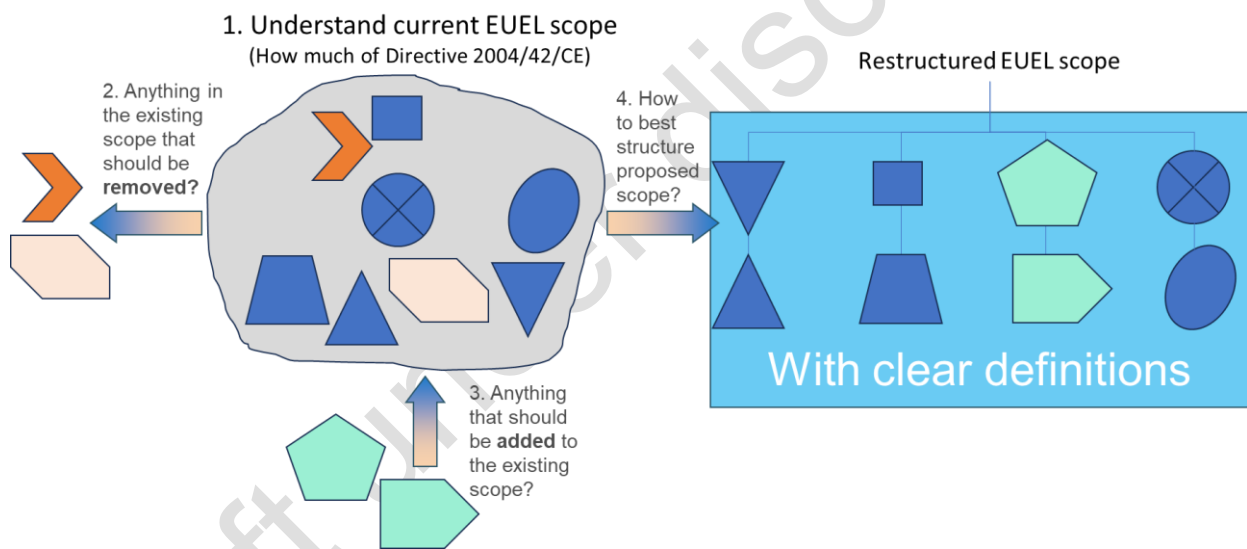


Working sub-group 1: Product category hierarchy and definitions

EU Ecolabel (EUEL) for Indoor and Outdoor Paints and Varnishes (P&V) (June 2024)

Visual overview of main objective of WSG1





Contents

Introduction	3
How is this process supposed to work?	4
Problem 1. Wording of the existing scope.....	5
Presentation at 1 st AHWG meeting	5
Synopsis of comments received about the TR1 scope proposal:.....	7
New scope text proposal	7
Problem 2. Dealing with requests to expand the existing scope	10
Synopsis of comments received.....	10
More details about the current situation for scope expansion:	11
Problem 3. Provision of suitable definitions	13
Presentation at 1 st AHWG meeting	13
Synopsis of comments received about the TR1 definitions proposed:.....	15
New text proposal for definitions	16
Problem 4. Usefulness of a hierarchical description of paint and varnish categories.....	18
Minutes from WSG1.....	20
Conclusions	22
New scope proposal.....	22

Draft under discussion

Introduction

The current EU Ecolabel (EUEL) criteria set out in Decision 2014/312/EU for **indoor and outdoor paints and varnishes** have been criticised as being difficult to read and it is also difficult to understand what criteria apply to what sub-products in many cases. Other doubts have been expressed about knowing what paint and varnish products are in or out of the scope. These problems are rooted in the following factors:

- The current 2014 EUEL criteria are the result of the merging of two previous sets of criteria (one for indoor products and one for outdoor products) into a single Decision and Annex.
- The wording of the 2014 EUEL scope is not ideal (in the opinion of the project team) and could be clarified or simplified in several areas. For example, according to Article 1(3d), “*coatings for particular industrial and professional uses*” are excluded, but only the example of heavy-duty coatings is mentioned.
 - Is there a clear definition of the term “heavy-duty coatings”?
 - What are the other particular industrial and professional uses?
- The EUEL scope is largely defined by terms used in a Directive from 2004 and these terms are insufficient to explain everything that we want to be in and out of the EUEL scope. The suitability of definitions for various terms needs to be checked to see if it would be worthwhile to define them in the EUEL legal text or at least in the User Manual.
- It is difficult for non-experts (and maybe some experts) to visualise in a hierarchical manner how the coatings industry is defined for the many different categories and sub-categories of coating products that exist.

While it is already a challenge to define and organise in a hierarchical manner the current scope of EUEL paints and varnishes, a number of requests have also been received to expand the scope of the product group as well.

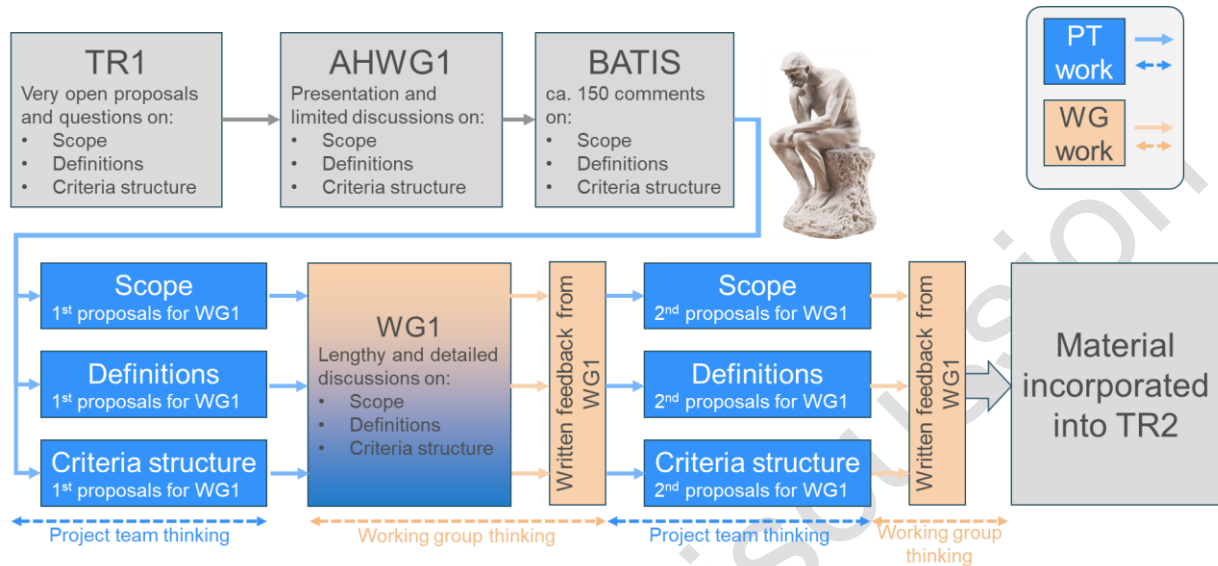
Taking into account these different aspects, the problems and potential solutions can be presented as follows:

Problem	Useful input sought from WSG1
1. Look to improve the scope text	A critical review of the existing scope text has been provided by the project team and a suggested new scope text is presented (linked to three potential Annexes). We would like to hear the opinions of WSG1 on the newly proposed scope text and any other ideas they have about this.
2. Deal with requests to expand scope of the product group	Discuss the relative merits of each proposal and, if agreeable, how it should best be incorporated into the scope text and criteria structure (e.g. what criteria would apply, and should they be in an additional Annex or not)?
3. Discuss the need for suitable definitions and updates to the existing definitions.	Input is sought on three broad categories of definitions: <ul style="list-style-type: none"> • Product category-related terms that should normally be incorporated into the legal text of the EUEL Decision. • Ingredient/substance type-related terms that could be incorporated into the legal text of the EUEL Decision, if needed, or at least mentioned in the User Manual. • Technical property or performance-related terms that can be provided only in the User Manual and explained in more detail there.
4. Try to understand better the relationships between different categories of coating products in the scope with the EUEL criteria.	Attempts to create a hierarchical structure of the coatings sector proved difficult due to the many variations that exist. However, it is considered more practical to try and define at least the existing scope in such a way that, by answering a few questions in a flow diagram type set-up, it would be possible to see exactly which EUEL criteria need to be complied with and what limits apply.

This working document is therefore split into the 4 main problems listed above. In each section, a synopsis of relevant comments and inputs received in writing is made, followed by proposals of the project team to serve as a basis for discussion and a series of working questions where feedback would be especially appreciated.

How is this process supposed to work?

The figure below illustrates the general flow of how the working subgroup process should work (centred on the blue and orange boxes). Due to time constraints, a new and updated proposal for definitions could not be included, but this was partly because there are many potentially interesting definitions in this sector, and because a full effort into looking for definitions will only make sense once the scope wording has been more or less agreed.



Problem 1. Wording of the existing scope

The table below presents the scope text from Decision 2014/312/EU on the left-hand side, together with reflections from the project team on the right-hand side.

2014 Scope text	Reflections of project team
<p>1. The product group of ‘indoor and outdoor paints and varnishes’ shall comprise indoor and outdoor decorative paints and varnishes, woodstains and related products intended for use by consumers and professional users falling under the scope of Directive 2004/42/CE of the European Parliament and of the Council (1).</p>	<p>This paragraph seems quite clear at first reading. In Directive 2004/42/CE, this clearly refers to the section 1.1. subcategories mentioned in Annex I to the Directive.</p> <p>The term “paints and varnishes, woodstains” seems to refer to categories 1.1(a), 1.1(b), 1.1(c), 1.1(d), 1.1(e) and 1.1(f) for sure.</p> <p>The term “related products” could be considered to refer to primers, performance coatings, multicoloured coatings and decorative effect coatings defined in 1.1(g), 1.1(h), 1.1(i), 1.1(j), 1.1(k) and 1.1(l) of Annex I to Directive 2004/42/CE. But it could be clearer.</p>
<p>2. The product group of ‘indoor and outdoor paints and varnishes’ shall comprise: floor coatings and floor paints; paint products which are tinted by distributors at the request of consumer (non-professional) or professional decorators, tinting systems, decorative paints in liquid or paste formulas which may have been pre-conditioned, tinted or prepared by the manufacturer to meet consumer's needs, including wood paints, wood and decking stains, masonry coatings and metal finishes primers and undercoats of such product systems as defined in Annex I to Directive 2004/42/CE.</p>	<p>At first reading, it seems strange that floor coatings and floor paints are explicitly mentioned in this second paragraph, when this should already be understood to be in the scope from the first paragraph. Why the explicit mention here?</p> <p>Reference to “liquid or paste formulas” also implies that powder products are excluded, even the “just add water” type products that are quite novel and seem to have interesting environmental benefits.</p> <p>A number of specific product categories and terms are then mentioned at the end of the paragraph in a non-exhaustive manner which seems more confusing than helpful.</p>
<p>3. The product group shall not comprise the following products:</p> <ul style="list-style-type: none"> (a) anti-fouling coatings; (b) preservation products for wood impregnation; (c) coatings for particular industrial and professional uses, including heavy-duty coatings; (d) powder coatings; (e) UV curable paint systems; (f) paints primarily intended for vehicles; (g) product which primary function is not to form a film over the substrate, e.g. oils and waxes; (h) fillers as defined by EN ISO 4618; (i) road-marking paints. 	<p>This paragraph is generally clear.</p> <p>However, the entry in part (c) could be interpreted as banning the “performance coatings” from Annex I to Directive 2004/42/CE, but it is not clear enough because it says “particular”, which implies “some”. This potentially explains why floor coatings, floor paints and metal finishes primers were explicitly mentioned as being in the scope in paragraph 2. Upon reading the definitions of the one-pack and two-pack performance coatings in 1.1(i) and 1.1(j) of Annex I to Directive 2004/42/CE, floor coatings and primers for metals are explicitly mentioned, together with other types of coating. Clarity is needed about if “particular industrial and professional uses” is indeed a reference to “performance coatings” and if so, which are excluded from the scope and which are not.</p> <p>Thanks to an associated definition in Article 2(9) of the EUEL criteria, the exclusion of powder coatings in (d) is clearly referring to products that are literally applied as a powder to the substrate and not mixed with water to form a paste or liquid prior to application, which would be the case with the novel “just add water” paints.</p> <p>Specific reference is made to wood oils and road-marking paints, two product categories that were discussed about their potential inclusion in an expanded product group scope. Regarding oils, clarity will be sought about whether any of these products can actually form a film or not. We should also clarify that we are talking about a “continuous” film.</p>

Presentation at 1st AHWG meeting

A proposed new scope text was included in Technical Report 1 (TR1) and presented at the 1st AHWG meeting on the 7th of May 2024. The general idea was just to spell out all of the individual product categories that were considered to be in the scope. By doing this, and by keeping the terms for categories the exact same as was used in Directive 2004/42/CE, it was considered that it would be possible to understand exactly what is in the scope without needing to read the Directive, and that any reference to the Directive in the scope text would become redundant.

Scope text previously proposed at the 1st AHWG meeting in May 2024

1. The product group of 'indoor and outdoor paints and varnishes' shall comprise **the following** indoor and outdoor decorative paints, ~~and~~ varnishes, woodstains and related products intended for use by consumers and professional users **via application to buildings, their trim and fittings, and associated structures: falling under the scope of Directive 2004/42/CE of the European Parliament and of the Council (1).**

- (a) matt coatings for interior walls and ceilings
- (b) glossy coatings for interior walls and ceilings
- (c) coatings for exterior walls of mineral substrate
- (d) interior/exterior trim and cladding paints for wood, metal or plastic
- (e) interior/exterior trim varnishes and woodstains
- (f) minimal build woodstains
- (g) primers
- (h) binding primers
- (i) one-pack performance coatings
- (j) two-pack performance coatings
- (k) multicoloured coatings
- (l) decorative effect coatings
- (m) anti-rust paints
- (n) floor coatings and floor paints
- (o) wood paints
- (p) wood and decking stains
- (q) tinting pastes?

The paint categories referred to above include base paints and different colour shades achieved by tinting, either predefined by the manufacturer or at the customised request of consumers or professional decorators to operators of tinting systems.

~~2. The product group of 'indoor and outdoor paints and varnishes' shall comprise: floor coatings and floor paints; paint products which are tinted by distributors at the request of consumer (non-professional) or professional decorators, tinting systems, decorative paints in liquid or paste formulas which may have been pre-conditioned, tinted or prepared by the manufacturer to meet consumer's needs, including wood paints, wood and decking stains, masonry coatings and metal finishes primers and undercoats of such product systems as defined in Annex I to Directive 2004/42/CE.~~

~~3.2. The product group shall not comprise the following products:~~

- (a) anti-fouling coatings;
- (b) preservation products for wood impregnation;
- (c) coatings for particular industrial and professional uses, including heavy-duty coatings;
- (d) powder coatings **(this does not apply to cement paints or other "just add water" paints, see definition in Article 2(x));**
- (e) UV curable paint systems;
- (f) paints primarily intended for vehicles;
- (g) product which primary function is not to form a **continuous** film over the substrate, e.g. oils and **waxes (subject to change if scope is expanded);**
- (h) fillers as defined by EN ISO 4618;
- (i) road-marking paints **(subject to change if scope is expanded).**

Previous questions asked to stakeholders about the existing scope and new wording:

Q1. Stakeholders' views on the new wording proposed for the scope are welcomed.

Q2. Would you support having a hierarchical description of the scope? If yes, would you be able to contribute to creating this hierarchy with your sectorial knowledge?

Q3. How to explain in more detail the exclusion of Article 1(3c)? (which excludes "coatings for particular industrial and professional uses, including heavy-duty coatings").

Synopsis of comments received about the TR1 scope proposal:

Ignoring comments about potential scope expansion, the main points taken from stakeholder feedback were:

- Clear disagreement with the removal of references to Directive 2004/42/CE in the scope text.
- The use of terms “buildings, their trim and fittings, and associated structures”, even though coming from Directive 2004/42/CE, could be explained in an easier to understand manner (perhaps in the User Manual).
- Stakeholders generally failed to see the added value of having a hierarchical description of the product group scope.
- Some of the products that were listed in the proposals were challenged as well, especially “tinting pastes”, since these are not expected to be able to carry the EU Ecolabel themselves.
- Clarity was also sought about whether plasters should be included or not.

New scope text proposal

Based on the feedback received, a new proposal was presented at the online meeting for WSG1. An updated version of the WSG1-presented scope text (differences shown in track changes) is provided below. At this stage, the potential expansion of products is ignored, except for aerosol paints, where a placeholder has been inserted. The proposal tries to present a more logical split into “decorative” and “performance” coatings. However, there are other ways that the existing scope could be split, for example into “indoor and outdoor” or into “paints and varnishes”. Based on feedback from WSG1, some active support was expressed for the split into “decorative” and “performance” and no opposition was expressed.

2024 WSG1 proposed scope (July 2024) for: “Indoor and outdoor paints and varnishes, performance coatings and related products”	Rationale
<p>[Article 1. Is defining the scope for Annex I criteria – i.e. for decorative coatings]</p> <p style="text-align: center;">Article 1</p> <p>1.–The product group of ‘decorative indoor and outdoor paints and varnishes and related products’ shall comprise indoor and outdoor paints, varnishes, woodstains and primers intended for use by consumers and professional users for decorative purposes and falling under the scope of subcategory 1.1. in Annex I to Directive 2004/42/CE of the European Parliament and of the Council (1).</p> <p>Decorative paint products shall include untinted base paints, paints that have been pre-tinted by the paint manufacturer and paints that have been tinted by distributors using tinting systems at the request of consumers or professional users.</p> <p>Decorative paints or varnishes not covered by Directive 2004/42/CE which are supplied in powder or granulepaste form, and that are to be diluted and mixed with water prior to application to buildings, their trim, fittings or associated structures, are also included in the scope of this product group, even though they may not strictly fall under the scope of Directive 2004/42/CE.</p> <p>The product group shall not include:</p> <ol style="list-style-type: none"> Performance coatings defined in subcategories 1.1(i) and 1.1(j) of Annex I to Directive 2004/42/CE of the European Parliament and of the Council. Multicoloured coatings defined in subcategory 1.1(k) of Annex I to Directive 2004/42/CE. Decorative effect coatings defined in subcategory 1.1(l) of Annex I to Directive 2004/42/CE of the European Parliament and of the Council. Anti-fouling paint coatings. Wood Ppreservatives on products for wood impregnation. Coatings and coating systems designed for use in industrial processes, such as powder coatings applied as powders to substrates and coatings systems that are cured by UV radiation. Coatings primarily intended for vehicles. 	<p>The idea in paragraph Article 1 is to indicate all of the decorative coatings and related products (this would be a standalone Annex for their criteria and the focus is basically everything in the original scope minus the performance coatings (shifted into Annex II) and minus thick decorative coatings (seems like an odd product group). Multi-coloured coatings were indirectly excluded and now they are explicitly excluded.</p> <p>Annex I This is where the “just add water” paints would probably fit best, so long as their primary purpose was similar to the other products mentioned here (i.e. “decorative” and for buildings, their trim, fittings and associated structures). If we do not say this last part, then it could be argued that artists’ paints could be included too.</p> <p>We would like to have a more exhaustive list of industrial processes that are excluded under (fe) – maybe this can be detailed in the User Manual, but it</p>

<p align="center">2024 WSG1 proposed scope (July 2024) for: “Indoor and outdoor paints and varnishes, performance coatings and related products”</p>	<p align="center">Rationale</p>
<ul style="list-style-type: none"> (h) Products whose primary function is not to form a continuous film over the substrate, e.g. oils and waxes. (i) Fillers, plasters, grouts, sealants and adhesives. (j) Cement-based paints where cement is used as a binder in the formulation. 	<p>would be good to explain the thinking in TR2.</p> <p>We have explicitly mentioned other products that we considered excluded in (h), since it is clearer. Cement-based paints are now also explicitly excluded in (i).</p>
<p>[Article 2. Is defining the scope for Annex II criteria – i.e. for performance coatings]</p> <p align="center">Article 2</p> <p>2.–The product group of ‘performance coatings and related products’ shall comprise certain one-pack and multi-pack performance coating products whose primary purpose is designed to impart special performance characteristics to the coated substrate and falling under the scope of subcategories 1.1(i) and 1.1(j) in Annex I to Directive 2004/42/CE of the European Parliament and of the Council.</p> <p>The product group shall comprise floor coatings, anti-corrosion coatings, waterproofing coatings, anti-graffiti coatings and radiator paints and furniture coatings-intended for use by consumers and professional users in buildings, their trim, fittings or associated structures.</p> <p>The product group shall not include:</p> <ul style="list-style-type: none"> (a) Anti-fouling coatings. (b) Wood Preservatives on products for wood impregnation. (c) Coatings designed for use in industrial processes, such as powder coatings applied as powders to substrates and coating systems that are cured by UV radiation. (d) Coatings primarily intended for vehicles. (e) Products whose primary function is not to form a continuous film over the substrate, e.g. oils and waxes. (f) Fillers, plasters, grouts, sealants and adhesives. (g) Cement-based paints where cement is used as a binder in the formulation. (h) Coatings designed to impart flame retardancy. (i) ??? (j) ??? (k) ??? 	<p>Due to the difference in their primary function (i.e. technical performance rather than aesthetic) we consider it justifiable to have performance coatings in a separate Annex, even though they are referred to in Directive 2004/42/CE together with decorative paints and varnishes.</p> <p>The term “multi-pack” is used instead of “two-pack” to allow for possible “three-pack” or “four-pack” products to also be included.</p> <p>The potentially broad range of performance coatings is narrowed down to a limited number of categories (can be discussed exactly which ones this should be).</p> <p>Excluded categories are tentatively proposed, but open to more suggestions.</p>
<p>[Article 3. Is defining the scope for Annex III criteria – i.e. for water-based aerosol spray paints.]</p> <p align="center">Article 3</p> <p>3. The product group of ‘aerosol spray paints’ shall comprise integral ready-to-use packages with a valve and a water-based paint formulation which is dispensed by pre-stored pressure in a controlled manner when the valve is operated. [awaiting proposal from Kwasny et al. to make a specific proposal to define the market segment and applications]</p>	<p>Of the five different product categories proposed for an expanded scope, this one had the greatest promise.</p> <p>In principle, the same requirements for criteria 2 can apply to TiO2 suppliers, some minimum technical performance(s) need to be specified in criterion 3 (look at FEA standards? Link to Directive 75/324/EEC for fitness for use?), the VOC content is key in criterion 4 and a close look is needed for any derogations under criterion 5.</p>



Other ways to split the scope into different product groups had been previously considered, and can still be discussed in WSG1.

The main arguments for not splitting into indoor and outdoor products was that there may be some products that can be used in both environments and the question arises if they should carry one EU Ecolabel or two. Splitting into indoor and outdoor would streamline the criteria very much, except for criterion 3 and limited parts of criterion 5.

One of the main arguments for not splitting into paints and varnishes are that this might create complications about which Annex should “primers” and “undercoats” be placed? Another argument is that there are several products that lie very close to the arbitrary boundary between paints and varnishes, such as the “lasure” coatings and “minimal build woodstains”.

Working question 1: What are your opinions on the proposed scope text wording? Is it clear enough? Please feel free to suggest any minor improvements or corrections.

Responses: “I agree with the proposed rephrasing (splitting and scope text wording).”

Working question 1a: since we now split into “decorative” and “performance” coatings, does it make sense to explain where furniture or radiator paints lie? Or should we not mention these specifically because they could be either decorative or performance coatings?

Responses:

Working question 2: Is a split into “indoor” and “outdoor” coatings more appropriate? If so, why do you think that?

Responses: “No, because for example wood coatings usually are for both indoor and outdoor application.”

Working question 3: Is a split into “paints” and “varnishes” more appropriate? If so, why do you think that?

Responses: “No”

Working question 4: What else should be explicitly excluded for the sake of clarity of scope?

Responses: “I think it is OK as stated in the proposed text”

Working question 5: How to define the term “continuous film” exactly?

Responses: None so far.

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Problem 2. Dealing with requests to expand the existing scope

A total of five different types of product were considered as part of a potential scope expansion of decorative paints and varnishes. The following questions were asked regarding the potential extensions of the product group scope as well as clarifications about the existing scope.

Questions to stakeholders about the scope:

- Q4.** Do you agree on having a set of criteria proposed for [aerosol paints](#)? If so, should it be as a separate Annex?
- Q5.** Do you agree on having a set of criteria proposed for [road marking paints](#)? If so, should it be as a separate Annex?
- Q6.** In your opinion, are [cement paints](#) already included in the scope? If not, or if you are not sure, would you agree on them being included in the scope? If so, which type of EU Ecolabel criteria should be applied to them, considering that an important hotspot will be cement production?
- Q7.** Do you agree on having a set of criteria proposed for [wood oils](#)? If yes, what type of EU Ecolabel criteria should be applied to them, considering that an important hotspot will be oil production? And should the criteria be presented as a separate Annex?
- Q8.** Do you agree on including [waterproofing paints and varnishes](#) in the scope? If so, how to define precisely what they are and which ones are in the scope and which ones are out?
- Q9.** Do you think that [anti-rust paints](#) should continue to be in the scope or is this more of an industrial type of product? Are you aware of any anti-rust paints carrying the EU Ecolabel?
- Q10.** Are [radiator paints](#) and [furniture paints](#) currently considered to be included in the scope?

Synopsis of comments received

The main points taken from stakeholder feedback were:

- There were split views about the inclusion of aerosol spray paints in the scope. It was considered as a relevant market share and with associated environmental benefits for water-based products, but the need to use propellants, the different technical performance requirements and the recyclability of cans were considered as negatives. If included, a separate Annex would be needed.
- Road marking paints were considered as a very different category of paints and not best suited to inclusion in the criteria, even as a separate Annex.
- There seemed to be confusion about the term “cement paints”, with the doubt being based on whether it was referring to pigments used in cements, to paints applied to cement-based substrates or to actual paint products that use cement as a binder (the latter is the intended case). In the latter case, it seems that they would be excluded anyway since the whole product is normally H317 classified.
- General support was expressed to include wood oils in the scope, but clarity would be needed about whether they should be film-forming or not and if they are currently considered as excluded also due to their association with the Article 1(3b) exclusion of products used for wood impregnation.
- Doubts were expressed about the extent to which waterproofing coatings are already in the scope via performance coatings defined in Directive 2004/42/CE. Definitions could be compared with what is intended to be included already in the Nordic Swan and Blue Angel criteria.
- Anti-rust (or anti-corrosion) paints were generally considered to be in the scope, and there were a limited number of these products actually carrying the EU Ecolabel.
- Radiator paints and furniture paints were generally considered to be included in the scope of EU Ecolabel paints and varnishes if the scope explicitly mentions Directive 2004/42/EU. Although these types of products are not explicitly mentioned in the Directive, coatings for different substrates are defined and radiators fit with the categories referring to coatings for metal substrates and furniture potentially matches with metal, wood or plastics substrates.

An overview of the feedback received after the meeting, potentially relevant other ecolabels and the current position of the project team is shown below.

	Aerosol spray paints	Road marking paints	Cement / powder paints	Wood oils	Waterproofing coatings
Positive feedback	5	1	0	6	2
Negative feedback	8	5 + several "papers"	4	2	4
Open-minded feedback	4	6	1	0	1
Other ecolabel experience?		NF ENV 331?	DE UZ 198?	NS (096) v4.1 DE UZ 12a	NS (097) v2.21 DE UZ 233
Current status for EUEL revision	🔍	🚫	🚫 ✓	🚫	🔍

More details about the current situation for scope expansion:

Aerosol spray paints: The project team has decided to make a proposal for including these products in an expanded scope. This would require a new Annex and different criteria due to the fundamental differences of aerosol paints (e.g. packaging, use of propellant, quality requirements, safety requirements, additives etc.). Such an exercise will also require input from producers to help clarify and quantify the environmental benefits (from an LCA perspective) of shifting from organic solvent-based to water-based formulations. In terms of increasing market share, there is a large room for potential there, as water-based aerosol paints are only accounting for around 2% of their market segment. Cross-checking of formulations against the horizontal hazardous substance restrictions in criterion 5 will be needed as well and some initial work has already been carried out in this regard.

Road marking paints: A decision has already been taken to not include these products in the scope. Feedback from stakeholders was largely negative, with a unanimous rejection coming from representatives of the manufacturers.

Cement / powder paints: A split status has been indicated above to reflect the fact that the whole area has different interpretations. On the one hand, **cement-based paints**, that is, paints that have cement as an active binding ingredient, are not going to be considered any more for inclusion in the scope. The main reasons for this are: (i) the presence of dry cement in formulations will tend to impart an H317 classification to the final product, which is not permitted by EUEL criteria, and (ii) including this type of product would create a bridge to other types of products that have some common ground, such as plasters, grouts and sealants – and the intention was to definitely not to include these types of product in the scope.

On the other hand, a novel type of paint product sold in powder form, but which should be mixed with water prior to application, which we arbitrarily refer to as **"just add water paints"** is proposed to be included in the scope. The main reason is because such paints offer an interesting alternative to liquid paints and can offer some important environmental advantages such as reduced paint spoilage, the non-use of in-can preservatives and reduced packaging and transport impacts for a given functional unit.

Wood oils: There was some clear support expressed for including these products in the scope due to the fact that they have been included in product groups under the Nordic Swan and Blue Angel ecolabels. A brief review of the two ecolabel criteria sets was made in order to identify any criteria specific to wood oils:

Ecolabel criteria set	Scope	Wood oil criteria
Blue Angel DE UZ 12a (v9) Low emission and low-pollutant paints and varnishes	Includes: "Wood oil", with a footnote that says: "For the care and protection of the wood (e.g. pearling effect) without any cleaning action."	Nothing explicitly stated. The word "oil" does not appear again in the criteria document. It is not clear if wood oils contain any additives that might have to comply with hazardous substance restrictions. Of if the oil might be considered as an SVOC. It is also not clear if the EN 16402 test. It is not clear either if there are any wood oil-specific fitness for use criteria (maybe about measurement of the pearling effect?).

		Overall, it is possible that any wood oil without additives could obtain the Blue Angel if no specific criteria apply.
Nordic Ecolabel Paints and varnishes (v4.1)	Includes: “Wood oils (film forming and non-film forming)”	Wood oils are explicitly mentioned with regards to limits for preservatives (same as for “industrial” paints and varnishes). There is also a specific weathering resistance requirement for film-forming wood oils (which is placed in the same column as varnish and woodstain). Overall, if preservatives are not needed and no additives are used, then it could be that there are no actual criteria for non-film forming wood oils and they are all eligible for the Nordic ecolabel.

As per the table above, the actual environmental criteria for wood oils, especially non-film forming wood oils, is very limited and possibly zero. The current situation makes it impossible to distinguish between a wood oil with a better environmental profile and a wood oil with a worse profile. This situation, added to the fact that the project team is unaware of interest from wood oil producers in the EU Ecolabel, mean that it is proposed to continue excluding wood oils from the scope. By extension, and for similar reasons, the continued exclusion also applies to waxes.

Waterproofing coatings: If we go for a separate Annex on performance coatings, the project team would propose to place these products there. Dialogue with manufacturers would be necessary in order to better understand the market and to explain which products are suitable for being in the scope (e.g. DIY market) and which are not suitable (e.g. only used in industrial processes and factory-controlled applications). Another important point would be to clearly explain the technical standards that are relevant and what are good performance levels.

A simple extrapolation from testing of decorative paints used in wet or humid environments for resistance to liquid water permeability was designed to simulate the ingress of rain into vertical wall masonry coatings and the water vapour permeability was actually designed to look for a minimum “breathability” of the coating, rather than a physical barrier. So if waterproofing coatings are to be included, the project team will need definitions and appropriate test standards for technical performance.

Working question 6: Any opinions on the current situation of potential product group expansions?

Responses: “In general I agree with the propositions. It would be better if producers of aerosol spray paints and wood oils could give a more detailed feedback.”

Problem 3. Provision of suitable definitions

Each reference to specific **product categories** in the scope (either being in or out of the scope) should ideally be defined and provided in the EUEL legal text. For terms relating to **technical performance**, definitions are very helpful and should be provided either in the EUEL legal text, or the EUEL User Manual. Finally, terms relating to **ingredients or substance types** should also be defined, either in the EUEL legal text or in the EUEL User Manual.

If possible, definitions can be directly linked to existing **EU legislation** by a simple reference like: “*Term X is as defined in Regulation Y*”. One particular advantage of this is that all of the terms in EU legislation have already been translated into all of the official EU languages and are made freely available to all readers with access to the internet. These definitions are only rarely changed.

If a suitable definition is not available in EU legislation, either because it is simply not defined or because other definitions are not suitable for the purposes of the EUEL criteria for some reason, then suitable existing definitions should be sought in **EN, EN ISO and ISO standards**. These definitions are normally only available in English, French and German and generally are not made freely available and may change significantly between different versions of the same standard.

Finally, in case no suitable definitions can be found in either EU legislation or EN/ISO standards, then a **custom-made definition** can be used, purely for the purposes of interpreting and applying the EUEL criteria.

Presentation at 1st AHWG meeting

In TR1, stakeholders the following definitions were proposed and some targeted questions about definitions were provided as shown below.

Definition preferences

- **EU legislation** (because translated into all official EU languages)
- **EN/ISO standards** (formal expert input and industry agreement)
- **Tailored definitions** “for the purposes of this Decision” (created on a needed basis and only if previous two options are not suitable.)
- **No definition** → confusion and room for interpretation

Definitions text previously proposed at the 1st AHWG meeting in May 2024

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

- (1) ‘Paint’ means a pigmented coating material, supplied in a liquid paste or powder form, which, when applied to a substrate, forms an opaque film having protective, decorative or specific technical properties and after application dries to a solid, adherent and protective coating;
- (2) ‘Varnish’ means a clear coating material which, when applied to a substrate forms a solid transparent film having protective, decorative or specific technical properties and after application dries to a solid, adherent and protective coating;
- (3) ‘Decorative paints and varnishes’ means paints and varnishes that are applied in-situ to buildings, their trim and fittings, for decorative and protective purposes, **specifically referring to: matt or glossy coatings for interior walls and ceilings; coatings for exterior walls of mineral substrate; interior/exterior trim and cladding paints; interior/exterior trim varnishes and woodstains; minimal build woodstains; wood and decking stains; wood paints; primers; binding primers; one-pack and two-pack performance coatings; multicoloured coatings; decorative effect coatings; floor coatings and floor paints;**
- (4) ‘matt or glossy coatings for interior walls and ceilings’ means coatings designed for application to indoor walls and ceilings, which deliver a dead matt, matt, semi-matt, satin, semi-gloss, or gloss **finish (and that may be based on ____ binders);**
- (5) ‘coatings for exterior walls of mineral substrate’ means, according to Directive 2004/42/CE, coatings designed for application to outdoor walls of masonry, brick, or stucco **(and that may be based on ____ binders);**
- (6) ‘interior/exterior trim and cladding paints for wood, metal or plastic’, according to Directive 2004/42/CE, means coatings designed for application to trim and cladding which produce an opaque film. These coatings are designed for either a wood, metal, or plastic substrate **(and that may be based on ____ binders);**
- (7) ‘interior/exterior trim varnishes and woodstains’, according to Directive 2004/42/CE, means coatings designed for application to trim which produce a transparent or semi-transparent film for decoration and protection of wood, metal, and plastics. **(and that may be based on ____ binders);**
- (8) ‘minimal build woodstains’, according to Directive 2004/42/CE, means woodstains which, in accordance with EN 927-1:1996, have a mean thickness of less than 5 µm when tested according to ISO 2808: 1997, method 5A **(and that may be based on ____ binders);**

Definitions text previously proposed at the 1st AHWG meeting in May 2024

- (9) 'primers', according to Directive 2004/42/CE, means coatings with sealing and/or blocking properties designed for use on wood or walls and ceilings (and that may be based on _____ binders);
- (10) 'binding primers', according to Directive 2004/42/CE, means coatings designed to stabilize loose substrate particles or impart hydrophobic properties and/or to protect wood against blue stain (and that may be based on _____ binders);
- (11) 'one-pack performance coatings', according to Directive 2004/42/CE, means performance coatings based on film-forming material, which are designed for applications requiring a special performance, such as primer and topcoats for plastics, primer coat for ferrous substrates, primer coat for reactive metals such as zinc and aluminum, anticorrosion finishes, floor coatings, including for wood and cement floors, graffiti resistance, flame retardant, and hygiene standards in the food or drink industry or health services (and that may be based on _____ binders);
- (12) 'two-pack performance coatings', according to Directive 2004/42/CE, means coatings with the same use as one-performance coatings, but with a second component (e.g. tertiary amines) added prior to application (and that may be based on _____ binders);
- (13) 'multicoloured coatings', according to Directive 2004/42/CE, means coatings designed to give a two-tone or multiple-colour effect, directly from the primary application (and that may be based on _____ binders);
- (14) 'decorative effect coatings', according to Directive 2004/42/CE, means coatings designed to give special aesthetic effects over specially prepared pre-painted substrates or base coats and subsequently treated with various tools during the drying period. (and that may be based on _____ binders);
- (15) 'floor coatings and floor paints' means coatings and paints specifically formulated to be applied to flooring, with the purpose of protecting and/or colouring the flooring substrate (and that may be based on _____ binders);
- (16) 'wood paints' means paints applied to wood, which change the colour of the wood (and that may be based on _____ binders);
- (17) 'wood and decking stains' are a type of paint with low quantities of binder that penetrate deep into the wood and change its natural colour and appearance (and that may be based on _____ binders);
- (18) 'Lasure' means a coating material containing small amounts of a suitable pigment and/or extender and used to form a transparent or semi-transparent film for decoration and/or protection of the substrate (and that may be based on _____ binders);
- (19) 'Tinting system' means a method for preparing coloured paints by mixing a 'base' with coloured tinting pastes;, and 'tinting paste' means a highly concentrated pigment preparation;
- (20) 'Masonry coating' means a coating that produce a decorative and protective film for use on concrete, paintable brickwork, blockwork, rendering, calcium silicate board or fibre-reinforced cement (and that may be based on _____ binders);
- (21) 'Binding primers' means coatings designed to stabilise loose substrate particles or impact hydrophobic properties (and that may be based on _____ binders);
- (22) 'UV curable paint system' means the hardening of coating materials by exposure to artificial ultra-violet radiation;
- (23) 'Powder coating' means protective or decorative coating formed by the application of a coating powder to a substrate and fusion to give a continuous film;
- (24) 'In-can preservatives' are active substances within the meaning of Article 3(1)(c) of Regulation (EU) No 528/2012 of the European Parliament and of the Council that are for use in product-type 6 as described in Annex V to that Regulation. They are in particular used for the preservation of manufactured products during storage by the control of microbial deterioration to ensure their shelf life and used for the preservation of tints that will be dispensed from machines;
- (25) 'Dry-film preservatives' are active substances within the meaning of Article 3(1)(c) of Regulation (EU) No 528/2012 that are for use in product-type 7 as described in Annex V to that Regulation, in particular for the preservation of films or coatings by the control of microbial deterioration or algal growth in order to protect the initial properties of the surface of materials or objects;
- (26) 'Anti-skinning substances' are additives that are added to the coating materials to prevent skinning during production or storage of the coating material;
- (27) 'Driers', also referred to as 'siccatives', means _____
- (28) 'Surfactants' means _____
- (29) 'Mineral raw material' means _____
- (30) 'Optical brightener' means _____
- (31) 'UV stabiliser' means _____
- (32) 'Binder' means _____

Definitions text previously proposed at the 1st AHWG meeting in May 2024

- (33) 'Volatile organic compounds' (VOC) means any organic compounds having an initial boiling point less than or equal to 250 °C measured at a standard pressure of 101,3 kPa as defined in Directive 2004/42/EC and which, in a capillary column, are eluting up to and including n-Tetradecane (C₁₄H₃₀);
- (34) 'Semi volatile organic compounds' (SVOCs) means any organic compound having a boiling point greater than 250 °C and less than 370 °C measured at a standard pressure of 101,3 kPa and which, in a capillary column are eluting with a retention range after n- Tetradecane (C₁₄H₃₀) and up to and including n-Docosane (C₂₂H₄₆);
- (35) 'White and light coloured' paints are those with a tri-stimulus (Y- value) > 70 %;
- (36) 'Gloss paints' are those which at an angle of incidence of 60° show a reflectance of ≥ 60;
- (37) 'Mid sheen paints' (also referred to as semi-gloss, satin, semi matt) are those which at an angle of incidence of 60° or at 85° show a reflectance of < 60 and ≥ 10;
- (38) 'Matt paints' are those which at an angle of incidence of 85° show a reflectance of < 10;
- (39) 'Dead matt paints' are those which at an angle of incidence of 85° show a reflectance of < 5;
- (40) 'Transparent' and 'semi-transparent' means a film with a contrast ratio of < 98 % at 120μ wet film thickness;
- (41) 'Opaque' means a film with a contrast ratio of > 98 % at 120μ wet film thickness.
- (42) 'Anti-rust paints' means paints designed to prevent rust in metal substrates in the presence of oxygen and water, through the application of a protective coating (and that may be based on _____ binders).
- (43) 'Thick decorative coating' means paints that are designed to give a three-dimensional decorative effect and a therefore characterized by a very thick coat (and that may be based on _____ binders).
- (44) 'Elastomeric paint' means _____ (and that may be based on _____ binders).
- (45) 'Undercoat' means _____
- (46) 'Aerosol spray paints' means _____
- (47) 'Road marking paints' means _____
- (48) 'Cement paints' means _____
- (49) 'Wood oils' means oils used for the care and protection of wood (e.g. pearling effect) without any cleaning action;
- (50) 'Waxes' means _____
- (51) 'Waterproofing products' means _____
- (52) 'Wood preservative' means a product containing a biocide with the primary purpose of inhibiting the development of wood-destroying and/or wood-staining organisms in the wood to which it is applied.

Previous questions asked to stakeholders at the 1st AHWG meeting about the new definition text proposal:

Q11. Stakeholders' views on the new wording proposed for the definitions are welcomed.

Q12. Should further definitions for terms like "spreading rate", "blistering", and "opaque" be inserted in the text or is this best left to the User Manual in case definitions in EN or ISO standards change?

Q13. Should other definitions be included?

Synopsis of comments received about the TR1 definitions proposed:

The main points taken from stakeholder feedback were:

- Definitions of product categories should not be linked to binder chemistries, as this could unintentionally restrict future innovations.
- Definitions of the terms "ingoing substances" and "impurities" are needed now that the Annex preamble text and the text on horizontal hazardous substance restrictions has been aligned with the common wording used in the more recently adopted EUEL product groups.
- A definition for the ingredient type "driers" was proposed: "Additives that accelerate the oxidative cross-linking of drying oils and alkyd resins".

- A definition for the ingredient type “surfactants” was proposed: *“Additives that influence the surface tension of phases, which have an interface in common. They are employed as wetting agents, emulsifiers, levelling agents, defoamers, anti-floating agents, etc”*.
- A definition for the ingredient type “UV stabiliser” was proposed: *“Additive that protects the coating film and/or the substrate against the negative effects of UV-beams contained in sunlight”*.
- A definition for the ingredient type “binder” was proposed: *“Synthetically produced polymer that is used as the main non-volatile component of the coating, is responsible for the formation of the film and determines its weather, chemical and mechanical resistance”*.
- Some clarifications were requested for the definitions of “matt paints” and the use of a \geq or \leq sign with the 98% thresholds for either “opaque” or for “transparent and semi-transparent”.
- Where available, definitions should ideally be aligned with relevant technical standards.
- Additional definitions relating to technical terms was widely welcomed, but this could just as well be in the User Manual as the EUEL legal text.

New text proposal for definitions

After the feedback received, the project team has tried to compile potentially relevant definitions found from different sources and for the following two purposes:

- in order to cross-check the terms from EUEL criteria and Directive 2004/42/CE for consistency with technical standards (so far only EN ISO 4618).
- To check for potentially useful additional definitions for technical terms and ingredient types that could be provide in the EUEL User Manual.

For ease of reference, definitions have been inserted into [an excel file](#) which is made available on the Teams group and which we would like the WSG1 members to look through. In the excel file there are the following four tabs:

Excel worksheet title	Description of content
Directive 2004-42-CE	Since the scope of the 2014 EUEL criteria is basically a copy of the 1.1 subcategories in Annex I to the Directive, this tab presents the full text from this part of the Directive and looks at the vocabulary used in the definitions of the different product categories. Any key vocabulary is highlighted in bold and coloured either green (term defined earlier in the same Directive), orange (defined in EUEL criteria) or red (suitable definition not found in the Directive or the EUEL criteria). In some cases, key questions are flagged in yellow boxes for the project team and WSG1 members.
Definitions cross-check	A list of all the definitions from Decision 2014/312/EU and Directive 2004/42/CE are listed in alphabetical order and cross-checked side by side and complimented by similar and potentially relevant definitions found in EN ISO 4618.2014.
Ingredient types	A list of potentially relevant definitions from EN ISO 4618.2014 that could be used to clarify what is meant by different ingredients when describing paint and varnish formulations as part of the EUEL application process and cross-checking with hazardous substance requirements. It is proposed that these definitions, if to be used, would normally appear in the EUEL User Manual only, not in the legal text of the EUEL criteria.
Technical properties	A list of potentially relevant definitions from EN ISO 4618.2014 that could be used to clarify what is meant by different technical properties. These terms could be used to compliment definitions of specific product categories or to explain certain details about the efficiency in use criteria. It is proposed that these definitions, if to be used, would normally appear in the EUEL User Manual, unless certain terms might also be considered as being useful to have in the legal text of the EUEL criteria.

Working question 7: Please check the excel out and feel free to ideally embed comments directly in the cells in the excel, or to bring them up in the meeting or in writing later. Are there other standards that should be cross-checked for useful definitions for the scope?

Responses about definitions:

“Definitions of gloss, mid sheen and matt paints are given in EN13300, EN1062 and EN927 standards. A different definition is used in Directive 2004/42 only to distinguish VOC limits according to formulation needs.”

About subcategories 1.1(a) and 1.1(b): “TB: how would reactive diluents be classified? Organic solvents - yes, however, they are added VOC, not emitted VOC.”, and “TB: Coating - ISO definition makes more sense as it comprises also other non-organic diluents”, and “TB: should the gloss levels be split per EUEL definition indeed? Can anyone from that industry provide input?”

→ to this question, the following comment may help: “A different definition in Directive is used as a general distinction between matt and glossy paints in terms of how much VOC is needed in the formulation technically (especially in terms of application - levelling). The definition in orange is based on the gloss classification according to EN13300 & EN1062 standards for wall paints. In standard EN 927 for wood coatings there is a different definition for midsheen paints”.

About subcategory 1.1(c): “TB: Interior walls of mineral substrates: good question. Needs clarification.”

→ to this last response, the following input helps clarify: “Interior wall paints are [basically] Categories a & b”

About subcategory 1.1 (d) interior/exterior trim and cladding paints for wood, metal or plastic “TB: Remove reductant description”, and “TB: Undercoats and intermediate coatings are not necessarily the same as primers. Should primers be included here?”

→ to this question, the following comment helps “Undercoats and intermediate coatings are not only primers. Usually they is the coating layer used between the primer and the topcoat, when such a system is needed for a certain application”.

About subcategory 1.1(e): we asked about the usefulness of the term “semi-stable” in the definition and got this response:

→ “Opaque stable is category (d) since it is paint. Transparent and semi-transparent stable are varnishes mentioned in category (e).”

But the question remains about the “non-stable” coatings, can we presume they are out of the scope?

About subcategory 1.1(g), it was asked if this can be assumed to refer to both interior and exterior applications, since neither is specified. → A response was: “all other categories besides wall paints (a, b, c) are both for interior and exterior application”

Draft

Problem 4. Usefulness of a hierarchical description of paint and varnish categories

As touched upon in the synopsis of stakeholder feedback to the scope, there was very little added value seen by stakeholders in attempting to create a hierarchical description of paint and varnish product categories.

Perhaps some of the negative feedback was due to the belief that the hierarchy would be inserted into the EUEL legal text and might partially substitute the text describing the product group scope. The project team wish to clarify that this is not the case. Any hierarchy to be developed would be presented in the TR2 (and final TR presumably) and the EUEL User Manual. The main benefits of such a hierarchy are seen as:

- Helping to understand in an intuitive way what products should be in and out of the EUEL scope.
- Helping to justify any logical split of the product group scope into separate Annexes.
- Future reference to the hierarchy could be used to support answers to queries about certain products being in or out of the current scope.

The project team did not have any concrete proposal about a product category hierarchy, but the main factors appear to be (variables in **burgundy** are proposed to definitely be out of the EUEL scope):

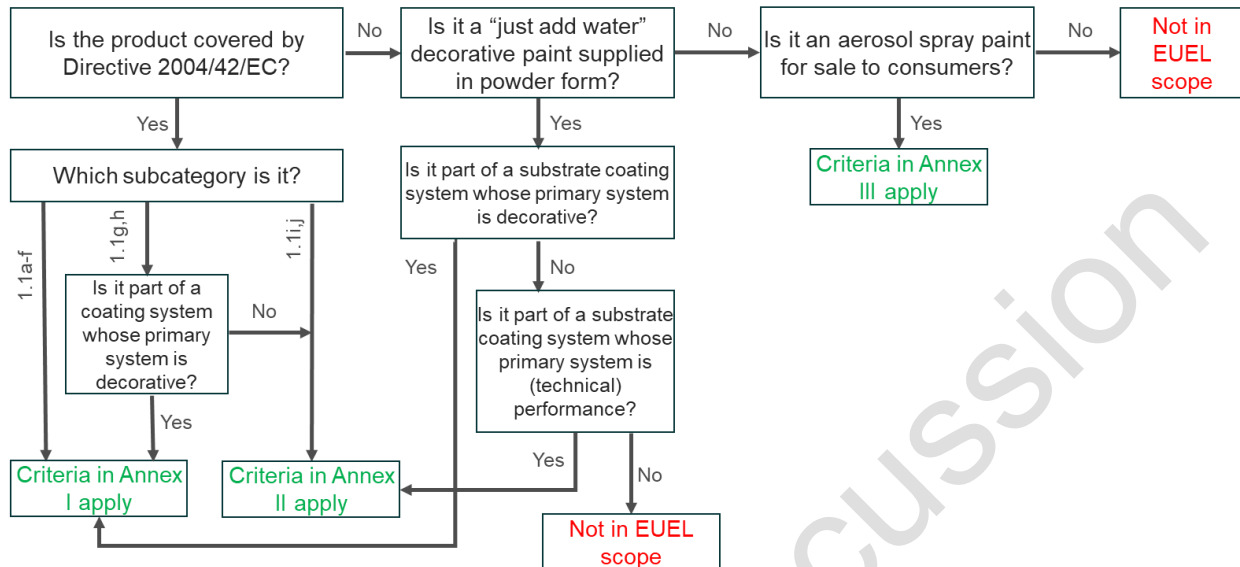
Possible variables to be dealt with in a product category hierarchy		
1. Physical form: <ul style="list-style-type: none"> • Liquid (organic solvent-based) • Liquid (oil-based) • Liquid (water-based) • Paste • Solid (powder) 	2. Primary purpose: <ul style="list-style-type: none"> • Decorative • (Technical) Performance 	3. Use environment (user, type of application): <ul style="list-style-type: none"> • In/on buildings (DIY consumer) • In/on buildings (DIFM decorators) • On infrastructure (DIY, DIFM or professional contractors). • In a factory process (workers).
4. Substrate: <ul style="list-style-type: none"> • Interior walls & ceiling • Exterior walls of mineral substrate • Interior/exterior trim and cladding paints for wood, metal and plastic • Ferrous substrates • Reactive metals • Floors (incl. wood and cement) 	5. Product term: <ul style="list-style-type: none"> • Coatings • Paints • Undercoats • Intermediate coats • Topcoats • Woodstains • Primers • Binding primers • Performance coatings (one-pack and two-pack) 	6. Film property: <ul style="list-style-type: none"> • Matt • Glossy • Opaque • Opaque, semi-stable • Minimal build • Transparent • Semi-transparent • Sealing/blocking • Loose particle stabilization • Hydrophobic • Blue stain protection • Anti-corrosion • Graffiti resistance • Flame retardancy • Hygiene (anti-bacterial?) • Two-tone / multi-colour • Special aesthetic effects

Working question 8: Is it still worthwhile to try draw out a product group hierarchy? Just for the sake of describing the scope? Especially in the context of the new scope proposal?

Response: "I am not sure if it is worthwhile. We could have all 5 from the 6 categories you proposed in page 15 (we could skip category 3). Then we should match each product to all categories to have a full description e.g. water-based liquid – decorative – interior wall paint – matt/opaque. But we should think if all this really helps or it would be the same if not used. I skipped category 3 because in [my country] we have the same products for both DIY and DIFM users."

Initial thoughts on screening questions

There are different approaches that could be used. The first would be to define whether or not the product is **suitable for the EUEL** and, if so, which Annex to check for criteria (see below).



Then there could be other questions that might be asked that can select the **specific criteria** that need to be complied with. While this could change depending on the final criteria, some examples could be:

- Does the product contain more than 3% TiO₂? (if yes, then the criterion on supplied TiO₂ would apply)
- Is the product marketed for indoor use? (if yes, the new criterion on VOC emissions would apply)
- Is the coating transparent or semi-transparent? (if yes, the requirements on spreading rate would not apply)

Finally, about licensing information, there are a series of questions that could help the applicant and Competent Body understand in a consistent way the number of products that should be counted in the license application, which criteria need to be complied with and when and to what extent can base coat data or worst case data be used to cover assessment and verification requirements for a given family of products. Some examples for paints could be:

Formulation (base formulation)	Shades	Packaging	TOTAL products counted
Formula X	12 pre-tinted shades	Each shade, 3 packaging options	12
Formula Y	256 options, with tinting being done at consumers request	Each shade, 3 packaging options	768
...

There is a risk that many shades will grossly exaggerate the real number of products covered by a license just because a tinting system has a large number of potential combinations. When combined with data from other EU Ecolabel product groups, the statistical shares would be skewed very much in favour of paints. Common sense should be applied and this matter should be agreed with Competent Bodies and license holders.



Minutes from WSG1

Viegand Maagøe welcomed all participants and led a short presentation round for both the team and participants. The team informed the participants about the meeting being recorded for internal use by JRC and the project team. The following organisations were in attendance:

- BOERO BARTOLOMEO SpA
- CHROTEX
- DG ENV
- JRC
- Kerakoll Italy
- Peter Kwasny GmbH
- Röhm GmbH
- SWARCO
- Viegand Maagøe

The purpose of the meeting was presented by the project team and a short agenda was described, as well as the timeline of the project for this group and deadlines to provide feedback. The meeting started with an explanation of the current challenges faced by the project team and what kind of input was sought from the participants.

The project team began by briefly reviewing the existing scope text (Problem 1), highlighting how the current wording is unclear and challenging to determine what is included and excluded from the scope. Specifically addressing 'floor coatings,' the team noted that this product group should already be included and should not be repeated.

When discussing Directive 2004/42, stakeholders agreed it applies to any product used in building applications and serves as a general directive. For instance, a door painted off-site and then brought to a building is not included in the directive, whereas a door painted on-site is included.

Regarding products excluded from 'indoor and outdoor paints and varnishes,' the project team pointed out that 'coatings for particular industrial and professional uses' lacks clarity. One participant suggested adding the terms 'reactive' or 'chemically curing,' as these coating systems do not emit VOCs. The discussion revealed that these coatings are used in building protection membrane systems. If a coating is used for both particular and professional uses, it must comply with regulations for both. Some participants argued that the EU Ecolabel targets DIY consumers rather than professional users.

In reviewing the new scope text proposal, participants agreed on the need to distinguish between decorative and performance coatings. Although some coatings serve both purposes, they generally have a primary function. Clarification was requested regarding the application areas of these paints to determine their inclusion. While some stakeholders supported excluding performance coatings from the scope due to their specific criteria, others argued that certain performance coatings, which are part of a system, should be included.

The team discussed which types of paint to include in the 'performance coatings and related products' group. Participants favoured maintaining radiator paints, though they were uncertain about the technical standards. Waterproofing coatings were acknowledged as clear performance coatings suitable for interior or exterior use. Conversely, participants opposed including anti-graffiti paints due to their differing technologies, formulations, and technical requirements.

When the inclusion of thick decorative coatings was brought up, participants had no comments, and the project team requested written feedback. The team then explored expanding the scope of the criteria, with participants favouring the exclusion of both road marking and cement paints. However, producers supported adding aerosol paints to the Ecolabel due to the lack of existing legislation and ecolabels for these products. The project team suggested these might be added as an annex. There were no opinions on including wood oils in the scope.



Participants agreed on the need for suitable definitions and updates to existing ones, proposing the removal of bracketed text to avoid a too narrow scope. Reviewing an excel document provided by the project team, participants gave feedback on definitions such as 'matt paints,' 'mid sheen paints,' 'undercoats,' and 'primers.' They also requested more definitions of technical terms due to their complexity. Written feedback on these definitions was solicited.

Finally, the project team sought participants' thoughts on creating a hierarchical structure for the coatings sector to simplify criteria comprehension. Stakeholders were open to a hierarchy based on yes/no questions to determine applicable criteria.

The project team concluded by presenting the next steps, project timeline, and feedback deadlines. They thanked the participants for their time and input, and the meeting was adjourned.

Draft under discussion



Conclusions

The AHWG1 meeting comments, followed by the additional comments received in WSG1, provided some insights into stakeholder’s views on the scope and definitions to the implementation of a hierarchical description of the scope.

On splitting the criteria into ‘decorative’ and ‘performance’ coatings, it appears to be simpler to apply this split than other possibilities discussed thus far (‘paints’ and ‘varnishes’ coatings or ‘indoor’ and ‘outdoor’ coatings). However, a clarification of which performance coatings are in and which are out is still necessary (this was a pre-existing problem too).

Regarding performance coatings, stakeholders are in favour of maintaining radiator and water-proofing coatings but removing anti-graffiti and furniture coatings from the scope, due to their differences in technologies, formulations, and technical requirements.

In terms of expanding the scope of the criteria, stakeholders favour the exclusion of both road marking and cement paints but agreed to adding aerosol paints. Arguments in favour of expanding the scope for this coating is the growing market and in 2022 300 million units of solvent spray paints were produced in Europe, according to the European Aerosol Federation (FEA). In addition, despite solvent-based aerosol spray paints dominating the market with a 98% share, water-based aerosol paints can offer significant environmental savings. The inclusion of aerosol coatings is likely to be included as an annex. There was no feedback regarding the inclusion of wood oils in the scope.

For waterproofing coatings, input from producers is urgently needed if these products are to be included in the scope in the end because it is still not clear what technical performance requirements they would need to meet and what types of hazardous substances they may contain.

For wood oils, the project team has decided not to include them in the scope due to a lack of meaningful criteria to distinguish them for other wood oils with a poorer environmental performance.

Based on input received during the and after the AHWG1 and WSG1 meetings, definitions on several terms were added or updated. In addition, stakeholders commented on which definitions should be included in the User Manual and which in the legal text. There are however still a number of important definitions that are incomplete.

New scope proposal (clean version)

Although provided already above with track changes highlighted, here below is a clean version of the updated scope text. In addition, the term ‘coatings for particular industrial and professional uses’ is ambiguous and could benefit from terms like ‘reactive’ or ‘chemically curing’. Based on the feedback provided from the stakeholders, the scope text was adjusted.

2024 WSG1 proposed scope (July 2024) for: “Indoor and outdoor paints and varnishes, performance coatings and related products”	Rationale
<p>[Article 1. Is defining the scope for Annex I criteria – i.e. for decorative coatings]</p> <p>Article 1</p> <p>The product group of ‘decorative paints and varnishes and related products’ shall comprise indoor and outdoor paints, varnishes, woodstains and primers intended for use by consumers and professional users for decorative purposes and falling under the scope of subcategory 1.1. in Annex I to Directive 2004/42/CE of the European Parliament and of the Council (1).</p> <p>Decorative paint products shall include untinted base paints, paints that have been pre-tinted by the paint manufacturer and paints that have been tinted by distributors using tinting systems at the request of consumers or professional users.</p> <p>Decorative paints or varnishes not covered by Directive 2004/42/CE which are supplied in powder or granule form, and that are to be diluted and mixed with water prior to</p>	<p>The idea in Article 1 is to indicate all of the decorative coatings and related products (this would be a standalone Annex for their criteria and the focus is basically everything in the original scope minus the performance coatings (shifted into Annex II) and minus thick decorative coatings (seems like an odd product group). Multi-coloured coatings were indirectly excluded and now they are explicitly excluded.</p>

<p style="text-align: center;">2024 WSG1 proposed scope (July 2024) for: “Indoor and outdoor paints and varnishes, performance coatings and related products”</p>	<p style="text-align: center;">Rationale</p>
<p>application to buildings, their trim, fittings or associated structures, are also included in the scope of this product group.</p> <p>The product group shall not include:</p> <ul style="list-style-type: none"> (k) Performance coatings defined in subcategories 1.1(i) and 1.1(j) of Annex I to Directive 2004/42/CE. (l) Multicoloured coatings defined in subcategory 1.1(k) of Annex I to Directive 2004/42/CE. (m) Decorative effect coatings defined in subcategory 1.1(l) of Annex I to Directive 2004/42/CE. (n) Anti-fouling paints. (o) Wood preservatives. (p) Coatings and coating systems designed for use in industrial processes, such as powder coatings applied as powders to substrates and coatings that are cured by UV radiation. (q) Coatings primarily intended for vehicles. (r) Products whose primary function is not to form a continuous film over the substrate, e.g. oils and waxes. (s) Fillers, plasters, grouts, sealants and adhesives. (t) Cement-based paints where cement is used as a binder in the formulation. 	<p>Annex I is where the “just add water” paints would probably fit best, so long as their primary purpose was similar to the other products mentioned here (i.e. “decorative” and for buildings, their trim, fittings and associated structures). If we do not say this last part, then it could be argued that artists’ paints could be included too.</p> <p>We would like to have a more exhaustive list of industrial processes that are excluded under (f) – maybe this can be detailed in the User Manual, but it would be good to explain the thinking in TR2.</p> <p>We have explicitly mentioned other products that we considered excluded in (h), since it is clearer. Cement-based paints are now also explicitly excluded in (i).</p>
<p>[Article 2. Is defining the scope for Annex II criteria – i.e. for performance coatings]</p> <p style="text-align: center;">Article 2</p> <p>The product group of ‘performance coatings and related products’ shall comprise certain one-pack and multi-pack performance coating products whose primary purpose is to impart special performance characteristics to the coated substrate and falling under the scope of subcategories 1.1(i) and 1.1(j) in Annex I to Directive 2004/42/CE of the European Parliament and of the Council.</p> <p>The product group shall comprise floor coatings, anti-corrosion coatings, waterproofing coatings, anti-graffiti coatings and radiator paints intended for use by consumers and professional users in buildings, their trim, fittings or associated structures.</p> <p>The product group shall not include:</p> <ul style="list-style-type: none"> (l) Anti-fouling paints. (m) Wood preservatives. (n) Coatings designed for use in industrial processes, such as powder coatings applied as powders to substrates and coating systems that are cured by UV radiation. (o) Coatings primarily intended for vehicles. (p) Products whose primary function is not to form a continuous film over the substrate, e.g. oils and waxes. (q) Fillers, plasters, grouts, sealants and adhesives. (r) Cement-based paints where cement is used as a binder in the formulation. (s) Coatings designed to impart flame retardancy. (t) ??? (u) ??? (v) ??? 	<p>Due to the difference in their primary function (i.e. technical performance rather than aesthetic) we consider it justifiable to have performance coatings in a separate Annex, even though they are referred to in Directive 2004/42/CE together with decorative paints and varnishes.</p> <p>The term “multi-pack” is used instead of “two-pack” to allow for possible “three-pack” or “four-pack” products to also be included.</p> <p>The potentially broad range of performance coatings is narrowed down to a limited number of categories (can be discussed exactly which ones this should be).</p> <p>Excluded categories are tentatively proposed, but open to more suggestions.</p>
<p>[Article 3. Is defining the scope for Annex III criteria – i.e. for water-based aerosol spray paints.]</p> <p style="text-align: center;">Article 3</p> <p>3. The product group of ‘aerosol spray paints’ shall comprise integral ready-to-use packages with a valve and a water-based paint formulation which is dispensed by pre-</p>	<p>Of the five different product categories proposed for an expanded scope, this one had the greatest promise.</p>

2024 WSG1 proposed scope (July 2024) for: “Indoor and outdoor paints and varnishes, performance coatings and related products”	Rationale
<p>stored pressure in a controlled manner when the valve is operated. [awaiting proposal from Kwasny et al. to make a specific proposal to define the market segment and applications]</p>	<p>In principle, the same requirements for criteria 2 can apply to TiO₂ suppliers, some minimum technical performance(s) need to be specified in criterion 3 (look at FEA standards? Link to Directive 75/324/EEC for fitness for use?), the VOC content is key in criterion 4 and a close look is needed for any derogations under criterion 5.</p>

Updated definitions proposal

Some changes to the latest suggestions for definitions are included below. They have also been reordered alphabetically for ease of reference.

Definitions for proposed legal text
<p>For the purposes of this Decision, the following definitions shall apply:</p> <p>() ‘Aerosol spray paints’ means [awaiting clear proposal]_____</p> <p>() ‘Anti-fouling paint’ means, according to ISO 4618.2014, Coating material applied to the underwater sections of a ship’s hull or to other underwater structures to discourage biological growth</p> <p>() ‘Anti-rust paints’ means paints designed to prevent rust in metal substrates in the presence of oxygen and water, through the application of a protective coating.</p> <p>() ‘Anti-skinning substances’ are additives that are added to the coating materials to prevent skinning during production or storage of the coating material; [can go in UM instead because it is just an ingredient]</p> <p>() ‘Binder’ means a synthetically produced polymer that is used as the main non-volatile component of the coating, is responsible for the formation of the film and determines its weather, chemical and mechanical resistance [can go in UM instead because it is just an ingredient]</p> <p>() ‘Binding primers’, according to Directive 2004/42/CE, means coatings designed to stabilize loose substrate particles or impart hydrophobic properties and/or to protect wood against blue stain;</p> <p>() ‘Cement paints’ means powdered paint products containing significant amounts of Portland cement or other cement in the formulation and which need to be carefully mixed with water prior to application.</p> <p>() ‘Coatings for exterior walls of mineral substrate’ means, according to Directive 2004/42/CE, coatings designed for application to outdoor walls of masonry, brick, or stucco;</p> <p>() ‘Decorative effect coatings’, according to Directive 2004/42/CE, means coatings designed to give special aesthetic effects over specially prepared pre-painted substrates or base coats and subsequently treated with various tools during the drying period.;</p> <p>() ‘Decorative purpose’, means treatments with the primary objective to change or restore the appearance of a substrate;</p> <p>() ‘Driers’, also referred to as ‘siccatives’, means additives that accelerate the oxidative cross-linking of drying oils and alkyd resins [can go in UM instead because it is just an ingredient]</p> <p>() ‘Floor coatings and floor paints’ means coatings and paints specifically formulated to be applied to flooring, with the purpose of protecting and/or colouring the flooring substrate;</p> <p>() ‘Decorative paints and varnishes’ means paints and varnishes that are applied in-situ to buildings, their trim and fittings, for decorative and protective purposes, specifically referring to: matt or glossy coatings for interior walls and ceilings; coatings for exterior walls of mineral substrate; interior/exterior trim and cladding paints; interior/exterior trim varnishes and woodstains; minimal build woodstains; wood and decking stains; wood paints; primers; binding primers; one-pack and two-pack performance coatings; multicoloured coatings; decorative effect coatings; floor coatings and floor paints;</p> <p>() ‘Dead matt paints’ are those which at an angle of incidence of 85° show a reflectance of < 5;</p> <p>() ‘Dry-film preservatives’ are active substances within the meaning of Article 3(1)(c) of Regulation (EU) No 528/2012 that are for use in product-type 7 as described in Annex V to that Regulation, in particular for the preservation of films or coatings</p>

Definitions for proposed legal text

by the control of microbial deterioration or algal growth in order to protect the initial properties of the surface of materials or objects;

'Elastomeric paint' means _____.

'Gloss paints' are those which at an angle of incidence of 60° show a reflectance of ≥ 60 ;

'In-can preservatives' are active substances within the meaning of Article 3(1)(c) of Regulation (EU) No 528/2012 of the European Parliament and of the Council that are for use in product-type 6 as described in Annex V to that Regulation. They are in particular used for the preservation of manufactured products during storage by the control of microbial deterioration to ensure their shelf life and used for the preservation of tints that will be dispensed from machines;

'Interior/exterior trim and cladding paints for wood, metal or plastic', according to Directive 2004/42/CE, means coatings designed for application to trim and cladding which produce an opaque film. These coatings are designed for either a wood, metal, or plastic substrate;

'Interior/exterior trim varnishes and woodstains', according to Directive 2004/42/CE, means coatings designed for application to trim which produce a transparent or semi-transparent film for decoration and protection of wood, metal, and plastics.;

'Lasure' means a coating material containing small amounts of a suitable pigment and/or extender and used to form a transparent or semi-transparent film for decoration and/or protection of the substrate;

'Masonry coating' means a coating that produce a decorative and protective film for use on concrete, paintable brickwork, blockwork, rendering, calcium silicate board or fibre-reinforced cement;

'Matt or glossy coatings for interior walls and ceilings' means coatings designed for application to indoor walls and ceilings, which deliver a dead matt, matt, semi-matt, satin, semi-gloss, or gloss finish;

'Matt paints' are those which at an angle of incidence of 85° show a reflectance of < 10 ;

'Mid sheen paints' (also referred to as semi-gloss, satin, semi matt) are those which at an angle of incidence of 60° or at 85° show a reflectance of < 60 and ≥ 10 ;

'Mineral raw material' means _____ [can go in UM instead because it is just an ingredient] 'minimal build woodstains', according to Directive 2004/42/CE, means woodstains which, in accordance with EN 927-1:1996, have a mean thickness of less than 5 μm when tested according to ISO 2808: 1997, method 5A;

'Multicoloured coatings', according to Directive 2004/42/CE, means coatings designed to give a two-tone or multiple-colour effect, directly from the primary application;

'Multi-two-pack performance coatings', according to Directive 2004/42/CE, means coatings with the same use as one-performance coatings, but with a second component (e.g. tertiary amines) added prior to application;

'One-pack performance coatings', according to Directive 2004/42/CE, means performance coatings based on film-forming material, which are designed for applications requiring a special performance, such as primer and topcoats for plastics, primer coat for ferrous substrates, primer coat for reactive metals such as zinc and aluminum, anticorrosion finishes, floor coatings, including for wood and cement floors, graffiti resistance, flame retardant, and hygiene standards in the food or drink industry or health services;

'Opaque' means a film with a contrast ratio of > 98 % at 120 μ wet film thickness.

'Optical brightener' means _____ [can go in UM instead because it is just an ingredient]

'Paint' means a pigmented coating material, supplied in a liquid paste or powder form, which, when applied to a substrate, forms an opaque film having protective, decorative or specific technical properties and after application dries to a solid, adherent and protective coating;

'Powder coating' means protective or decorative coating formed by the application of a coating powder to a substrate and fusion to give a continuous film;

'Primers', according to Directive 2004/42/CE, means coatings with sealing and/or blocking properties designed for use on wood or walls and ceilings;

'Road marking paints' means _____

'Semi volatile organic compounds' (SVOCs) means any organic compound having a boiling point greater than 250 °C and less than 370 °C measured at a standard pressure of 101,3 kPa and which, in a capillary column are eluting with a retention range after n- Tetradecane (C14H30) and up to and including n-Docosane (C22H46);

Definitions for proposed legal text

- 'Surfactants' means additives that influence the surface tension of phases, which have an interface in common. They are employed as wetting agents, emulsifiers, levelling agents, defoamers, anti-floating agents, etc [can go in UM instead because it is just an ingredient]
- 'Thick decorative coating' means paints that are designed to give a three-dimensional decorative effect and a therefore characterized by a very thick coat.
- 'Tinting system' means a method for preparing coloured paints by mixing a 'base' with coloured tinting pastes, and 'tinting paste' means a highly concentrated pigment preparation;
- 'Transparent' and 'semi-transparent' means a film with a contrast ratio of < 98 % at 120 μ wet film thickness;
- 'UV stabiliser' means an additive that protects the coating film and/or the substrate against the negative effects of UV-beams contained in sunlight [can go in UM instead because it is just an ingredient]
- 'UV curable paint system' means the hardening of coating materials by exposure to artificial ultra-violet radiation;
- 'Varnish' means a clear coating material which, when applied to a substrate forms a solid transparent film having protective, decorative or specific technical properties and after application dries to a solid, adherent and protective coating;
- 'Volatile organic compounds' (VOC) means any organic compounds having an initial boiling point less than or equal to 250 °C measured at a standard pressure of 101,3 kPa as defined in Directive 2004/42/EC and which, in a capillary column, are eluting up to and including n-Tetradecane (C₁₄H₃₀);
- 'Waterproofing products' means _____
- 'Waxes' means _____
- 'White and light coloured' paints are those with a tri-stimulus (Y- value) > 70 %;
- 'Wood oils' means oils used for the care and protection of wood (e.g. pearling effect) without any cleaning action;
- 'Wood paints' means paints applied to wood, which change the colour of the wood;
- 'Wood preservative' means a product containing a biocide with the primary purpose of inhibiting the development of wood-destroying and/or wood-staining organisms in the wood to which it is applied.
- (17) 'wood and decking stains' are a type of paint with low quantities of binder that penetrate deep into the wood and change its natural colour and appearance;

Although some are open to developing a hierarchical structure for the coatings sector to simplify criteria understanding, others are unsure of its added value.