1st Ad-Hoc Working Group (AHWG) meeting for the revision of EU Ecolabel criteria for detergent products

DAYS 1 & 2
12th and 13th March 2024

Online Meeting (Webex)

Presentation about policy and project background, product group scope and definitions and revised criteria proposals

Minutes of the meeting

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Contents

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Note to readers:

The meeting was run virtually using the WEBEX platform. For each agenda point, a short presentation was given by the JRC, after which participants requesting the "FLOOR" (via the chat function) intervened providing oral comments which then were addressed by the JRC.

Day 1 agenda

Day 1: 12th March 2024		
	Item description	**Schedule**
1.	Opening of virtual room, welcome of participants and introductions	09:00 – 09:15
2.	Political objectives of the EU Ecolabel and process description	09:15 – 09:30
3.	Preliminary background information (e.g. market analysis, LCA screening studies)	09:30 – 10:00
4.	Scope and definitions	10:00 – 11:30
	Break (15 mins)	11:30 – 11:45
5.	Assessment and verification + "reference dosage" + criterion "dosage requirements"	11:45 – 12:15
6.	Criterion: "Toxicity to aquatic organisms" + criterion: "Biodegradability"	12:15 – 13:30
	Lunch (1 hour)	13:30 – 14:30
7.	Criterion: "Sustainable sourcing of raw materials"	14:30 – 15:00
8.	Criteria: "Excluded and restricted substances". Part 1 of 2 – a), b), c) and d).	15:00 – 17:00

Point 1. Welcome and introductions

The JRC welcomed all the participants and informed them about the meeting being recorded for internal use by JRC and the project team. The six product groups were presented and the practicalities (agenda, etiquette etc.) of the working group meeting as well as an introduction to the JRC and their work.

Point 2. Political objectives of the EU Ecolabel and process description

The JRC gave an introduction to the EU Ecolabel framework, what it includes, which aspects the ecolabel is addressing and the benefits to applicants. The current criteria for EU Ecolabel detergent products consist of six product groups and the criteria are set to expire on 31 June .2026. The timeline of the revision process was presented. Prior to this meeting (1st AHWG), a stakeholder consultation exercise had already taken place in the form of a focused questionnaire. Background research had also been conducted and compiled in the form of the preliminary background report (PR) and the 1st draft technical report (TR1). The next steps will include iterative revisions of the technical report with updated draft criteria proposals and rationale) after receiving feedback from stakeholders (e.g. 2nd AHWG; EUEB meetings). The 2nd AHWG meeting is tentatively scheduled in Q4 of 2024, prior to a final proposal of new criteria in Q4 of 2025.

Point 3. Preliminary background information

The JRC presented the highlights of the PR. This includes the legislative context of detergent products and the EU ecolabel, market analysis (methodology, results and insights), a techno-environmental analysis covering ingredient types, detergent production processes and LCA screening studies (PEF methodology compliant) and a review of hazardous substances.

An industry representative stated that AISE have had an ecolabel taskforce consisting of chemical suppliers, detergent producers and they have collected some questions. He noticed that the TR does not request that companies provide LCA and energy consumption data and asked if the JRC expect that the LCA assessment or factory energy consumption will be part of the new EU Ecolabel criteria? Furthermore, the same stakeholder had a minor comment that on page 140 of the PR the word probiotic is used, and they think one should call it microbial-based cleaner. Probiotics have a different meaning and are more of a marketing term.

The JRC responded that the PR is a compilation of the best data available and that this information can help contribute to updating existing EU Ecolabel criteria or setting completely new criteria. Gathering information on energy consumption is interesting for calculating LCA impacts, but it has not yet been decided either way if requirements on (factory) energy consumption would end up as proposed EU Ecolabel criteria. However, if any proposals are to be made, the

evidence would need to be solid. So far there has been no time to make a robust proposal on energy consumption, but it might be included in a later process.

With regards to the use of the term “probiotics”, the JRC acknowledged the comment and indicated that it will adjust the wording to ensure more appropriate descriptions when referring to detergent products that clean via microorganism´s action (microbial-based cleaners).

Point 4. Scope and definition

Firstly, the JRC proposed a change in the names (From “Industrial and Institutional” to “Professional”) to align with the terms used in the new Detergents Regulation. Then the JRC presented the proposed changes to the scope and definitions for the 6 different detergent product groups.

In terms of scope, a minor alteration was proposed for laundry detergents by changing the temperature of laundry efficiency from 30°C to 20°C. Other aspects discussed were the pros and cons and potential inclusion of fabric enhancers (softeners), in-wash stain removers and/or detergent products containing microorganisms and the pros and cons and potential exclusion of ready-to-use (RTU) HSC products.

More substantial changes were proposed relating to definitions: an updated definition of “ingoing substances”, in tandem with a new definition of “impurities”; an updated definition of the term “microplastic”, in tandem with new definitions of “polymer” and “synthetic polymer”; a series of new/updated definitions relating to packaging (terms “packaging”, “sales packaging”. “grouped packaging”, “transport packaging” and “composite packaging”); an updated definition of “nanomaterials” ; and a new definition for “substances identified to have endocrine disrupting properties”.

On 20-degree laundry washing temperature

An industry representative highlighted that the performance test must be redesigned if 20 degrees is requested (currently 30 degrees is used). Many companies use a third-party to do the testing. The JRC responded by saying that they would like to learn more about the situation.

An NGO representative stated that further data should be gathered to investigate whether lowering the washing temperature to 20 degrees is environmentally beneficial or not. There might be a risk that more detergent chemicals are needed to the extent that it would cancel the beneficial effect of lowering the wash temperature. Furthermore, they wonder whether consumers have the possibility of washing at 20 degrees. Further analysis should assess the impacts of the eco program, which may run at 30 or 40 degrees, and which many consumers are using as their washing program.

Another industry stakeholder was concerned about the effect of reducing the washing temperature. They questioned the possibility of guaranteeing good cleaning efficacy, especially for powder and solid products, pointing out potential issues with the solubility of certain products (e.g. laundry sheets) as well as the activity of bleaching agents in laundry products and that lowering wash temperatures might result in the need for higher amount of active ingredients.

Two Member State representatives agreed with the previous concerns about poor solubility/bleaching efficacy at lower temperatures and one of them stated that some of the Ecolabelled products are blamed for insufficient cleaning efficiency for this reason.

On possibilities to discuss the scope of product groups

An industry representative enquired about how companies and associations can contribute to the discussions on the scope. It was asked what exactly companies should do, if they are able and willing to provide data or arguments for including these products in the scope. Some categories of products have not been mentioned yet that could potentially be included in an expanded EU Ecolabel scope (e.g. oven cleaners and special professional cleaners) and they would like to know whether companies can come with input on those product types, even though they were not mentioned in the presentation. The JRC responded that products like oven cleaners would probably not fit directly with the normal HSC products and may even require a separate sub-category of their own. For any changes to the proposed scope, the JRC would need a strong supporting case to be presented and stakeholders were encouraged to share any data and arguments in writing via BATIS, which is the simplest manner to gather inputs in a streamlined manner. If stakeholders want to present more confidential information, they can also write to the functional mailbox for the project.

On the potential expansion of the scope for microbial-containing products

The JRC had looked into the possibility to expand the range of microbial-containing products included in the scope of the EU Ecolabel. At this point of the revision process, the JRC asked for more data on formulations and risk assessments. In response to the potential extension of the scope of microbial-containing products, an industry representative stated that several companies support this. The same stakeholder also acknowledged the concerns of the JRC about a lack of data on the performance of microbial-containing products, and asked if this point is still open for discussion, even though the JRC are not currently proposing them to be included in the scope.

Another stakeholder favoured a precautionary approach to be taken in relation to microbial-containing products. While this stakeholder acknowledged the improved risk assessment framework that has been established for microbial-containing products due to developments in the new Detergents Regulation, the EU Ecolabel does not have to go down this road. Furthermore, the use of microbial-containing products are prohibited from being used in a refill format under the Detergents Regulation, which could contradict other proposed criteria on packaging.

Specific exclusion of products with a biocidal effect

A Member State representative requested that products claiming a biocidal effect should be explicitly forbidden in the legal text for defining the scope of EU Ecolabel detergent products. The reasoning for this clear exclusion was that the implementation of requirements on products with a biocidal effect is different within different Member States, and that some confusion about this has already arisen with EU Ecolabel cosmetic products.

On the potential inclusion of fabric softeners

In response to the potential inclusion of fabric softeners in the scope, an industry representative stated that many companies support this. A Member State representative stated that they support the JRCs current proposal to not include fabric softeners in the scope of EU Ecolabel detergents, because they consider that the benefits of the softeners do not compensate for the environmental impacts of their production, use and disposal. This position of the Member State representative was supported by an NGO representative.

On RTU products

An industry stakeholder expressed concerns about any potential ban of RTU HSC products because these products are useful for consumers and should not be banned from the EU Ecolabel.

A Member State representative asked JRC to exclude All Purpose Cleaners (APC) marketed in RTU format for customers. The main reason stated was that the RTU versions of these products contain relatively higher amounts of biocides and fragrances and have higher transport impacts in the distribution phase and packaging impacts than the undiluted alternatives. The reason for only singling out APC products was because APC products in RTU format are considered as being relatively recent compared to other types of HSC product like glass cleaners, kitchen cleaners and some sanitary cleaners (which have been well established in RTU format and which consumers are fond of using like that). This was supported by an NGO representative. They furthermore point out that there is a positive market development for RTU products, and it would not be appropriate for the ecolabel to exclude these products. Another Member State representative stated that RTU products are important and should be all kept in the scope (i.e. APC as well). Overall, this stakeholder said that RTU HSC products accounted for around 40% of their EU Ecolabel certified detergent products. Another Member State representative echoed the request to keep all HSC RTU products in the scope, stating that the uptake of EU Ecolabel detergents in their Member State is still quite limited, and excluding RTU products would not improve this at all.

Another point was raised by a Member State representative about how to deal with HSC products that are not “pure” all-purpose cleaners, but that can indeed be used in more than one purpose. How should they be dealt with in terms of the application process and licensing? This point was also echoed by another stakeholder, who cited the overlap in acid-based cleaners and sanitary cleaners. The JRC acknowledged the issue and tentatively proposed that a primary claim should be associated with the product and requirements should be checked based on that. However, further discussions in bilateral calls were also suggested by the JRC in order to understand the full picture.

On new definitions introduced in the ecolabel

JRC has asked the stakeholders for input relating to the new and updated definitions introduced in the new criteria proposals (as indicated earlier).

Impurities (and ingoing substances)

A Member State representative made a remark about the definitions of **impurities,** and ingredients [ingoing substances], that there seems to be a loophole, but that they would explain this in more detail in written comments to be submitted later. Basically, the issue is that SVHCs and certain other excluded chemicals are banned in the final products, but if they are conveniently described as impurities, they would be allowed in contents up to 0,010%.

On the other hand, an industry stakeholder appreciated the need for a definition on impurities as they cannot be completely avoided in ingredients or in the final products. A Member State representative found the definition of impurities to be unclear, because the 100 ppm limit is applying to both raw materials/ingredients and the final product. If the intention is to define impurities in the raw materials/ingredients, then the application of the limit to the final product should be removed. This stakeholder also highlighted a typo in the definition where it is stated “in the in the”. Another comment from a different industry stakeholder stated that impurities are already counted when inserting masses of ingredients in the EU Ecolabel application, and so there is a potential double counting of impurities as ingoing substances with the current proposals. The same stakeholder also expressed uncertainty about how to deal with substances present in levels that are lower than the threshold for ingoing substances (0,10%) but higher than the threshold for impurities (0,010%).

Microplastics

The definition on **microplastics** gave reason for several comments and inputs from various stakeholders. A Member State representative pointed out that definition of microplastic in the REACH regulation excludes synthetic polymers that are biodegradable but that this exemption does not need to be extended to the EU Ecolabel definition. In contrast, an industry stakeholder supported the proposed definition of microplastic being aligned with REACH. An NGO representative mentioned that the lower limit on size should be removed, since nanoplastics are also a major concern, having the ability to cross biological membranes. It was also pointed out that the definition of microplastics in EU Ecolabel cosmetic products did not have a lower size limit. Furthermore, the same stakeholder asked why only particles from synthetic polymers are included and flagged the issue about "soluble" microplastics should be addressed in the definition and the ecolabel criteria and that, in their opinion, all sorts of microplastics should be banned. The issue is that solubility is a spectrum, but that a line has to be drawn for the definition of "soluble", and that "water soluble microplastics" are actually very close to the boundary of what is "soluble". More importantly, that there are a lot of products already in the market with no-microplastics (either water-soluble or not).

Nanomaterials

A few comments were related to the definition of **nanomaterials**. A stakeholder suggested the full exclusion of nanomaterials from the ecolabel. However, if included as suggested in the proposals, the definition is not ideal, with the 50% threshold for nanoparticles in a material being considered very high. An industry stakeholder suggested that the definition should be aligned with Cosmetic Regulation. The JRC noted the comments and responded that the alignment with the future Cosmetics Regulation will probably be the same as the definition set out in the Commission Recommendation.

The new **definitions of packaging** were appreciated by several of the stakeholders, stating that it brought needed clarity for consumers.

Point 5. Assessment and verification, reference dosage and dosage requirement criteria

The JRC presented the main changes to the general assessment and verification preamble text that appears before the EU Ecolabel criteria in the legal text. In terms of reference dosage, the only point to note was the need to update the DD product reference standard, but not the actual dosage limit. In terms of dosage requirements, the proposals referred to lowering the upper limits for DD products (from 19.0 → 16.0g for single function, and from 21.0 → 18.0g for multifunction) and LD products (from 16.0 → 12.2g for heavy-duty and light-duty products). The JRC asked if stakeholders supported the proposed dosage thresholds and if any additional product groups or formats should be considered.

On product dosage requirements

One Member State representative stated that the reference dosage for single function DD products could be lowered slightly further, to 15.0, because all of their licensed products had reference dosages within the range of 10 to 15g. A full list of their reference dosages could be sent to JRC to support future proposals. However, regarding LD the same stakeholder also added that the reduction of the limits for those products would be problematic for at least 18 out of 78 of their licensed products (which have dosages ranging between 14.6 and 16.0g). So perhaps a more modest reduction to 15.0g would be better (than 12.2g). Finally, the stakeholder concluded by saying that it was not necessary to think about new reference dosages for other detergent products. The JRC responded that the proposals were not fixed and could be revised, but that it would be necessary to see more data in order to have the full picture.

An NGO representative stated that she supports the reductions in the reference dosage limits and that perhaps they could go even lower considering that these criteria will probably be valid until beyond 2030. However, it would be important to know more about how this impacts current license holders according to the data held by Member State representatives. It would be good to know how many producers have been included in the JRC graph that was presented. The JRC responded that the proposals are based on solid data from the past few years, but that there is a practical limit to dosage compaction and the aim is to have a reasonable ambition level that is currently feasible and not reliant on future developments.

An industry representative noted that in the Annex preamble text on page 13 of the TR, the text which says "Other ingoing substances shall be indicated at or above the concentration of 0.010 % weight by weight" had been deleted. He asked if this meant that producers would be expected to report all ingoing substances regardless of their concentration. If so, this could mean declaring on the content of hundreds or thousands of substances present in minute concentrations, which would be the case for fragrance substances. The JRC responded that this would depend on the final definition of impurities and ingoing substances. Declarations on the exact concentrations of impurities would not be required in principle, but this is an area that will need to be discussed further.

Another Member State representative asked if maybe too much importance was being given to the benefits of reducing the reference dosage since the environmental impact was already being controlled by other criteria, especially the

CDV for the formulation and the weight utility ratio (WUR) for packaging. The JRC broadly agreed. This prompted some further debate, also including another Member State representative about the nature of the relationship between CDV and reference dosage. Basically, the reference dosage and WUR requirements puts some limit on the quantity of bulk, low toxicity and biodegradable ingredients, while the CDV puts effective limits on the quantities of more toxic and less biodegradable ingredients. The JRC reminded stakeholders of the opportunity to send in more detailed comments in writing.

Point 6. Criteria on "Toxicity to aquatic organisms" + "Biodegradability"

The JRC presented their proposals to reduce the limits on allowed Critical Dilution Volumes (CDVs) for DD products (from 22500 → 20000 for single function DD, from 27000 → 24000 for multifunction DD) and from 7500 → 5000 for rinse aids); for HDD products (from 2500 → 1500) and for LD products (from 31500 → 23625 for heavy duty LD and from 20000 → 15000 for light duty LD). Similar reductions were also proposed for IIDD products in light, medium and heavy hardness water testing with IIDD and IILD products The other notable change was the specific exclusion of abrasive substances for CDV calculations. For biodegradability, it was made clear that this applies as well to water-soluble foils and films used in detergent products. The JRC also provided a series of targeted questions for stakeholders on CDV values and one on biodegradability requirements.

On aquatic toxicity (CDV limits)

An industry representative asked why the new CDV values for household DD allow a higher value for multi-functional products while for IIDD products, the limit for multi-component systems is lower. The JRC acknowledged the inconsistency and stated that, in principle, multi-component formulations have more chemicals and should normally be allowed a higher CDV than a single component formulation.

Another industry stakeholder generally welcomed the proposed reductions in CDV limits but wished to comment on the lack of reductions proposed for HSC products, highlighting the need to distinguish between undiluted and ready to use (RTU) products. He explained that in undiluted HSC products, the CDV is normally dominated in a disproportionate manner by fragrance content (for example, 0.25% of fragrance can mean 4500 CDV in undiluted products but 625,000 CDV in RTU products). Consequently, the current CDV limits for undiluted HSC products are quite high and can be reduced. However, with RTU HSC products, it is already quite complicated to meet the CDV limits and these should be maintained. The same stakeholder also added that they were not in favour of the limits for different water hardness levels than medium (as per Detergent Regulations) because this adds complexity. They already have limits on dosage and water hardness in the detergent regulation.

A Member State representative stated that there was a discrepancy between RTU and concentrated (undiluted) HSC products in the current proposed criteria. However, unlike the comment immediately above, they considered the CDV limits to still be challenging to meet for undiluted HSC products. Another issue flagged was that it is currently not possible for refills to comply with the EU Ecolabel requirements, even if they are diluted to the same level as RTU products. If the intention is to have undiluted refills with the EU Ecolabel, then changes to the criteria are needed, both with respect to CDV and to other areas. The JRC acknowledged the point and welcomed further dialogue on the matter.

Another Member State representative added that the CDV values for their licenses were generally much lower than the proposed new CDV limits – and they considered that the limits could go further down. They also agreed with the earlier comment about the requirement of values at light, medium and heavy levels of water hardness as being overly complicated and could simply be limited to medium hardness.

On biodegradability criteria

The suggestion to also require that all surfactants used be biodegradable under anaerobic conditions was met with a mixed response. An NGO representative welcomed the proposal and added that there will surely be many more surfactants with anaerobic test data compared to the current DID list, which was published in 2016.

Various industry stakeholders were against the requirement for anaerobically biodegradable surfactants. One stakeholder made a more general complaint about the lack of a quantitative approach for biodegradability, saying that it is simply pass or fail and that this was not very scientific. Some cleaning environments (hand dishwashing and dishwashers) can end up in anaerobic conditions, and the surfactant should still be able to work (i.e. be stable) in these conditions. Another industry stakeholder emphasized that the pass-fail approach to biodegradability was in contrast to the quantitative and proportionate approach to aquatic toxicity. The approach to aquatic toxicity allows for small quantities of toxic ingredients if the overall mixture was not too toxic, but the approach on biodegradability is simply pass-fail, regardless of concentration and the other ingredients in the formulation. The environmental benefit of a surfactant being biodegradable under anaerobic conditions (e.g. in wastewater sludge digestion) if it is already readily biodegradable under aerobic conditions was questioned.

A compromise approach was suggested by an industry representative where a threshold could be set for non-anaerobically biodegradable surfactants (or that have no test data). The need for some allowance was justified by the fact that many companies were not requested to provide anaerobic biodegradability data when doing REACH registration – so there is a real lack of data.

This comment prompted a Member State representative to say that such a requirement was already present in the 2011 criteria and was removed. So, what would be the motivation of the JRC for reintroducing it, since back then the argument was used that there was no environmental benefit for excluding non-biodegradable (anaerobic) surfactants. This prompted an industry representative to respond by saying that their preference would actually be to keep the requirement as it was in the 2017 criteria, not to reintroduce anything from repealed criteria from previous versions.

The JRC welcomed this anticipated discussion and emphasized that there is a need to set criteria that link to environmental benefits but also that are based on practical and scientific evidence. Further discussion and exchanges were recommended.

Point 7. Criterion on sustainable sourcing of raw materials

The JRC presented their proposals on criteria for the sustainable sourcing of raw materials. These proposals included the insertion of a 1% (weight by weight) cut-off below which the requirements would not apply. Other changes in the proposals included specifically mentioning chain of custody (CoC) certificates in the criteria for “other” biobased raw materials than palm oil or palm kernel oil and their derivatives. Further details are also proposed in the assessment and verification text to distinguish between requirements for “identity preserved”, “segregated” and “mass balance” approaches for palm oil and palm kernel oil, and the requirements for other biobased materials.

The criterion on sustainable sourcing of raw materials caused several reactions from the stakeholders. One industry representative pointed out that in some cases, sustainable is not equal to renewable, which might be the case for palm oil. They think that LCA-based evaluations should be used when assessing sustainably managed production chains. According to the stakeholder, palm oil is the best option at this point – also in terms of sustainability when it comes to other raw materials. An alternative that is used in lower quantities is coconut oil, however if shifting everyone starts using coconut oil, we will end up having the same issues as we now have with palm oil. Another point coming from the same stakeholder was that segregated, and identity preserved products are both expensive and rare, which might result in a shortage.

An industry representative asked whether JRC has information about organizations etc. dealing with certification of rapeseed oil or sustainable palm kernel oil. Another industry stakeholder did not support limiting the chain of custody model to segregated or identity preserved materials, as presented by the JRC. They stated that most suppliers are using the mass balance approach and that requiring segregated or identity preserved materials would increase costs and result in reduced availability of suitable raw materials. Furthermore, they did not support extending the scope to other biobased materials than palm oil and palm kernel oil. And lastly, they asked JRC to define what exactly is meant by renewable ingredients, as this term was not clear enough at this point.

The same industry stakeholder continued by saying that with cosmetic products, segregated and identity preserved products are only applicable to palm kernel oil. Another industry representative suggested using a combination of the environmental aspects of the EU Deforestation Regulation (EUDR), when it comes fully into force, and the social aspects associated with the Roundtable on Sustainable Palm Oil (RSPO) mass balance approaches when determining sustainability requirements for other biobased raw materials. Lastly, the stakeholder asked how the EUDR will handle surfactant products sourced outside of the EU, since these are not listed in Annex I of the EUDR.

An NGO representative supported JRC proposal for bio-traceability and for choosing segregated and identity preserved palm kernel oil. They acknowledged that availability could become an issue. They had a question related to findings from the PR, which states that 300 of 500 mills use the mass balance approach. Do the remaining mills provide higher traceability as well or lower? The PR did not clearly state that. However, based on the information in the PR, there seems to be enough available certified palm oil on the market. It was furthermore stated that if the EU Ecolabel can drive the demand for higher traceability, this could result increased supply and, over time, lower prices. The same stakeholder also recommended being careful on using mandatory requirements to use biobased ingredients as there might be trade-off issues, for example in relation to land use etc. It should also somehow be ensured that everyone applies the methodology in the same way. The JRC clarified that there was no intention at this stage to insert a minimum mandatory content of biobased materials.

A Member State representative stated that criteria regarding the sustainability of raw materials other than palm oil are necessary. It is important to select certification schemes that support the criteria of the EU Ecolabel. However, sustainability is a term with wide application. Hence it is important to establish a definition or describe the meaning of sustainability in this context. Is it related to deforestation, agricultural practices, or other aspects?

The last remarks on this topic came from a Member State representative, who started by requesting clearer definitions of how CBs are expected to deal with the validation of requirements on sustainable sourcing. First of all, it was stated

that validating compliance takes time, and that setting the check at exactly 12 months afterwards was too rigid, some flexibility should be allowed to do it either sooner or later. Secondly, it was asked to specify how CBs should ensure ongoing compliance, for example via annual checks. Finally, the stakeholder echoed other comments that were against any requirements for identity preserved or segregated materials only. On the other hand, it indicated that at least Mass balance should be allowed and not restrict it to identify preserved or segregated. Furthermore, they suggest an extension of the transition period of 12 months.

Point 8. Criteria on excluded and restricted substances: Part 1 of 2 (a, b, c and d)

The JRC presented the criteria structure here that was split into a number of sub-criteria. The “a)” part focused on specific exclusions on hazardous substances or specific restrictions, such as are given for: isothiazolines, total phosphorus content and Volatile Organic Compound content. Part b) is about horizontal restrictions based on any substances with certain CLP hazard classifications present above 0,010% by weight. Part c) is about the restriction of Substances of Very High Concern (SVHCs). Both parts b) and c) are directly linked to Articles 6(6) and 6(7) of the EU Ecolabel Regulation. Part d) focuses on fragrances.

Some of the main changes in specific excluded substances, in part (a) were, for all products, the clarification that “not included” also covers “impurities”, that methyl isothiazoline (MIT) is excluded now, that nanomaterials are excluded instead of just nanosilver, that the exclusion of per-fluoroalkyl substances is extended to polyfluoroalkyl substances too and that endocrine disruptors are now also specifically excluded at any level. It was proposed to remove the exclusion of sodium hydroxylmethyl glycinate for DD products and to insert a new exclusion of alkyl phosphonic acid derivatives and their salts in household detergent products. Regarding limits for P content and VOCs, some major reductions in total limits for HDD products (P only) and different HSC products were also proposed.

The main change in criterion (b) was the introduction of a series of new EUH hazard codes related to endocrine disruptors, PBT, vPvB, PMT and vPvM properties.

With the (d) criterion on fragrances, the main changes proposed were on tightening the restrictions by banning fragrances in any products marketed as “mild/sensitive”, and excluding any fragrance substances listed as allergens according to the SCCS opinion and limiting any fragrances prohibited in Annex II of the Cosmetics Regulation to 0,010%.

On criterion 8(a) about specific isothiazoline restrictions (Q24 to Q26)

One industry stakeholder, whose company manufactures all 6 of the detergent product groups covered by the EU Ecolabel, agreed with the ban of MIT, stating that they had stopped using MIT (and phosphates and phosphonates) for a long time because there are good alternatives. Another industry stakeholder emphasized that while it could accept banning MIT, not all isothiazolines should be banned and a specific limit should be allowed at least for BIT. JRC confirmed that it was not the intention to ban BIT in the criteria. To this statement, one industry stakeholder and an NGO representative mentioned that they would support the banning of all isothiazolines due to their H317 properties as skin sensitisers and the availability of non-sensitising alternatives. However, a Member State representative questioned if that logic was good enough if other H317 would be allowed up to 0,010% each.

Regarding the usefulness of phenoxyethanol as a preservative, one industry stakeholder stated that the picture was not so clear, with some good and bad feedback on its use. This prompted a response from an NGO representative querying why was phenoxyethanol listed as one of the five main preservatives used in detergents in an AISE communication if the benefits of its use are not so clear.

One industry representative also pointed out that benzyl alcohol and essential oils, mentioned in the JRC slides as alternative preservatives from stakeholder survey feedback, are also skin sensitisers and they could be excluded on this basis.Around this point, a general complaint was raised by an industry stakeholder, saying that the only qualitative and completely hazard-based approach of the EU Ecolabel is not in line with REACH, which is linked to hazards, but is ultimately exposure-risk-based instead. A written response from DG ENV in the chat stated that the hazard-based approach is linked to the specific wording of the EU Ecolabel Regulation itself and that without a change of the Regulation, the hazard-based approach would continue to be applied in this product group, and for all other product groups that are articles or mixtures.

On criterion 8(a) about specific phosphate restrictions (Q27 to Q29)

With the phosphate contents, an industry representative stated that limits on P need to be nuanced across the different detergent product groups. A one-limit-for-all approach could create problems in some product groups. The same stakeholder asked how the JRC planned to gather data on P contents for professional products in particular in order to support future proposals on P limits and possible nuancing of any ban on alkyl phosphonic acids.

On criterion 8(a) about specific VOC limits (Q30 to Q32)
The JRC asked for stakeholder opinions on whether the VOC definition for EU Ecolabel detergents should be aligned with Directive 2004/42/EC. And if VOC limits should be reduced as proposed, and also be introduced for HDD products.

An industry stakeholder explained that the VOC definition has to be sorted first, before any talk on limits. A clear example of why this is important is the case of ethanol, which may or may not be a VOC depending on where the boiling point limit is set for VOCs (i.e. 150 or 250 degrees). Regarding the setting of VOC limits for HDD products, the same stakeholder stated that this would only make sense if the intention was to restrict fragrances. These two points were echoed by a Member State representative.

On criterion 8(b) about horizontal CLP restrictions
An earlier comment from an industry stakeholder pointed out the need for a waiver [derogation] on sodium benzoate (due to its self-entry classification as H317) and benzoic acid (due to its harmonised classification as H372).

On criterion 8(a) about banning of alkyl phosphonic acid and derivatives

An industry representative stated that with the banning of phosphonates and alkyl phosphonic acid derivatives such as ATMP, HEDP and DTPMP would be quite problematic due to the performance of the alternatives and costs associated with needing to reformulate EU Ecolabel products.

On criterion 8(b) on endocrine disruptor restrictions – by horizontal CLP measures and as impurities

A Member State representative welcomed the exclusion of endocrine disruptors (EDs) and emphasized the importance of banning EDs, but queried if there was perhaps a conflict in logic with the criteria, since the on the one hand, they are excluded even as impurities, but on the other, they are mentioned in the list in criterion 8(b) of as one of the hazards that a substance can carry if present in the product at a concentration less than 0,010%.

An industry stakeholder added that, if part of the reason for banning impurities was to follow the example of EU Ecolabel cosmetics, then the banning should be re-examined, because the EU Ecolabel cosmetics criteria had to be amended in this area. They also flagged the same conflict in logic identified by the previous stakeholder between banning substances in one place and allowing them up to 0,010% in another. It was also added that the horizontal hazard substance restrictions give equal importance to “proven” and “potential” EDs – and it was asked why this was the case because EU Ecolabel cosmetic products only restrict proven EDs. Regarding the conflict in logic in the restrictions, the JRC responded by saying that they were exchanging with experts on this topic and that the criteria proposal on impurities was more aligned with the absorbent hygiene products wording than the cosmetics one. Regarding the concern about the restriction of suspected EDs, the JRC clarified that the exclusion of all EDs was in line with EU Ecolabel AHP criteria, which were adopted more recently than the cosmetics criteria. Furthermore, it was clarified that a number of suspected EDs are actually banned via specific restrictions for EU Ecolabel cosmetics.

Another industry stakeholder highlighted that in 2023 a full ban on certain “impurities” was removed from the criteria for cosmetics due to the challenges of defining how to measure them and what are the limits of detection. The stakeholder emphasized the importance of not reverting to previous discussions and decisions made regarding impurities in EU Ecolabel cosmetics. In response to the JRC request for opinions about aligning with a list of specific excluded hazardous substances mentioned in other ecolabel schemes, an NGO representative stated that most of these substances would already be banned due to the horizontal restrictions on hazard classes, but a more detailed opinion would be provided in writing.

On criterion 8(b) about Titanium Dioxide derogation (Q33 and Q34), and surfactants derogation
The JRC asked if TiO2 was used in detergent products and if so, in which products, in which quantities and for what purposes. An industry representative stated that TiO2 was mainly used in coatings for enzymes and in minimal amounts and in granulated form, although he was not sure of the precise technical reasons for this, but that this could be followed up in discussions with enzyme manufacturers. Another industry stakeholder agreed with these comments but added that there were a few examples of TiO2-free enzymes too. This stakeholder also added that TiO2 was present in some of the paper or board used in packaging where very white or bright colours are demanded – it was unclear if TiO2-free packaging was available that could deliver a similar appearance and what could be the impacts on packaging by restricting/banning TiO2.

At this point the same stakeholder asked why the JRC was proposing to keep the H400 derogation for surfactants when there were lots of alternatives available without this classification that had a similar efficacy. An NGO representative echoed this point and also stated its support to restrict the form of TiO2 to granulated only (not powder or spray) as in EU Ecolabel criteria for Cosmetic products.

On criterion 8(c) about SVHC restrictions
Following up on the earlier discussions about the conflict in logic between the ban on impurities but the allowance of certain CLP hazards up to 0,010%, a Member State representative added that lessons on the criteria wording and

approach need to be learned from the past and that any ED or SVHC substance should not be permitted even as an impurity and the same for EDs. The JRC broadly agreed and welcomed further input on how to find the best approach.

On criterion 8(d) about fragrances

Split views were expressed on fragrances regarding the complete ban of fragrances in products labelled as “mild/sensitive”. An industry representative stated that in France, this approach for EU Ecolabel cosmetics has effectively led to no EU Ecolabel cosmetics carrying the mild/sensitive label. However, a Member State representative countered by saying that this was not the case in Nordic countries, despite the prohibition of fragrances in these types of products. This same stakeholder also requested that the effectiveness of the horizontal 0,010% limit for hazardous substances against individual fragrance substances be checked, since it is likely that many of them are added, but at lower levels. In addition, it stressed that these thresholds should be linked to the CDV values.

An industry stakeholder supported the inclusion of the SCCS restriction on fragrances but added that if having this, then there should be no blanket ban on fragrances for mild/sensitive products. The same stakeholder added that reference to the SCCS list should be made to Annex III to the Cosmetics Regulation now instead of Table 13-1 of the actual SCCS report, because that table is now incorporated into Annex III of the Regulation. Moreover this stakeholder was not in favour of the exclusion of fragrances from DD and argued that fragrances are important in dishwasher products as it affects the masking of odours and the perception of cleanliness.

An NGO representative requested a full ban on fragrances in all detergent products since they have no functional purpose, and that if this could not be accepted, then the ban should at least apply to all professional detergent products. A representative of the fragrance industry stated that sometimes fragrances are used for the purpose of eliminating and controlling bad odours. Some details were mentioned about the IFRA code of practice can result in the banning or restriction of individual fragrance compounds based on a well-defined 6 stage approach (genotoxicity, repeated dose toxicity, skin sensitisation, reproductive toxicity, photo irritation and local respiratory toxicity – and also environmental toxicity) for developing and assessing fragrance substances and formulations with the Research Institute for Fragrance Materials (RIFM).

The same stakeholder flagged that the use of 4 fragrances as a representative proxy for fragrances used in the LCA screening study was a very simplistic approach. Furthermore, in reaction to a statement in the JRC preliminary report about fragrance formulations being commercially sensitive information and closely guarded secrets by detergent producers, they wished to clarify that the fragrance industry itself has a transparency register for its customers.

DAY 2 Agenda

Day 2: 13th March 2024		
	Item description	**Schedule**
1.	Opening of virtual room, welcome and recap of previous day	09:00 – 09:15
2.	Criteria: ”Excluded and restricted substances”. Part 2 of 2 – e), f), g) and h).	09:15 – 10:45
	Break (15 mins)	10:45 – 11:00
3.	Criterion: ”Packaging”. Part 1 of 2: Minimum recycled content and WUR.	11:00 – 11:45
4.	Criterion: ”Packaging”. Part 2 of 2: Design for recycling and take-back systems.	11:45 – 12:30
	Lunch (1 hour)	12:30 – 13:30
5.	Criteria: ”Fitness for use”, ”Automatic dosing systems” and ”User information”	13:30 – 14:00
6.	Conclusion, next steps and closure of the meeting	14:00 – 14:30

Point 1. Welcome

The JRC welcomed participants and presented the agenda for the day.

Point 2. Criteria on excluded and restricted substances: Part 2 of 2 (e, f, g and h)

The JRC presented criteria proposals on preservatives, enzymes, colouring agents and micro-organisms. The main changes included a proposal to align the limits for BioConcentration Factor and Octanol-Water partition coefficients with CLP, the extension of the scope of microbial-containing products to laundry detergents and to change the criterion wording for micro-organisms, especially relating to the introduction of a risk assessment approach.

On criterion 8(e) about preservative

In response to the JRC proposal to align the thresholds for bioaccumulation (bioconcentration factor and octanol-water partition coefficient) with CLP and the Nordic Swan, a Member State representative stated that they were against this alignment because it would mean lowering the current ambition level of the EU Ecolabel criteria (i.e. BCF going from 100 → 500, and Log K_{ow} going from 3.0 to 4.0) and that the current requirements are already being met without any problems. This view was supported by an NGO representative, adding that it is always fine for EU Ecolabel to be stricter than legislative definitions.

On criterion 8(f) about colourants

The same NGO representative proposed to ban all colourant ingredients from all detergent products since they have no functional purpose. If this could not be done for all product groups, then it should at least apply to professional products. In response to this, one stakeholder stated that the opposite case might be more appropriate (i.e. allowed in professional products but not consumer ones) because of some examples where coloured detergent products have some useful purposes linked to their colour – for example, the use of red products in the professional sanitary sector. An industry stakeholder added that if colourants were to be banned on the basis of them having no functional purpose, then an exception should apply to diome bysogens, since the dye content is linked to better performance. The JRC requested further details on this in writing and especially in the consideration of the different levels of professional products, which may merit different requirements on colorants.

On criterion 8(h) about micro-organisms

Regarding micro-organisms, the JRC were asked why they were considering extending the allowance of micro-organisms to laundry detergents – it was responded that it was to anticipate possible future market developments. One Member State representative stated that the current criteria for micro-organisms were very difficult to assess and verify, often taking more than one year, and that many potential license holders gave up during the application process. Consequently, if deciding to expand the allowance of micro-organisms, requirements should be simpler than the current criteria for hard surface cleaners.

An industry representative mentioned that specific limits on shelf life are quite difficult to justify due to the high variability in results of these tests. The JRC asked for this issue to be elaborated further, but the stakeholder responded that it was just an initial conclusion from industry consultation. It was also mentioned that a lot of companies support the proposed risk-based approach and that ISO standards applied for such assessments in the food and cosmetics sectors could be used, but the details about what information is required would need to be discussed further in a dedicated sub-group, as also regarding the issues with high variabilities in results for colony -forming units (CFU).

An NGO representative supported the idea of further discussion in a dedicated sub-group on micro-organism criteria and asked if there was a better way for setting the criteria than the risk-based plus banned micro-organisms approach – for example, by reversing the logic and simply having an approved list of micro-organisms that could be used. The JRC appreciated this suggestion, but that it would require a list that is dynamically updated, and any EU Ecolabel criteria would need to refer to that list, rather than list specific micro-organisms in the criteria text. The potential exposure of consumers to micro-organisms in laundry detergents needs to be carefully considered, as it is different to that of hard surface cleaners.

At this point, a more general question was asked about the impact of the upcoming Detergents Regulation on the EU Ecolabel for detergents – especially in terms of requirements on micro-organisms and cleaning efficacy. The JRC responded that the Regulation has some obvious impact on the EU Ecolabel criteria in terms of potential scope, definitions, and cleaning performance, but that the EU Ecolabel is always free to go beyond requirements in terms of criteria in terms of chemicals allowed or fitness for use. This latter point on cleaning efficacy for microbial-containing products will require some discussion (i.e. their legacy effect is important).

Point 3. Criteria on packaging (1 of 2): recycled content and WUR

The JRC presented the proposal to insert a completely new requirement for minimum recycled content for different types of packaging. For paper/cardboard packaging: except for liquid products, primary paper/cardboard to be a minimum of 80% recycled material, secondary paper/cardboard to be a minimum of 70% recycled material and any remaining material to be certified by FSC, PEFC or equivalent schemes). For plastic packaging: except for closures and pouches, primary PET packaging shall be at least 70% post-consumer recycled material and any other plastic primary packaging shall be at least 50% post-consumer recycled material. Furthermore, the overall recycled plastic content and recyclability shall be indicated on the primary packaging.

Revisions to increase the ambition level of several WUR limits were also proposed (namely decreasing the allowed WUR from 2.4 to 2.0 g/wash for DD, and from 1.5 to 0.4 g/wash for rinse aids; from 0.6 to 0.3 g/L washing water for HDD; from 15.0 to 1.0 g/L cleaning solution for undiluted HSC products; from 200 to 175 g/L of cleaning solution for RTU HSC products with trigger sprays; from 1.2 to 1.0 g/kg laundry for household powder laundry detergents and from 1.4 to 1.1 g/kg of laundry for liquid and gel laundry detergents that are not in tablets or capsules).

On new criterion X for packaging recycled content

The JRC proposed new requirements for mandatory minimum post-consumer recycled (PCR) contents for paper/cardboard and plastic in primary and secondary packaging. An industry representative raised concerns about the same approach being applied to all detergent products (especially a concern for professional HSC products, which are not being treated like the professional laundry and dishwasher products) and stated that minimum PCR content for professional products could be a real challenge. In addition the stakeholder requested further clarification on whether the PCR ratio applies to secondary packaging.

Another industry representative requested clarification on whether the overall % PCR requirement applies to all packaging materials or only to the non-exempted components (e.g. how should the cap, pump and trigger be counted when calculating the % PCR, especially if they are made of different polymers). This stakeholder also expressed concerns about the PCR requirements for HDPE due to its sponge-like nature potentially bringing contaminants into recycled materials via the absorption of contaminants from their previous lives and bring them into contact with detergent formulations. The same stakeholder also mentioned availability issues of recycled plastic materials. Another concern was the competing demand for R-PET, especially from the bottled water industry.

One Member Staterepresentative, stated that an initial concern was with the potential counting of transport packaging when it is also used as group packaging. Another concern raised was the fact that high PCR contents often lead to higher quantities of plastic being used – giving a poorer WUR result. The JRC stated that the definition of transport packaging was introduced to better distinguish it from secondary packaging and that further clarifications would be included in the UM. Another Member State representative requested clarification on whether the PCR requirements apply only to bottles or all packaging components. Moreover the Competent Body considered the PCR content requirements for plastic (70% for PET and 50% for HDPE) to be too ambitious and shared the concerns expressed earlier about the quality and availability of materials. They also asked if there would be a dedicated working group on this matter that would also involve Recyclass. The JRC expressed a willingness to set up such a group.

A different Member State representative raised concerns about the accessibility of chain of custody certificates for both producers and CBs during the assessment and verification process. The same stakeholder expressed worry that this requirement might lead to increased workload and burden for the involved parties. The JRC expressed confidence in the feasibility of this criterion, citing its prior agreement for EU Ecolabel Absorbent Hygiene Products. Nonetheless, clarifications could still be inserted by modifying the wording of the criterion.

While developments in the Packaging Directive are a clear driver behind this new criterion proposal, an industry representative stated that mandatory targets of 35% PCR were set for 2030 would be already a challenge for the professional detergents industry and asked if the EU Ecolabel requirements could be set with a time delay built in, stating that the industries are working on innovation to incorporate PCR but require additional time to meet the proposed standards. An NGO representative expressed full support for the introduction of the new criterion proposal on packaging recycled content. However, the stakeholder also flagged that the current wording proposed for paper/cardboard requirements is not harmonized with the wording for plastic requirements, as the term 'PCR' is used for plastic, but not for paper.Additionally, the NGO representative highlighted the issue of detergents that come in grouped packaging and emphasized the need to consider that the Packaging and Packaging Waste Directive (PPWD) addresses single-use plastics in grouped packaging as well. Moreover, the stakeholder mentioned that the PPWD requires all packaging to be recyclable and suggested that the EU Ecolabel could require the highest level of recyclability. The same stakeholder also addressed a comment made by the industry representative about the exemption for professional HSC, expressing disagreement, but also asking if their position was decided after consultation with the industry in general or also with companies that have the EU Ecolabel license awarded. The industry representative clarified that the position on recycled content was taken after consultation with companies holding hundreds of licensed products between them.

The JRC clarified that the proposed ambition levels in the new criterion are derived from the information and data obtained from stakeholders through consultation via the questionnaire and bilateral meetings.

On criterion X about Weight to Utility Ratio (WUR)

An industry representative, expressed a concern about the WUR limits in the undiluted products that appears to be too ambitious and stated that companies may require more time to assess whether the proposed reduction is feasible.

Another industry representative welcomed the reduction of WUR limits but expressed difficulties for LD pods to meet the requirements due to transitioning to cardboard box packaging materials. The stakeholder stated that cardboard waste material is not lighter than plastic and the limit of 1.1 could be too strict.

A Member State representative shared concerns about the WUR being too ambitious for DD, particularly for companies using cardboard. They suggested considering an LCA (life cycle assessment) perspective to determine whether cardboard packaging or pouches are more desirable. Another Member State representative stated that the criteria are too ambitious when it comes to DD and LD and that only 10% of their certified products would have met the new criteria for undiluted HSC products, suggesting that the limit value should be changed from 1.0 to 1.5. Additionally, the same Member State representative mentioned that the limit value for HDD might not have been ambitious enough and that the value could have been reduced more, perhaps to 0.2 instead of the 0.3 proposed. They were working on an analysis at that time and will share the results when the analysis is ready.

Point 4. Criteria on packaging (2 of 2): Design for recycling.

The JRC presented their proposed modifications to the requirements on packaging design for recycling. A number of new conditions were inserted, such as the non-use of black dyes or carbon black pigments, the non-use of different materials in layers of pouch packaging and the non-use of glued cellulose-based labels that cannot be removed via cold washing.

A Member State representative raised a concern regarding the requirement for labels to be removed by cold water, noting that producers mentioned a provision in CLP for dangerous mixtures where labels should not be removable and must be firmly fixed to the package. They requested clarification to ensure there is no contradiction in the requirements with other regulations and will not lead to increased emissions of hazardous substances. .

An industry representative echoed the previous comment and highlighted this as a common issue with the EU Ecolabel cosmetics (i.e. the use of easy-to-remove water-soluble adhesives, which has been restricted by CLP due to potential risks with unlabelled dangerous mixtures). The stakeholder stated that many companies and certification bodies encounter this problem and requested further clarification on how to address it. Additionally, the stakeholder mentioned having extensive details about the combination of packaging types and labels and indicated that this information would be provided in written comments. The same industry representative inquired about the possibility for Competent Bodies to provide to JRC the company data from EU Ecolabel application documents to facilitate the process of sharing useful data for the revision and ease the work of the companies.

An industry stakeholder expressed concern about the combination of packaging materials, especially for PE and PP bottles and labels, that are compatible for recycling but are not permitted according to the design for recycling criterion requirements (a similar issue in EU Ecolabel cosmetics). The stakeholder also raised challenges regarding the use of monomaterial pouches for refills, particularly for larger sizes (1 L product, monomaterial is not robust enough to stand) as well as difficulties with welding and closure. Additionally, the same industry representative mentioned issues with meeting the Pressure Sensitive Labels (PSL) criteria, particularly for PE bottles, where the requirement for water-removable labels conflicted with CLP regulations, as mentioned by other stakeholders earlier. The stakeholder also

highlighted challenges in achieving removable adhesive for PET bottles and PP labels and suggested to contact Recyclassabout PSL.

A Member State has also highlighted the problematic topic of PSL and the compatibility of plastics in bottles and labels within the EU Ecolabel for cosmetics and suggested that PSL requirements should not only allow for full compatibility but also for the limited compatibility reported in the Recyclass guidelines.A label manufacturer stated that it is important that the requirements of the EU ecolabel are in line with existing and future guidelines established by Recyclass which follow the latest development and technologies and which are known to industries. Additionally, the same stakeholder asked for clarification on whether a definition is available for the term “non-removable washable adhesives”, which was reported in the table of the design for recycling table.

Point 5. Fitness for use, automatic dosing system and user information

The JRC presented the criteria for fitness for use but with no changes. Instead, a request was made to set up a sub-group to further explore this area.

On criterion X about fitness to use and performance testing

The request to set up a sub-group on product performance testing was welcomed by several stakeholders. It is appreciated that recent market developments and innovation are included, especially within HSC. According to feedback from many companies there is a well-acknowledged need for improvements and changes to the test procedures, since there is a trend with consumer behaviour where consumers are shifting from using stronger detergents in daily cleaning towards lighter ones. The current performance test focuses on the strong detergents, so new tests are required. Another stakeholder has input regarding the reference products used in tests. Some of them are based on ingredients that are no longer used and within HDD it is difficult to find a suitable reference product. Relevant concentrations should also be taken into account, which have changed in recent years. Another stakeholder points out that protocols are missing for IIDD and IILD and this should be addressed by the sub-group. Another point is related to the need for precise explanations on how to conduct performance tests and how to extrapolate the results of the evaluation process (to different degrees of soiling and water hardness) should be the same for all CBs. This stakeholder is not in favour of introducing requirements for internal performance tests but wants JRC to define the exact requirements and these to be described at the time of adoption of the criteria to prevent problems during the transition period.

Other inputs are related to the extensions of the protocols to include products that have not been included previously. For example, stainless steel cleaners and solid HDD. If the protocol is extended, then new limit requirements and CDV are needed.

A Member State representative made an additional comment that new cleaning products have entered the market that do not necessarily contain surfactants. These are water-based products such as ultra clean water, electrolytes, and alkaline water. They are used for everyday cleaning purposes. How would these types of products be addressed in the EU Ecolabel with regards to the fitness to use?

On criterion X about automated dosing systems for IIDD and IILD

Another comment was made by a Member State representative to rewrite the criteria of automated dosing systems and in particular requirements for customer visits. The stakeholder offered to provide more input on this.

On criterion X about user information

One industry stakeholder had a comment related to refillable packaging. Not all the retailers offer refills, and this criterion might be difficult to fulfil in these cases because the manufacturer must indicate on their packaging if it is refillable. However, if no retailer offers the option to refill, the criteria becomes contradictive.

A comment was made to remove the minimum recommended temperature as it cannot be controlled especially for HDD and multipurpose cleaners that are diluted by the consumer. In these cases, the criteria do not seem relevant.. Furthermore, each claim for secondary functions must be proven via testing and the tests should be validated by CBs. Additionally, the claims should be supported by comparison with products on the market having the same claim but also with products without claims. The JRC was asked to rephrase and harmonize the criterion to also include information on dosage, degree of soilage and other relevant parameters for each product group.

General comments

Several stakeholders requested sufficient time for the transition phase and asked JRC to give at least 18 months, but preferably 24 months, for the transition to avoid a break in the certification. Some also suggested not to publish all six decisions at the same time if the transition period for each product will remain fixed at 12 months. They emphasized that this ecolabel consists of six product groups and that companies experienced huge issues during the transition

period for the last revision. Furthermore, they encourage the JRC to publish all documents, protocols etc. immediately after the decision is made.

The license holders also shared their experience with CBs in different countries and that the evaluation processes are not fully aligned within the different countries. They encourage the evaluation processes to be more aligned in the future to avoid confusion. Furthermore, the process should be harmonized and simplified, and the documents should be available in English and the national languages and in a digital format. They suggested to investigate the possibility of implementing a platform for submitting the documents. The stakeholders also asked whether it is possible to regularly update the DID list. With regards to audits both on factories and laboratories the companies experience differences within different processes which they would like to avoid in the future. The differences in practices can have an effect on the competitive market. They suggest a working group dealing with this matter.

Answers given by DG ENV to general comments

An extension of the transition period to 18 months has been made in the past. 24 months has not been seen before; however, they will take the aspects into account. They acknowledge that it is troublesome for producers and CBs. Furthermore, they will consider the transition period in relation to the number of products involved.

Regarding documentation. The goal is to have all documents ready at the same time when the decision is made. Once the decisions are public the documents will be too. We will do our best to ensure that.

A revised DID list will be published soon. Impossible to have yearly updates as it is not feasible for EC. The process is long and needs time for evaluation. Ideally the DID list should be used for new applications, but there will be an opportunity to use the old documents until everything is in place.

Regarding the request for harmonization of practices and documents. The CB forum should ensure exchange of expertise and experience through regular meetings (2 per year). The rules are there, and we invite the CBs to use them in a better way and better participation to avoid different interpretations in different countries. We can always improve, and we will take your comments into account regarding the reference products and performance tests. It is important and we appreciate your input.

Point 6. Conclusion, next steps and closure of the meeting

The JRC concluded the meeting, thanking the participants for their attention, valuable input and help in identifying the key “hot potato” issues. It was explained to participants that written comments on the contents of the Preliminary Report should be provided by email (to JRC-B5-DETERGENTS@ec.europa.eu), using the JRC template for comments. Written comments on the Technical Report can be provided only via the BATIS platform. The deadline for comments on both reports is the 3rd of April. Instructions are available about how to submit comments and if there are any issues, this should be communicated to: JRC-B5-DETERGENTS@ec.europa.eu

Bilateral discussions are also welcomed throughout the whole criteria revision process but should try to be very focused on important matters due to time and resource constraints.

Further research is foreseen via smaller sub-groups dedicated to topics on fitness for use, microbial-containing products, industrial and institutional products, biodegradability, and hazardous substance derogations. This would lead to a second round of criteria proposals in TR2 and a 2nd AHWG meeting, tentatively scheduled for Q4 of 2024.

Note to readers:

A follow-up email was sent to stakeholders after the 1st AHWG informing about:

- **Online availability** of related documents:
    - **Presentation (PPT)->** available in the dedicated JRC website and the BATIS platform
    - **Derogation request ->** available in the dedicated JRC website and the BATIS platform
- **Release of updated** Detergent Ingredient Database **(DID LIST 2023)** accessible under the respective product groups pages.
- **Deadline extension (**from 3rd to **19th April 2024)** to submit written comments to TR1 (only via BATIS) & PR (via template provided via email and in BATIS).