and 7.3 (3): 7.1 only allows 100 ppm impurities: *This sub-criterion applies to ingoing substances in the final product. Unless derogated in Table 7, the final product, and any components articles therein,* While 7.3(e) says: *Additives used in plastics in concentration above 0,10 % weight by weight shall not be classified with any of the below listed hazard statements,* Comment: The H-phrases are the same in both sub-criteria. Additives in plastics are ingoing substances and majority of the components in an AHP is made of plastics why these additives that are ingoing materials and may be classified if used <1000 ppm will end up in a component. So the 7.3(e) allows classified ingoing substances in the components while 7.1 does not.	COMMENT ACCEPTED Criterion 7.3.e have been amended accordingly

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

Comments received in EUEB/written form	JRC Dir. B response
Pg.91 There is a big difference in how the explanations and limits are declared in the different tables 5, 6, and 7.2 SVHC.	COMMENT REJECTED The wording of the requirements related to table 5, 6 and criterion 7.2 are very similar and almost identical. We suggest that the stakeholder clarifies his comment for the development of the User Manual.
Criterion 7.2, SVHC Verification It is said in the assessment and verification part that "The applicant shall provide a signed declaration that the final product does not contain any SVHCs…". Does this mean that the producers of the components of the final product shall not do this?	COMMENTS ACCEPTED No, signed declarations can also be provided by producers of components, as specified in the last sentence if the assessment and verification section: "The above evidence can also be provided directly to competent bodies by any supplier in the applicant's supply chain." It is added in the Verification section that this is also valid for the producer of components.
Verification It is said in the assessment and verification part that "The applicant shall provide a signed declaration that the final product does not contain any SVHCs…". Does this mean that the producers of the components of the final product shall not do this?	

Sub-criterion 7.3 Other specific restrictions

Comments received in EUEB/written form	JRC Dir. B response
Excluded and restricted subtances (criterion 7) We support the restrictions proposed, which have included the category of Endocrine Disrupting Chemicals, and highly welcome the full restriction of fragrances and lotions. We very much appreciate the integration of a requirement to test for the presence of restricted chemicals in the final product (criterion 7.3). This criterion is very relevant in light of the findings by the French health authority ANSES of hazardous substances present above safety thresholds in nappies. It is also in line with the industry voluntary program set up by EDANA.	COMMENT ACKNOWLEDGED

Sub-criterion 7.3(a) Excluded substances

Comments received in EUEB/written form	JRC Dir. B response
MIT is used in water soluble inks but is well below the classification limits. It is extremely hard to find alternatives. *The water-soluble inks are much better than solvent based inks from both environmental and health aspects. Besides, there is a lower fire hazard with the water solubles. The solvent based inks is an actual issue in production units because of this.*	COMMENT PARTIALLY ACCEPTED The reference to MIT in criterion 7.3.a is not needed. Indeed, since MIT holds a harmonised classification as H400, H314, H301, H311, H318, H410, H330 and H317, it is already excluded according to criterion 7.1. Since inks can be used only in parts of the product that are not in contact with the skin, it is proposed to allow the use of MIT up to 0.002% in water soluble inks. This concentration is the one that triggers

	the CLP classification as Skin Sens 1 (https://echa.europa.eu/es/registration-dossier/-/registered-dossier/23868/2/1)

Sub-criterion 7.3(b) Fragances

Comments received in EUEB/written form	JRC Dir. B response
We support the restrictions proposed, which have included the category of Endocrine Disrupting Chemicals, and highly welcome the full restriction of fragrances and lotions. We very much appreciate the integration of a requirement to test for the presence of restricted chemicals in the final product (criterion 7.3). This criterion is very relevant in light of the findings by the French health authority ANSES of hazardous substances present above safety thresholds in nappies. It is also in line with the industry voluntary program set up by EDANA.	COMMENT ACKNOWLEDGED
ORIGINAL B) Fragrances SUGGESTION B) Odour agents (Odour Control and Fragrances) Assessment: There should be clarity and separation between Odour control and Fragrances. Fragrances mask the Odour. The proper term in this case is Fragrances. Odour Control agents avoid that the Odour occurs. The proper term in this case is Odour Control. The ii) paragraph should be revised: ORIGINAL Odour control substances may be permitted only in adult incontinence all absorbent hygiene products. SUGGESTION ii) Odour agent substances may be permitted in all absorbent hygiene products. Assessment: As these chemicals are not under Reach Regulation there is no reason to restrict their use only to incontinence products.	COMMENT REJECTED Given the difficulty to distinguish between fragrances and odour control substances, this requirement for incontinence products has been removed. Fragrances are not allowed in any EU Ecolabel product.
We do not wish to support a derogation on odour control substances.	COMMENTS ACCEPTED The derogation has been removed
If adult incontinence products – without CE labelling – will be included, the argumentation in the TR3.0 is lacking information for which a derogation shall be decided according to the Ecolabel regulation. Odour control systems can consist of several principles. Zeolites can be used to in capsule the smell, normal SAP can be used to absorb the urine and change the pH and by this hinder smell, and finally fragrance can be used. The list of systems to hinder odour is most likely not complete but 2 out of 3 systems do not need a derogation. *Based on this, criterion 7.3(b)(ii) regarding derogation to odour control substances should be deleted.*	

The derogation for odor control substances, which may include H410 substances. There is no need for perfumes or toxic chemicals in an Ecolabelled product, where the function might be technically solved otherwise.	
Fragrances are unique and complex combinations of natural and synthetic ingredients that are added to products to give them a distinctive smell or to cover their malodour. *As already expressed during the previous discussions and in the comments sent earlier for your attention, IFRA would like to renew its concerns on the proposed criteria for adult incontinence products, in relation to point 7.3 (b) on fragrances.* *Fragrances are proposed for a ban, while odour control substances are permitted, only in adult incontinence products.* *These comments are provided to contest the ban of 'fragrances' by use of the distinction between fragrances and odour control substances.* *IFRA is not aware of any specific category of ingredients named "Odour control substances" other than fragrances, as the definition of a Fragrance Ingredient / Material refers to any basic substance (raw material) used for its odour properties or malodour coverage as a component of a fragrance mixture.* *Fragrance ingredients are used for odour masking, odour controlling and odour neutralizing, and we therefore wonder how the line will be drawn between a fragrance ingredient and and 'odour control substance'. In practice, when a fragrance ingredient is used in a mixture (e.g. limonene – naturally present in citrus oil – or eugenol – naturally present in clove), we cannot distinguish whether it will mask bad odours, or be used for 'smelling nice'.* *Fragrance molecules have an odour in their own right, so they are fragrancing. It is the combination of the various fragrance ingredients/ substances - created by the perfumer - that will lead to a mixture masking bad odours or 'smelling nice', depending on the intended use of the fragrance composition. In that sense, and in a specific formulation, as for encapsulated fragrances intended for use in adult incontinence products, fragrance molecules are preferentially used to mask odours while they remain to be fragrance molecules in their own right. The same fragrance substance can be used to mask odour in one application and to give nice odour in another. Therefore, it is not possible to define "odour control substances" as this "property" changes depending on the application and on the fragrance mixture used.* *IFRA does not support the addition to the User Manual of a new definition of "odour control substances". This is not scientifically based, could be misleading for the consumers and would be highly questionable in terms of enforceability. The enforceability of criteria/ provisions distinguishing between fragrances and odour control substances is indeed questionable, as today, we are not aware of any tool/ mean enabling this distinction. The adoption of enforceable provisions is key to ensure the credibility of Ecolabel criteria and standards. As previously reported, IFRA would value the continued authorization of fragrances in adult incontinence products – especially giving the function of these products, and consumers' demand for the masking of odours. IFRA recognizes the importance of the responsible and safe use of fragrances in consumer products. For nearly 50 years, the fragrance industry has carefully examined fragrance ingredients used in various consumer products (including fine fragrances, cosmetics or household and personal care products) to ensure the safe use of fragrances. IFRA Standards – mandatory for all IFRA members – ban, limit or set criteria for the use of certain ingredients, based on the latest scientific evidence and consumer insights. Moreover, the fragrance industry must comply with very strict European rules on chemicals to ensure the safe use of fragrances across Europe. We therefore support the criteria adopted in the Decision from 2014, establishing notably that any ingoing substance or mixture added to the product as a fragrance shall be manufactured and handled following the IFRA Code of practice; and that the use of fragrances shall be indicated on the product packaging. The exhaustive list of criteria can be found in the 2014 decision. (COMMISSION DECISION - of 24 October 2014 - establishing the ecological criteria for the award of the EU Ecolabel for absorbent hygiene products - (notified under document C(2014) 7735) - (2014/763/EU) (europa.eu)) It is*	COMMENT PARTIALLY ACCEPTED We agree that there is no commonly accepted distinction between fragrances and odour control substances, therefore this requirement for incontinence products has been removed. Fragrances are not allowed in any EU Ecolabel absorbent hygiene products. Indeed, when consulted on this matter, the vast majority of EUEB members was in favour of a total ban for fragrances and lotions.

worth noting that in accordance with IFRA Standards, a dedicated product category for adult incontinence pant, pad (category 11A) defines maximum concentration of fragrances to ensure a safe use for consumers. Although being present at a low concentration in these products, there is a consumer demand for them, for higher comfort and well-being. *We kindly ask for the consideration of the above comments when finalising the draft criteria for AHP, in order to offer consumers ecolabelled adult incontinence products responding to their demand for sustainability but also to their demand for comfortable products.* *We stay at your disposal in case further information is needed.*	
Criterion 7.3(b). Fragrances and odour control *i) Ecolabelling Denmark / Ministry of Environment supports exclusion of fragrances in AHP products.* *ii) The derogation allowing odour control (derogates H400 and H410) is only for adult incontinence products, and these products shall according to our knowledge always be CE labelled and hence not in the scope of EU Ecolabel. This argument has been put forward by several countries and several producers and hasn't be contradicted by the JRC/Commission. The TR3.0 states that some incontinence products for adults are not CE labelled, but cannot verify the market penetration. However, we need a legal analysis whether adult incontinence products without CE labelling can be included, as it is clear from the EU Ecolabel regulation that products regulated by the Medical Device Regulation cannot be included in the product group definition.*	COMMENT CLARIFIED As explained in the TR3, manufacturers of incontinence products may or may not register their products under the Medical Devices Regulation. In case the products are registered as medical devices, they cannot be awarded the EU Ecolabel. However, products not registered as medical devices can be awarded the EU Ecolabel. In any case, the requirement on odour control substances in incontinence products is proposed to be removed, given the difficulty to distinguish between fragrances and odour control substances.
Comment: A verification for the following is needed. There is not said anything how they should be verified: *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*	COMMENT PARTIALLY ACCEPTED The requirement on odour control substances in incontinence products is proposed to be removed.

Sub-criterion 7.3(c) Lotions

Comments received in EUEB/written form	JRC Dir. B response
Comment on Criterion 7.3 (c). Lotions *Ecolabelling Denmark / Ministry of Environment supports the exclusion of lotion; however, we suggest deleting the newly introduced text in the beginning of the criteria, since this add uncertainty to which part of the products that shall be verified. We read the old criteria as both ingoing materials and components and the final product shall verify that lotion hasn't been added, but this is in contradiction to the added sentence. Please delete "This sub-criterion applies to ingoing substances in the final product. "*	COMMENT PARTIALLY ACCEPTED The sentence at the beginning of the sub-criterion has been modified to the following: "This sub-criterion applies to the final product". This distinction is needed to highlight other sub-criteria under criterion 7, which apply only to some components of the final product (e.g. to the adhesives, to the release liner, etc.) However, the second sentence of the sub-criterion on lotions clearly states that "Lotions shall not be used in the product, nor in any component thereof."

Sub-criterion 7.3(d) Inks and dyes

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

The applicant shall provide a signed declaration of compliance with the above sub-criterion, supported by declarations from suppliers if relevant. *To be able to follow up on this criterion, there is usually a need to move up in the tiers of suppliers, so that sub-suppliers or even sub-sub-suppliers would need to sign. This makes it very time consuming for the applicant and the responses are usually very limited if at all.*	COMMENT PARTIALLY ACCEPTED While we acknowledge the relevance of this comment, unfortunately it is not possible to remove this part of the assessment and verification of this sub-criterion, as otherwise it would not be possible to verify the criterion. However, we propose to engage with the relevant stakeholders during the development of the User Manual and related declarations, so that the administrative burden is reduced as much as possible
The applicant shall provide a signed declaration of compliance with the above sub-criterion, supported by declarations from suppliers if relevant." *Dyes and inks are ingredients with very low parts of the final product, and with very low impact and causes very low exposure to the user. The administrative load to fulfil this requirement should be viewed from the perspective of the very low risks connected to it.* *To be able to follow up on this criterion, there is usually a need to move up in the tiers of suppliers, so that sub-suppliers or even sub-sub-suppliers would need to sign. This makes it very time consuming for the applicant and the responses if it is needed to go up in the supplier tiers are usually very limited if at all.*	
From technical point it is not possible to use such approved inks and dyes (i.e., actual food additives). *Dyes and inks are a very low part of the final product, and with very low impact and causes very low exposure to the user.*	
This requirement does not apply to the primary packaging and information sheets and individual wrapping or film and release liner. Comment: The requirement should not cover the additional components either because it said that *"This sub-criterion applies to ingoing substances in the final product."* So please add the green marked words. *(ii)The following components are exempted and may be dyed or printed:* *— tampon strings, packaging materials and closing system;* *Comment: The first part (i) says only that the components are not allowed to be dyed, they can still be printed so the yellow "or printed" should be deleted.* *then in the beginning of the criterion it is said that this requirement does not apply to "primary packaging" only the final product, so the "packaging materials" is unnecessary* *Our opinion is that the requirement that the dying colorants and inks must be approved as food additives is too stringent and not correct. Nordic Swan tried to introduce a similar requirement on pigments that are used in components that are in contact with skin but got the information from the pigment suppliers that it is different types of pigments that are used as food additives than are used in plastics production. The food additive pigments cant´t be used in the processes used for plastics. Therefore, we changed the requirement. Please check the Swan criterion that does work, theoretically. However, to get the information and verifications needed for it from the pigment suppliers is almost impossible. It can take years and therefore, we have almost no dyed components in Swan-labelled products. Please don´t make this requirement too hard and don´t ban the nice, printed figures on the back sheets of the diapers that babies like.*	COMMENT ACCEPTED The criterion was aligned with Nordic Swan, deleting the reference to the food contact regulation and adding the reference to the BfR Recommendations

Sub-criterion 7.3(f) Further restrictions applying adhesives

Comments received in EUEB/written form	JRC Dir. B response
According to the EcoLabel criteria, substances classified as skin sensitizers are not allowed to be used. Please see JRC Technical Report Revision of EU ECO label criteria for absorbent Hygiene Products Draft Technical report v3.0 October 2022, page 86, Annex I: Third proposal for criterion 7.1: Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council. *On page 100 Annex I: Third proposal for criterion 7.3.f: Further restrictions applying to adhesives an exception is made for colophony. It is allowed, despite it is being classified according to CLP as skin sensitizer, to be added in amounts not exceeding 0.01%.* *However, the substance colophony is not used as blend or mixture component to make adhesives. Meaning there is no need to make an exception for rosin. Rosin esters, substances in their own right and not classified as skin sensitizers, are used as tackifiers and blend components in adhesives.* *It is proposed to delete the double strike through text in Annex I: Third proposal for criterion 7.3.f: Further restrictions applying to adhesives on page 100:* *The following substances ~~shall not be~~ added to adhesives ~~used in Absorbent Hygiene Products according to~~ shall not exceed the thresholds listed below:* *~~- Colophony: Adhesives shall not contain more than 0.01% (weight by weight) colophony resin.~~* *~~Modified colophony derivatives that are not classified as sensitizers, e.g. rosin esters, are allowed;~~* *-Formaldehyde: the content of free formaldehyde(...)* *The text of this section would become:* *The following substances ~~shall not be~~ added to adhesives ~~used in Absorbent Hygiene Products according to~~ shall not exceed the thresholds listed below:* *Formaldehyde: the content of free formaldehyde in hardened adhesive (glue) shall not exceed 10 ppm. The threshold for formaldehyde generated during adhesive production shall be 250 ppm, measured in newly produced polymer dispersion. Hotmelt adhesives shall be exempted from this requirement.* *Assessment and verification:* *The applicant shall provide a signed declaration of compliance with the above sub-criterion, supported by declarations from suppliers if relevant, and safety data sheets (SDS) of any substance/mixture and their concentration in the final product.* *The applicant shall also provide test results for the content of formaldehyde, according to the test method ISO 14184-1:2011 or equivalent.* *The JRC Technical Report Revision of EU ECO label criteria for absorbent Hygiene Products Draft Technical report v3.0 October 2022, does not include the declaration forms. Following the above, colophony should also be removed from the declaration(s).* *Formaldehyde: the content of free formaldehyde in hardened adhesive (glue) shall not exceed 10 ppm. The threshold for formaldehyde generated during adhesive production shall be 250 ppm, measured in newly produced polymer dispersion. Hotmelt adhesives shall be exempted from this requirement.* *Assessment and verification:*	COMMENTS ACCEPTED The text of the criterion has been amended accordingly

The applicant shall provide a signed declaration of compliance with the above sub-criterion, supported by declarations from suppliers if relevant, and safety data sheets (SDS) of any substance/mixture and their *concentration in the final product.* *The applicant shall also provide test results for the content of formaldehyde, according to the test method ISO 14184-1:2011 or equivalent.* *The JRC Technical Report Revision of EU ECO label criteria for absorbent Hygiene Products Draft Technical report v3.0 October 2022, does not include the declaration forms. Following the above, colophony should also be removed from the declaration(s).*	
Page 100. Annex I: Third proposal for criterion 7.3.f: Further restrictions applying to adhesives Deletion of Colophony from the EcoLabel criteria. *According to the EcoLabel criteria, substances classified as skin sensitizers are not allowed to be used. Please see JRC Technical Report Revision of EU ECO label criteria for absorbent Hygiene Products Draft Technical report v3.0 October 2022, page 86, Annex I: Third proposal for criterion 7.1: Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council.* *On page 100 Annex I: Third proposal for criterion 7.3.f: Further restrictions applying to adhesives an exception is made for colophony. It is allowed, despite it is being classified according to CLP as skin sensitizer, to be added in amounts not exceeding 0.01%.* *However, the substance colophony is not used as blend or mixture component to make adhesives. Meaning there is no need to make an exception for rosin. Rosin esters, substances in their own right and not classified as skin sensitizers, are used as tackifiers and blend components in adhesives.* *It is proposed to delete the double strike through text in Annex I: Third proposal for criterion 7.3.f: Further restrictions applying to adhesives on page 100:* *The following substances ~~shall not be~~ added to adhesives ~~used in Absorbent Hygiene Products according to~~ shall not exceed the thresholds listed below:* *~~- Colophony: Adhesives shall not contain more than 0.01% (weight by weight) colophony resin.~~* *~~Modified colophony derivatives that are not classified as sensitizers, e.g. rosin esters, are allowed;~~* *-Formaldehyde: the content of free formaldehyde(...)* *The text of this section would become:* *The following substances ~~shall not be~~ added to adhesives ~~used in Absorbent Hygiene Products according to~~ shall not exceed the thresholds listed below:*	
7.3(f). Further restrictions applying to adhesives *Assessment and verification: The applicant shall provide a signed declaration of compliance with the above sub-criterion, supported by declarations from suppliers if relevant, and safety data sheets (SDS) of any substance/mixture and their concentration in the final product.* *The applicant shall also provide test results for the content of formaldehyde, according to the test method ISO 14184-1:2011 or equivalent* *Comment:The yellow should be in the adhesive, instead.* *How often should the formaldehyde be tested?*	COMMENT ACCEPTED The wording has been amended accordingly

Sub-criterion 7.3(g) Super Absorbent Polymers (SAP)

Comments received in EUEB/written form	JRC Dir. B response
Comment on Criterion 7.3(g). Super Absorbent Polymers (SAP) *For clarity/consistency, the following sentence should be designated as point (iii) since this is a new requirement that shall be verified. 7.3 (g) iii "Acrylamide shall not be included in superabsorbent polymers".*	COMMENT ACCEPTED The criterion has been amended accordingly
7.3(g). Super absorbent polymers (SAP) *In addition, the applicant shall also provide a declaration from the supplier documenting the composition of the super absorbent polymer(s) used in the product and the quantity of watersoluble extracts in the superabsorbent polymer(s). The declaration shall be supported by SDSs or test results specifying the residual monomers contained in the SAP and the quantities thereof. If tests are used, recommended test methods are ISO 17190 and WSP 210. In these cases, the tested quantities for residual monomers and soluble extracts shall be averages from repeated measures over a certain period of time.* *Comment: Even if the supplier issues a SDS for SAP they need to test the SAP and it should be indicated in the SDS what the test method was and the test frequency.*	COMMENT ACCEPTED The wording has been amended accordingly

Sub-criterion 7.3(h) Silicone

Comments received in EUEB/written form	JRC Dir. B response
7.3(h). Silicone *Comment: Organotin compounds used as a catalysts in the production of silicon are banned in the final product according to the 5.3(a) but are they allowed in the production of silicone for release liner?* *(ii) Octamethyl cyclotetrasiloxane D4 (CAS 556-67-2), decamethyl cyclopentasiloxane D5 (CAS 541-02-6) and Dodecamethylcyclohexasiloxane D6 (CAS 540-97-6) shall not be present in the silicone mixture [6] in concentrations above 800 ppm (0,08 % w/w). The 800 ppm limit is to be applied to each substance separately.* *How shall the 800 ppm limit be verified?*	COMMENT CLARIFIED The limit should be verified by a declaration from the manufacturer of the release liner that the silicone mixture does not contain more than 800 ppm of D4, D5 and D6 (separately), accompanied by the Material safety data sheet for the silicone mixture.

Sub-criterion 7.3(i) Impurities of concern

Comments received in EUEB/written form	JRC Dir. B response
7.3. Other chemicals of concern/Table 8 on page 29-30 Glyphosate Glyphosate is applied in cotton plantations as a herbicide and gives traces to the cotton raw material in cases of a short harvesting age.	COMMENT REJECTED

We suggest mentioning this in the text as a relevant topic to control this substance. Also consider if this is favored?	Glyphosate is already proposed to be controlled as impurity in the final product, as reported in Table 8
Need to remove hexachlorobenzene from the dioxins group of substances as this substance is now under pesticides.	COMMENT ACCEPTED The table has been amended accordingly
Request to apply all the guidance values from Codex. The EDANA Codex guidance values are incorrectly reported (e.g. the PAH guidance value is missing).	COMMENT PARTIALLY ACCEPTED We have checked the latest document available (version from June 2022), and we could not spot any difference in the values reported in the criteria proposal
7.3(i): Other chemicals of concern Testing Is it reasonable to require such extensive testing? What is the price of it? Are all these tests relevant? Do we lose all our licenses? (And no test methods have been named.)	COMMENT PARTIALLY ACCEPTED We have added in the Assessment and Verification the recommended test methods to be used. These tests are the ones that, to our knowledge, are already carried out by AHP manufacturers to check that impurities of concern are not exceeding the limits in Table 8 of the criterion proposal. All impurities of concern listed in Table 8 are relevant, and as far as the JRC is aware, they are all tested by manufacturers already today.
Comment: It should be clarified that it is enough if the analyses are performed on representative product. Sometimes there are series of products of different sizes that contain same raw materials and then it should be enough to analyse one of the products.	COMMENT ACCEPTED The criterion has been amended accordingly

CRITERION 8: Packaging - NEW

Comments received in EUEB/written form	JRC Dir. B response
-Technical Report 3 -CRITERION 8 for Absorbent Hygiene Products: Packaging -Page 108 Recycled Content in Plastic Packaging 10% and 25% minimum recycled content in primary and secondary packaging, respectively before and after 1st of January 2028, are very low targets and not in line with the PPWR proposal by the European Commission, imposing the following minimum recycled plastic content by 1st of January 2030 (and by 2040): (a) 25 % for contact sensitive plastic packaging (50% by 2040) (b) 50 % for single use plastic beverage bottles (65% by 2040) (c) 45 % for other plastic packaging (65% by 2040)	COMMENT PARTIALLY ACCEPTED. Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is required to be either avoided or made only of cardboard/and or paper as it is not an essential packaging. Finally, the ambition level for plastic sales packaging has been raised in a step-wise approach to 20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively. As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages present a compromise and are aligned with the targets proposed by the revised Packaging and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation. Also, there has been a change in the time period that the targets consider since it cannot exceed the validity expiry date of the newly proposed AHP criteria.

Because of the added value of Ecolabel, we would support to anticipate the targets, keeping the two steps approach. At the same time we would recommend to make no difference on the criterion between individual wrapping and not individual wrapping. 'Primary packaging made of plastic shall contain a minimum 45% recycled material (until 1st January 2028). After 1st January 2028, primary packaging made of plastic shall contain a minimum 65% recycled material. Secondary packaging made of plastic shall contain a minimum 45% recycled material (until 1st January 2028). After 1st January 2028, secondary packaging made of plastic shall contain a minimum 65% recycled material.'	
-Technical Report 3 - CRITERION 8 for Absorbent Hygiene Products: Packaging -Page 108 We welcome the recyclability capacity definition, being this definition in line with the recyclability class A promoted by the PPWR (i.e. minimum 95% by weight and <5% residuals compatible with recycling).	COMMENT ACKNOWLEDGED
-Technical Report 3 - CRITERION 8 for Absorbent Hygiene Products: Packaging -Page 108 and 109 Assessment and verification: recycled plastic Please include the ISO 22095 and ISO 15343 in the requirements: Recycled content must be verified by complying with the ISO 22095 and EN 15343 (Plastics - Recycled Plastics - Plastics recycling traceability and assessment of conformity and recycled content). While for paper the declaration of compliance should be supported by a third-party certification, for plastic this is not required. We would support third party certification according to ISO 17065 to assess and verify use of recycled plastic in primary and secondary packaging. RecyClass Recycled Content audit scheme covers both PCR and PIR and the scheme is able to trace the physical presence of recycled plastic in packaging and products (controlled blending chain of custody methodology). Other schemes based on different methodologies (except segregation) are not able to trace the physical presence of the recycled plastic in packaging. More information is available at: https://recyclass.eu/get-certified/recycled-plastic/#1 'The applicant shall provide a certification supported by a valid, independently certified (ISO 17065) chain of custody (ISO 22095) certificate for recycled plastic used for the primary and secondary packaging. Segregation or controlled blending schemes like RecyClass shall be accepted as independent third-party certification.'	COMMENT ACCEPTED. The suggested methods (ISO 22095 and ISO 15343) have been included as part of the Assessment and Verification for Plastic Recycled content. The text reads now: *'Plastic recycled content in the packaging shall comply with chain of custody standards such as ISO 22095 or EN 15343. Equivalent methods may be accepted if considered equivalent by a third-party, and shall be accompanied by detailed explanations showing compliance with this requirement and related supporting documentation. Invoices demonstrating the purchase of the recycled material shall be provided'.*

-Technical Report 3 - Recyclability targets -Page 116 Recyclability for plastic packaging We welcome the reference to RecyClass because EN 13430 or ISO 18604 standards are old standards and not in line with the circular strategy for plastics, nor with the upcoming requirements to assess recyclability based on the ongoing revision of the PPWD. We would invite Ecolabel to support the use of the RecyClass recyclability evaluation protocols for testing innovative packaging technologies https://recyclass.eu/recyclability/test-methods/ and the use of the RecyClass recyclability third party certification https://recyclass.eu/get-certified/recyclability/#1 to certify the plastic packaging recyclability This is in line with requirements by the ongoing revision of the PPWD (now Regulation). We would recommend revising as following: 'When looking at the recyclability of plastic packaging, standards such as RecyClass testing protocols (footnote to testing methods) and recyclability certification (footnote to audit scheme) appear as efficient methods to verified recyclability in a detailed procedure. Note that the standards (EN 13430 or ISO 18604) only provided information on the possibility to recycle without information on the recycling stream more suitable to the plastic packaging. When the RecyClass Recyclability Evaluation and Sorting Evaluation Protocols are applied, the following information must be reported: - Reference to the Recyclability and Sorting Protocols. - Description of the recycling and sorting facilities: equipment and settings applied. - ...'	COMMENT PARTIALLY ACCEPTED. For simplicity, the text on the criterion has not been amended as per the suggestion made. However, the Recyclass testing protocol is mentioned within the Technical Report (TR) when discussing methods for recyclability of plastic packaging. This TR text is aligned with the suggestion made, including a brief description of this testing protocol, including specification of the information that must be reported (thus conveying direction on the recycling stream more suitable to the plastic packaging). Please, refer to the new proposal in TR and legal documents for which further clarification will be added in the UM.
-Technical Report 3 - Rationale behind the proposed assessment and verification -Page 116-118 Recyclability and recycled content Looking at the ongoing revision of the PPWD (now Regulation) the recyclability will be expressed in classes (from A to E) where A implies more than 95% by weight of the plastic polymer and the residual 5% compatible with recycling. The Minimum Standards adopted in Germany, like any other national standard/methodology to assess recyclability will disappear because of the new Regulation. We would also point out he revision of the PPWD also include a negative list. We would support the inclusion of such a negative list in Ecolabel.	COMMENT PARTIALLY ACCEPTED. The negative list of chemicals making the packaging non-recyclable per definition has not been introduced at this stage, as per the difficulties to find relevant literature and unified criteria. However, this aspect is proposed to be addressed in the next revision. With regards to plastic packaging, the proposed chain of custody standards (ISO 22095 and EN 15343) for recycled content have been included (See previous comments). Likewise, for recyclability the text now reads: '*Segregation or controlled blending schemes like RecyClass shall be accepted as independent third-party certification for plastic packaging. Equivalent testing methods may be accepted if considered equivalent by a third-party*'.

Furthermore, as mentioned above, recycled content should be subjected to third party certification based on segregation or controlled blending chain of custody methodologies. The verification should be compliant with the ISO 15343. Primary and secondary packaging recyclability verification: EN 13430 or ISO 18604. RecyClass third party certification, or other equivalent methodologies, should be used for plastic packaging. - Declaration of compliance supported by a valid, independently certified chain of custody certificate for all cardboard and paper (100%) used for the primary and secondary packaging is requested. - Plastic recycled content in the packaging shall comply with chain of custody standards such ISO 22095 and with EN 15343. Certification should be based on segregation or controlled blending methodologies. RecyClass certification, or any other equivalent methodologies, should be used for plastic.	
Criterion 8 *Page 132 Green PE bag Alternative to recycling percent of plastic bag should be 100 % Green PE plastic bag which is a very environmental friendly option.*	COMMENT REJECTED Firstly, note that the sourcing of biobased plastic materials is covered within current Criterion 5 (previous criterion 4.2 in TR3.0). *Biobased plastic materials,* which includes not only the packaging but also the final product and separate components. Secondly, criteria are designed to be compatible with new innovations, including aspects such as the materials used and form of the final product (and in this case, the packaging). Advocating for a specific material in a specific form of the product/packaging (Green PE bags) goes against this principle. Consequently, the comment is not accepted.
Criterion 8 Packaging; recycled content In our opinion the required percentages of recycled content in the packaging is to low. We propose - a. 1. Recycled content in cardboard and paper packaging: 80% recycled material for primary and secondary packaging made of cardboard and paper - a. 2. Recycled content in plastic packaging: immediately 25% recycled material for primary and secondary packaging made of plastics	COMMENT PARTIALLY ACCEPTED. Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is required to be either avoided or made only of cardboard/and or paper (as it is not an essential packaging). The ambition level for cardboard has been raised to 100% of recycled material but also it has been made flexible by allowing to, alternatively, use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate. This should ensure boosting circularity and/or sustainability. The ambition level for plastic sales packaging has been raised in a step-wise approach to 20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively. As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages present a compromise and are aligned with the targets proposed by the revised Packaging

	and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation.
CRITERION 8 - PACKAGING Missing some case of configuration of packaging The new proposal seems to be more fitted. But some cases are missing and particularly : ▪ the packaging assembled with the method of "sandwich" which consists of two outer layers of virgin material and in-between of recycled material. This technique concerns cardboard and paper packaging and plastic packaging. ▪ The packaging with two faces : one in contact with the product and of virgin material and the other side made of recycled material. This type of packaging can be only cardboard packaging or only plastic packaging or a two-type material. It allows to respond to the objectives of incorporating recycled material into packaging and in the same time ensure safety of the product and reduce the number of sub-packaging. REQUEST: add the case of packaging made of "sandwich" technique and two-sided packaging made of mono or two types materials into the ECOLABEL in order to not exclude the product concerned of the ECOLABEL.	COMMENT REJECTED Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is now required to be either avoided or made only of cardboard/and or paper (as it is not an essential packaging). The text for this criterion (section *(d) Additional requirements*), states: *'Utilisation of composite packaging (sales and grouped primary or secondary), mixed plastics or the coating of the cardboard and/or paper with plastics or metals are not allowed'*. As long as this clause is respected, namely use mono-materials (either use solely plastic or solely cardboard/paper), there should not be problem in having "sandwich" (virgin – recycled – virgin) or "two-sides (virgin inner side –recycled outer side) packaging. Thereby, JRC does not consider there is a need to include within the text criterion a specific case for these packaging cases. Nevertheless, clarifications/considerations could be added to the user manual.
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.9 CRITERION 8 for Absorbent Hygiene Products: Packaging, Pg.107 Recycled content *a. 1. Recycled content in cardboard and paper packaging Primary packaging:* *To have a demand on 40 % recycled material in a paper packaging puts very high demands on the material when paper is substituting plastics. This demand should be put on hold for the future when paper packaging has developed more and can be evaluated.*	COMMENT REJECTED Despite the ambition level for cardboard has been raised to 100% of recycled material, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden.
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.9 CRITERION 8 for Absorbent Hygiene Products: Packaging, Pg.107 Recycled content *a. 1. Recycled content in cardboard and paper packaging Secondary packaging:* *To have 80 % recycled is a very high demand for packaging. It should be considered that the system on recycled fibers also needs replenishment of virgin fibers to be able to keep going. When recycled fibers are used there is also a need for thicker/more material in the packaging.* *It would be preferable if the 80 % in such a case could be enough to have as an average for a full assortment.*	COMMENT ACKNOWLEDGED Despite the ambition level for cardboard has been raised to 100% of recycled material, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden.
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.9 CRITERION 8 for Absorbent Hygiene Products: Packaging, Pg.107-111 Recyclability Related with the recyclability criteria, a reminder that there is already national legislation related to this topic. *As the industry, we would like to improve the recyclability profile of our products, without compromising the quality of the output of the recycling value chain.*	COMMENT ACKNOWLEDGED Related to national legislation, JRC understand there should not be incompatibility with regards to the requirements stated in national legislation versus current formulation of these EU Ecolabel (voluntary) criteria for AHP & RMC. Furthermore, the criteria has been formulate precisely with the intention to improve the recyclability profile without hindering the quality of the recycling value chain, also bearing intending to boost recycled content uptake.

Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.9 CRITERION 8 for Absorbent Hygiene Products: Packaging, Pg.107-111 Recyclability The demand on 95 % recyclability capacity is very high. What is it based on? There is a lot of development on-going with packaging and development on more paper packaging. Why put this restriction on a field that is under-going intense development for the time being?	COMMENT ACKNOWLEDGED JRC has aligned as closely as possible with applicable and relevant legislation, in this case with the revised Packaging and Package Waste Directive (now proposal for a Regulation). This Regulation states in its Article 6 the conditions to fulfil and by when (including any pending work to develop) for Recyclable packaging. Within this article, it does refer to Annex II (*Categories and parameters for assessment of recyclability of packaging*), where paper/cardboard is a type of material and also where Recyclability performance grades (A-E) are mentioned. The grade reflecting the highest environmental excellence is grade A (≥95% recyclability), which is what the AHP criterion reflects. Furthermore, consultations with industry experts/professional bodies suggested that current recyclability capacity for paper and cardboard was already high. The intention is not to impose any restriction but rather to ensure that EU Ecolabel products do excel in environmental performance. Nevertheless, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden.
8. Packaging, *P.107 8a Recycled content Primary packaging:* *To have a demand on 40 % recycled material in a paper packaging puts very high demands on the material when paper is substituting plastics. This demand should be put on hold for the future when paper packaging has developed more and can be evaluated.*	COMMENT REJECTED Despite the ambition level for cardboard has been raised to 100% of recycled material, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden..
8. Packaging, *P.107 8a Recycled content Secondary packaging:* *To have 80 % recycled is a very high demand for packaging. It needs to be considered that the system on recycled fibers also needs replenishment of virgin fibers to be able to keep going. When recycled fibers are used there is also a need for thicker material in the packaging.* *It would be preferable if the 80 % in such a case could be enough to have as an average for a full assortment.*	COMMENT ACKNOWLEDGED Despite the ambition level for cardboard has been raised to 100% of recycled material, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden.
8. Packaging, *P.107 8a Recycled content The demand on 95 % recyclability capacity is very high. What is it based on? There is a lot of development on-going with packaging and development on more paper packaging. Why put this restriction on a field that is under-going intense development for the time being?*	COMMENT ACKNOWLEDGED JRC has aligned as closely as possible with applicable and relevant legislation, in this case with the revised Packaging and Package Waste Directive (now proposal for a Regulation). This Regulation states in its Article 6 the conditions to fulfil and by when (including any pending work to develop) for Recyclable packaging. Within this article, it does refer to Annex II (*Categories and parameters for assessment of recyclability of packaging*), where paper/cardboard is a type of material and also where Recyclability performance grades (A-E) are mentioned. The grade reflecting the highest environmental excellence is grade A (≥95% recyclability), which is what the AHP criterion reflects. Furthermore, consultations with industry experts/professional bodies suggested that current recyclability capacity for paper and cardboard was already high. The intention is not to impose any restriction but rather to ensure that EU Ecolabel products do excel in environmental performance. Nevertheless, more flexibility has been introduced by allowing to use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate as an alternative approach. This should ensure boosting circularity and/or sustainability and should be feasible without imposing excessive burden.

Comments on Criterion 8 Packaging [redacted]: *The criteria should be aligned with (and stricter) than the coming regulation for packaging. A leaked draft of the packaging regulation forsees a minimum recycled content of 45 % for plastics in 2030. The proposal in criterion 8 demanding only 10 % recycled content for plasticsuntil 2028 doesn't seem strict enough in this context. For recycled content in plastic packaging, we normally see 30 %, hence we suggest setting a minimum level at 30% (for primary and secondary packaging) today, and rising to 45 % (for primary and secondary packaging) in 2028. To simplify the requirement, we suggest setting a minimum level for paper/cardboard to a 70 % recycled content (for primary and secondary packaging), which is in line with other EU Ecolabel for paper/cardboards.*	COMMENT PARTIALLY ACCEPTED. Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is required to be either avoided or made only of cardboard/and or paper (as it is not an essential packaging). The ambition level for cardboard has been raised to 100% of recycled material but also it has been made flexible by allowing to, alternatively, use 100% of cardboard/paper covered by a valid Sustainable Forestry Management certificate. This should ensure boosting circularity and/or sustainability. The ambition level for plastic sales packaging has been raised in a step-wise approach to 20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively. As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages present a compromise and are aligned with the targets proposed by the revised Packaging and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation. Also, there has been a change in the time period that the targets consider since it cannot exceed the validity expiry date of the newly proposed AHP criteria. In this sense, a future revision of this EU Ecolabel criteria should be able to raise even more the ambition to the suggested percentage (45%) or even higher, shall the evidences support this potential change.
Criterion 8, packaging Primary packaging, recycled content There may be difficulties to find recycled plastic, which fulfils the quality requirements. Our license holder has faced these problems and proposes that we should consider 100 % Green PE plastic bag, which they use now, as an alternative.	COMMENT REJECTED As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages (20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively) present a compromise and are aligned with the targets proposed by the revised Packaging and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation. Additionally, please note that the sourcing of biobased plastic materials is covered within current Criterion 5 (previous criterion 4.2 in TR3) *Biobased plastic materials,* which includes not only the packaging but also the final product and separate components. Secondly, criterions are designed to be compatible with new innovations, including aspects such as the materials used and form of the final product (and in this case, the packaging). Advocating for a specific material in a specific form of the product/packaging (Green PE bags) goes against this principle. In view of the previous statements, the comment is not accepted.

Criterion 8, packaging Secondary packaging The word "should" makes the following sentence difficult to interpret: "Secondary packaging should be avoided or made of cardboard and paper." Does the sentence mean that ecolabel-eligible products are either not allowed to have a secondary packaging at all or it has to be made of cardboard and/or paper?	COMMENT ACKNOWLEDGED Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). The current formulation of the criterion reads (changes from previous version underlined): *"Grouped packaging <u>shall</u> be avoided or made of <u>only</u> cardboard and/or paper."* The wording has changed to enforce the requirement (*"...shall..."* instead of *"...should..."*), reflect that the intention is to prevent waste generation (*"...shall be avoided..."*) and if this is not possible, then to favour those materials for which less environmental footprint/highest recyclability current potential exists (*"...made of cardboard and/or paper."*). This implies that the default approach is avoidance of secondary packing. If not possible, this packaging should be made of paper/cardboard.
Criterion 8 Minimum required content of recycled content in plastic packaging should be higher We welcome that packaging is addressed more thoroughly through this new sub-criterion on content of recycled plastic, but the ambition has to be higher. *The newly proposed Packaging and Packaging Waste Regulation foresees mandatory minimum contents of recycled plastic in plastic packaging for contact sensitive packaging: by 2030 the share must be 30% if primarily made from PET and 10% if made from other plastic material. The EU Ecolabel as a sign of environmental excellence should set a requirement that goes significantly beyond the legally required minimum. Thus, there would be no added value in setting the same (or similar, depending on whether individual wrapping is present) requirement under the EU Ecolabel.* *The AHP & RMC criteria are proposed to be valid until 12/2031. Therefore, the EU Ecolabel criteria would lag behind the legally mandatory standard of the PPWD within the validity period.* *We recommend increasing the required content of reused plastic significantly above the legally required minimum.*	COMMENT PARTIALLY ACCEPTED. As preamble, firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is now required to be either avoided or made only of cardboard/and or paper. Finally, the prohibition of using recycled content in primary packaging when separate (additional) component was not present has been removed. The ambition level for plastic sales packaging has been raised in a step-wise approach to 20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively. As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages present a compromise and are aligned with the targets proposed by the revised Packaging and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation. Also, there has been a change in the time period that the targets consider since it cannot exceed the validity expiry date of the newly proposed AHP criteria. Despite this might imply sharing similar ambition level with the revised PPWD for short transitional period (from 2030) a future revision of this EU Ecolabel criteria should be able to raise even more the ambition level in this particular aspect, so as to ensure the environmental excellence of the EU Ecolabel.
Criterion 8. Packaging (a) a. 2. From our perspective, the ambition level for the recycled content (10%) for plastic packaging is too low. We suggest to ask for 30 %. The formulation of this criterion should anticipate the new requirements of the revised Packaging and Packaging Waste Directive. According to Paola Migliorini (EC) this revised Directive is part of the Circular Economy package in November 2022.	COMMENT PARTIALLY ACCEPTED. Firstly, note the alignment with the definitions of the revised Packaging and Packaging Waste Directive (referred to packaging: primary = sales; secondary = grouped). Secondly, grouped packaging is now required to be either avoided or made only of cardboard/and or paper (as it is not an essential packaging).

	The ambition level for plastic sales packaging has been raised in a step-wise approach to 20% and 35% of plastic recycled content until 31/12/26 and from 01/01/2027, respectively. As discussed in the Technical Report, the scientific evidences consulted suggested that, in the short term, requiring recycled content percentages way above 14% could not be feasible. The proposed recycled content percentages present a compromise and are aligned with the targets proposed by the revised Packaging and Package Waste Directive (now Regulation), requesting similar or higher percentages earlier in time than the proposed Regulation Also, there has been a change in the time period that the targets consider since it can't exceed the validity expiry date of the newly proposed AHP criteria. Despite this might imply sharing similar ambition level with the revised PPWD for short transitional period (from 2030) a future revision of this EU Ecolabel criteria should be able to raise even more the ambition level in this particular aspect, so as to ensure the environmental excellence of the EU Ecolabel.
Criterion 8. Packaging (a) a. 2. Please delete the sentence "If primary or secondary packaging are compostable. Criterion 5 shall apply." (reason see no. 5)	COMMENT ACCEPTED. The cited text has been removed from the criterion text.
We agree with the proposal presented on criterion 8 (packaging).	COMMENT ACKNOWLEDGED

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

Comments received in EUEB/written form	JRC Dir. B response
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.9, 9. Guidance on disposal, *P.119 Guidance on disposal of product and packaging It should be noted that different markets can have local restrictions for the disposal of the product and the packaging.*	COMMENTS ACKNOWLEDGED Please, refer to the proposal for this criterion. In all cases, the requirements are designed to allow for innovation while offering a level of flexibility to adapt to local circumstances. Nevertheless, a note will be included in the AHP user manual indicating that competent bodies should account for this potential heterogeneity at the time of interpreting what 'dispose correctly' means.
9. Guidance on disposal, *P.119 Guidance on disposal of product and packaging It should be noted that different markets can have local restrictions for the disposal of the product and the packaging.*	

CRITERION 10: Fitness for use and quality of the product

Comments received in EUEB/written form	JRC Dir. B response
- *Technical report version 3.0 (October 2022)* - *Section "10: Fitness for use and quality of the product"*	COMMENTS REJECTED As far as our research reached (see Technical Report full reasoning), JRC have not found evidences on a direct relationship between tampon use and vaginal dryness. Furthermore, no standardized method

- Page 121-124 Characteristics and parameters describing the fitness for use of the product to be tested We suggest adding vaginal dryness tests for tampons and see if it is not possible to add user health and safety information (duration of wear, toxic shock).	is available for this particular purpose (testing tampons effects on vaginal dryness). Vaginal dryness could be affected by tampon use but this potential effect would be subject specific (specific woman versus specific tampon product) and also dependent on physiological status (woman status at a particular moment), which would require clinical history interpretation of tested women for meaningful results. In other words, the scope would be predominantly medical/sanitary, thus not being the main focus of the EU Ecolabel. Nevertheless, the proposed criteria includes criterions that should guarantee that EU ecolabelled AHP (including tampons) are fit for purpose (criterion 10) and safe (criterion 7). Considering the former, it is not proposed to add vaginal dryness to the set of tests indicated as part of the *Fitness for use and quality of the product* criterion. With regard to the information on user health and safety information, it should be provided by the manufacturer placing into the market the AHP, in this case the tampons. This (non-binding) view is supported by public organisms such as the French Agency for Food, Environmental and Occupational Health and Safety (ANSES) and the US Food & Drug Administration (FDA). Therefore, the EU Ecolabel considers that the guidance on the use shall be included while tampons shall specify the risk of developing TSS and this is requested in criterion 9.
CRITERION 10. FITNESS FOR USE AND QUALITY OF THE PRODUCT Criterion to be optional if not deleted We do not agree with this criterion which can be contradictory with European and national regulation. Some seem to mix environmental claim and sanitary claim. An ECOLABEL is and should only be environmentally orientated. Moreover, as an ECOLABEL is optional, if some information need to be added for sanitary matters, in should be made on a regulation level if not already voluntary done by the fabricant. National and/or European regulation take precedence over any ECOLABEL. Concerning the manual of practice, it would be justified if there was a difference between an ecolabel product and a non-ecolabel product. In our case, there is no need of manual of practice.	COMMENTS REJECTED Firstly, *as rightly indicated, EU Ecolabel is a voluntary instrument (though, if you opt for it, criteria compliance are mandatory), which in case of conflict with a Regulation, the latter would supersede the former. Also, as far as we are aware, this criterion does not contradict any European regulation. From these perspectives, JRC considers it should not pose a problem.* *Secondly, the essence of the EU Ecolabel is the environmental excellence but this has to be associated also with the 'fitness for use and quality of the product'. In this sense, performance requirements are horizontal to the all EU ecolabelled products yet adapted to the particular features of each product group. In this case, AHP need to ensure the right balance of function/comfort as well as technical performance (absorption/leakage protection; skin dryness). Due to the nature of the use of the product, safety is an inherently important aspect, which should (and is) considered along the criteria development process yet not being the focus (EU Ecolabel focus on environmental excellence). Note that those aspects whose scope is primarily medical/sanitary are not included (Please, see previous comment on vaginal dryness).* *Considering the previous statements, we do understand that the criteria/criterion proposed are of environmental focus mainly yet considering all necessary and relevant aspects (safety), thus being appropriate. Hence, we propose to keep this criterion as currently is.*
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.11 CRITERION 10 for Absorbent Hygiene Products: Fitness for use and quality of the product, Pg.121-125 Fitness for use Table 8: Technical tests, T1. Absorption and leakage protection and T2. Skin dryness *Light panty liners (intended only to protect feminine lingerie) are exempted from the in-use tests on absorption and leakage protection.* *Since absorption is not the issue/function for these products – they usually lack an absorbent core, it is suggested to consider derogation for the products also from the test T1, as well as the rewet test of T2.*	COMMENTS ACCEPTED Indeed, it is coherent to extend the exemption of panty liners to cover as well those technical tests assessing product's absorption and/or rewetting (T1 & T2).

10. Fitness for use, *p.123 Table 8 Table 8: Technical tests, T1. Absorption and leakage protection and T2. Skin dryness* *Light panty liners (intended only to protect feminine lingerie) are exempted from the in-use tests on absorption and leakage protection.* *Since absorption is not the issue/function for these products – they usually lack an absorbent core, it is suggested to consider derogation for the products from the test T1, as well as the rewet test of T2.*	

CRITERION 11: Corporate Social Responsibility with regard to Labour Aspects

Comments received in EUEB/written form	JRC Dir. B response
Corporate social responsability with regard to labour aspects (criterion 11) We very much appreciate that this criterion has been further improved through the addition of important ILO conventions, a better definition of a living wage, and through specifying the auditing and public reporting of potential violations and remediations.	COMMENT ACKNOWLEDGED
Technical report v. 3.0 October 2022, 5 Criteria proposal for absorbent hygiene products, 5.12 CRITERION 11 for Absorbent Hygiene Products: Corporate Social Responsibility with regard to labour aspects Pg.128-135 *Corporate social responsibility There are two concerns with the suggested criteria:* *The requirements on fulfilling the different conventions and the supplementary provisions are fine. The issue is the demand on audit report – regardless of location of the manufacturing site.* *A risk-based perspective should be used instead, or demand audits in defined risk areas. There would be a lack of auditors that could act in Europe as an example.*	COMMENTS REJECTED Following the 2nd Ad Hoc working group and associated meetings (as reflected in TR3.0), stakeholders highlighted that most AHP factories are located in the EU. Precisely for this reason they mentioned that 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. The JRC position is that, because it can already ensure compliance with stricter legislation, this should not negatively impact the European industry nor create excessive burden to applications. Consequently, the comments are rejected.
11. Corporate social responsibility There are two concerns with the suggested criteria: *The requirements on fulfilling the different conventions and the supplementary provisions are fine. The issue is the demand on audit report – regardless of location of the manufacturing site.* *A risk-based perspective should be used instead, or demand audits in defined risk areas. There would be a lack of auditors that could act in Europe as an example, with high costs to fly in auditors and for translation support.*	
On forms for suppliers Lack of field for material supplier code There is a general problem when asking for forms of declaration from the suppliers as the forms of today do not include any field where the supplier's material code can be stated. The supplier therefore usually writes it somewhere on the form. *It would be an improvement and give clarity to include a "name field" to which material the form applies to.*	COMMENT ACCEPTED This will be modified within the forms for declaration developments for the User Manual. The aim will be to simplify the daily work and make more correct documentation.

Criterion 11. Corporate Social Responsibility with regard to labour aspects *Publication by the applicant of audits reports and findings can be a problem when the license holder are using a contractor to produce the products. Hence, a publication of any audits reports will disclose the supplier that normally is restricted information. We suggest rewording the criteria to ensure that the license holder shall publish a policy statement, which include audits according to the relevant certification scheme they use or in other means verify that the ILO conventions listed in criterion 11 have been audited.*	COMMENT REJECTED This shall be possible to do as it is not requested to provide the supplier name only that they fulfil the requirements. More information will be provided in the User Manual.

CRITERION 12: Information appearing on the EU Ecolabel

No comments received.

ANNEX III – Comments to third technical report (RMC)

Comments received after the EUEB meeting (February 2023). Comments refer to the third version of the revised criteria proposal.

General remarks

No comments received.

Scope and definitions

No comments received.

Assessment and verification (including *Product Description*)

No comments received.

CRITERION 1: Emissions during production of the raw material

Sub-criterion 1.1 Emissions of dust and chlorides to air

No comments received.

Sub-criterion 1.1(a) Dust

No comments received.

Sub-criterion 1.1(b) Chlorides

No comments received.

Sub-criterion 1.2 Emissions of copper and zinc to water

Comments received in EUEB/written form	JRC Dir. B response
Criterion 1.2 Disposing of sludge As we had commented previously, we recommend excluding the option of sending the sludge to landfill or incineration as this does not seem to be in line with circular economy principles and the waste hierarchy. While this comment was accepted according to the table of stakeholder comments, the change is not reflected in the new criteria proposal. If the JRC wants to accept the comment, the third option in criterion 1.2 should be deleted (it is already partly reflected in the criterion texted included in the technical report; here only "landfill" is deleted, "incineration" is still listed as an option).	COMMENT ACCEPTED The wording has been amended accordingly

Sub-criterion 1.3 Emissions of CO_2

Comments received in EUEB/written form	JRC Dir. B response
Criterion 1.3 JRC question regarding PDMS rubber If there is no sufficient data to inform a requirement on CO2 emissions during production of PDMS rubber, we recommend not setting a criterion at this stage. Instead, there could be an information requirement asking applicants to disclose their related CO2 emissions to the CB. *That way, a sub-criterion with an adequate maximum threshold could be introduced in the next revision.*	COMMENTS REJECTED Despite the lack of data, relevant stakeholders did not communicate that the criterion is not feasible to be fulfilled. The criterion is thus maintained. Next revision processes will revise appropriate thresholds for silicon production.
Considering that there is not enough experience and knowledge to appropriately define the sub-criterion 1.3, our opinion is that this sub-criterion should be re-examined within a future revision process of criteria for this product group.	

CRITERION 2: Environmental management of production

No comments received.

CRITERION 3: Material efficiency in the manufacturing

No comments received.

CRITERION 4 Excluded and restricted substances

Comments received in EUEB/written form	JRC Dir. B response
Criterion 4 Excluded and restricted substances In several sub-criteria, the specification "and any component articles therein" has been deleted. *For example, in sub-criterion 4.1, the text reads: "Unless derogated in Table 4, the final product shall not contain ingoing substances (alone or in mixtures) that are assigned any of the hazard classes…". Compared to the last proposal, it has been deleted "and any component articles therein".* *This specification should be maintained in all subcriteria of criterion 4 in line with the wording in the equivalent AHP criterion.* *Applying the restriction thresholds to the final product instead of the component parts can potentially lead to an increase in the concentration of hazardous substances. Moreover, components of a final product can also be considered articles in themselves (based on the conclusions of the chemicals task force).*	COMMENT ACCEPTED The wording has been amended

Sub-criterion 4.1 Restrictions on substances classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council

Comments received in EUEB/written form	JRC Dir. B response
Presentation 2AHWG meeting – day 2 – RMC criterion 4.1 All substances positively listed in one European Member State for food-contact should be allowed to be used in RMCs independently of its own hazard classification and independently of the bans of Table 2 and Table 4. *The most relevant food-contact regulations for silicones are:* *BfR Recommendation XV for silicones (Germany)* *Arrêté du 25 novembre 1992 (France)* *These positive lists for the ingredients of an RMC combined with the criterion 7 of the Ecolabel on biocompatibility should give a very secure end-article for the consumer.*	COMMENT REJECTED EU Ecolabel criteria must comply with the EU Ecolabel Regulation, and in particular with its Article 6(6) which explicitly refers to the hazard classification according to the CLP Regulation, meaning that substances with certain hazard classification according to the CLP Regulation must be restricted in EU Ecolabel products. Therefore, the request from the stakeholder could not be accepted

Sub-criterion 4.2 Substances of Very High Concern (SVHCs)

No comments received.

Sub-criterion 4.3 Other specific restrictions

Sub-criterion 4.3(a) Excluded substances

Comments received in EUEB/written form	JRC Dir. B response
- *Technical report version 3.0 (October 2022)* - *Section "4.3.a Specified excluded substances"* - *Page 163-164* *Silver ions We would like to know if the presence of silver ions is allowed.*	COMMENT CLARIFIED Since silver ions are used as bactericidal agents, their used is prohibited according to criterion 4.3.a.iii
Criterion 4. Excluded and restricted substances *The requirement on hazardous chemicals and SVHC shall include both the final products and any components. This means that the sentence "and any component articles therein" should be reintroduced. This is not difficult to verify and will make this criterion in line with the criteria for Absorbant Hygiene Products.* *This is especially crucial for the understanding of criterion 4.3(a). If this criteria is not verified on all ingoing components the intention is lost. In the assessment/verification part it is still clear that suppliers of ingoing*	COMMENT ACCEPTED The wording has been amended

materials shall verify this requirement, hence the wording in the criteria text should be in line with this (as in the last proposal).	

Sub-criterion 4.3(b) Fragances

No comments received.

Sub-criterion 4.3(c) Inks and dyes

Comments received in EUEB/written form	JRC Dir. B response
Presentation 2AHWG meeting – day 2 – RMC criterion 4.3.c The dying colorants listed in Regulation (EC) No 1333/2008 are not used in silicone elastomers. *Pigments are commonly used for coloring the silicone elastomers and they are not listed here.* *Specific purity requirements exist for pigments for use in food contact:* *BfR Recommendation* *IX CoE ResAP (89)1* *that could be used as purity requirements for use in RMCs*	COMMENT ACCEPTED The criterion was amended accordingly

Sub-criterion 4.3(d) Further restrictions applying to plastic materials

No comments received.

Sub-criterion 4.3(e) Cyclosiloxanes

No comments received.

CRITERION 5: Packaging

Comments received in EUEB/written form	JRC Dir. B response
-Technical Report 3 - CRITERION 5 for Reusable Menstrual Cups: Packaging -Page 169-172	COMMENT ACKNOWLEDGED

Recyclability and recycled content for packaging for menstrual cups All above comments for AHP should be also considered for menstrual cups, to ensure a horizontal alignment in the document.	
Criterion 5. Packaging *We propose same packaging criteria for Reusable Menustrual Cups, RMS, as for Absorbant Hygiene Products (see above).*	COMMENT ACKNOWLEDGED
Criterion 5 (b). Additional component: Bag or pouch *How is the sustainability of fibres assesed or verified? This should be clear. Otherwise, compentent bodies will need to discuss numerous number of standards after the criteria document has been established.*	COMMENT ACCEPTED Please note that the bag or pouch is now named 'separate component'. Further specifications have been made to fulfil this question. It is requested that the reusable bag or pouch shall be made of 100% certified sustainable fibres. The applicant shall provide a declaration of compliance supported by a valid, independently certified chain of custody certificate for the reusable bag or pouch. FSC, PEFC, OEKO-TEX, GOTS, or equivalent schemes shall be accepted as independent third-party certification.

CRITERION 6: Guidance on the disposal of the product and of the packaging

No comments received.

CRITERION 7: Information for the user (previously criterion 8)

Comments received in EUEB/written form	JRC Dir. B response
Criterion 8 Duration to wear the cup & toxic shock syndrome Sub-criterion 8.iii asks to provide information on the recommended duration of use before emptying the cup. *However, it might be safer to define the maximum number of hours, instead of leaving it up to the producer.* *Some manufacturers recommend 12 hours, but this is far too long. The main reason for this is the risk of a Toxic Shock Syndrome.* [redacted] *recommends 6 hours based on a laboratory test studying the development of bacteria.* [redacted] *recommends a maximum of 8 hours and is assessing if 6 hours may be better. In the case of tampons, research from* [redacted] *shows that the risk of toxic shock syndrom is associated with wearing tampons for more*	COMMENT REJECTED The relationship between risk of developing toxic shock syndrome and wearing time of the cup is complex, as it depends also on other factors, such as the hygiene of the person, whether hands are washed before changing the cup, and the composition of the feminine hygiene product. Even the ANSES study does not conclude on a recommended wearing time; rather, it recommends that manufacturers should provide clear guidance in the instructions for use. In this development of EU Ecolabel criteria it is also proposed that it is manufacturers who clearly estimate and state the maximum wearing time of the cup.

than 6 hours. In view of this, we recommend that the JRC considers the possibility to set a maximum wearing time. https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370(20)30052-3/fulltext	

CRITERION 8: Fitness for use and quality of the product (previously criterion 7)

No comments received.

CRITERION 9: Corporate Social Responsibility with regards to Labour Aspects

No comments received.

CRITERION 10: Information appearing on the EU Ecolabel

No comments received.