COMMISSION DECISION XXXX/XXXX

of XXX

establishing the EU Ecolabel criteria for tourist accommodation and repealing Decision 2017/175/EU

(notified under document X(XXXX) XXXX)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel[1], and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

(1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to those products with a reduced environmental impact during their entire life cycle.
(2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established for each product group.
(3) Commission Decision 2017/175/EU[2] established EU Ecolabel criteria and related assessment and verification requirements for the product group 'tourist accommodation'. The period of validity of those criteria and requirements expires on 31 December 2027.
(4) In order to better reflect best practice in the market for the product groups concerned and to take account of policy developments, potential future windows of opportunity for increased uptake and the market demand for sustainable products, it is appropriate to establish a new set of criteria and related assessment and verification requirements for 'tourist accommodation'.
(5) The EU Ecolabel fitness check report[3] of 30 June 2017, reviewing the implementation of Regulation (EC) No 66/2010, concluded on the need to develop a more strategic approach for the EU Ecolabel, including the bundling of the criteria and related assessment and verification requirements for closely related product groups where

[1] Regulation (EC) 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).
[2] Commission Decision (EU) 2017/175 of 25 January 2017 on establishing EU Ecolabel criteria for tourist accommodation (notified under document C(2017) 299) (Text with EEA relevance)
[3] Report from the Commission to the European Parliament and the Council on the review of implementation of Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the Parliament and of the Council of 25 November 2009 on the EU Ecolabel (COM(2017) 355 final).

DRAFT

appropriate. This is also in line with the political priority of simplification of Union legislation.

(6) The Circular Economy Action Plan for a cleaner and more competitive Europe[4] adopted on 11 March 2020 underlines that durability, energy and resource efficiency, and carbon and environmental footprint requirements are to be included more systematically in EU Ecolabel criteria.

(7) The new criteria and related assessment and verification requirements should be valid until 31 December 2034, taking into account the innovation cycle for the product group concerned.

(8) As the EU Ecolabel criteria and related assessment and verification requirements laid down in this Decision replace those laid down in Decision 2017/175/EU, this decision should be repealed.

(9) Providers whose services have been awarded the EU Ecolabel for tourist accommodation on the basis of Decision 2017/175/EU, should be given sufficient time to adapt their services so that they comply with the criteria and requirements laid down in this Decision. Therefore, EU Ecolabel licences awarded in accordance with the Decision to be repealed should be allowed to be used for a period of 12 months following the date of application of this Decision. In addition, for a limited period of time following the date of application of this Decision, service providers should also be allowed to submit applications based either on the Decision to be repealed or on this Decision.

(10) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010.

HAS ADOPTED THIS DECISION:

Article 1

Tourist accommodation in large hotels, holiday and other short-term rentals

1. The product group 'tourist accommodation in large hotels, holiday and other short-term rentals' shall comprise the provision to tourists, by an establishment and for a fee, of sheltered overnight accommodation in rooms, typically on a daily or weekly basis, for short-term stays. It includes at least a bed, and access to private or shared sanitary facilities. The modality of how the accommodation is booked or procured shall have no effect on its relevance to the scope.
   The scope shall also include establishments providing only seasonal accommodation services, establishments which are combined with other permanent or seasonal economic

[4] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A new Circular Economy Action Plan for a cleaner and more competitive Europe (COM(2020) 98 final) (OJ C 364, 28.10.2020, p. 94).

DRAFT

activities (for example vineyard plus accommodation, etc.) and establishments which may offer additional services (for example restaurants, spas, access to attractions, conference facilities, swimming pools, gymnasiums etc.).
Large hotels as well as holiday and other short-stay accommodation included in this product group refer to establishments with 50 or more rooms. It also includes Annex II tourist accommodation types that belong to large companies.
Included in the scope are economic activities falling under the following NACE codes (Rev. 2.1):

(a) 55.10: Hotels and similar accommodation.
(b) 55.20: Holiday and other short-stay accommodation.

Economic activities under 55.90 (Other accommodation) can also be included if provided with a tourist accommodation purpose

2. The product group 'tourist accommodation in large hotels, holiday and other short-term rentals' shall not comprise tourist accommodation services related to:
   (a) Timeshares or other emerging shared ownership or leasehold mechanisms.
   (b) Any overnight accommodation provided in marinas, means of transport and pleasure voyages

Article 2

Tourist accommodation in small or medium hotels, holiday and other short-term rentals

1. The product group 'tourist accommodation in small or medium hotels, holiday and other short-term rentals' shall comprise the provision to tourists, by an establishment and for a fee, of sheltered overnight accommodation in rooms, typically on a daily or weekly basis, for short-term stays. It includes at least a bed, and access to private or shared sanitary facilities. The modality of how the accommodation is booked or procured shall have no effect on its relevance to the scope.
   The scope shall also include establishments providing only seasonal accommodation services, establishments which are combined with other permanent or seasonal economic activities (for example vineyard plus accommodation etc.) and establishments which may offer additional services (for example restaurants, spas, access to attractions, conference facilities, swimming pools, gymnasiums etc.).
   Small or medium hotels as well as holiday and other short-stay accommodation included in this product group refer to establishments with less than 50 rooms.
   Included in the scope are economic activities falling under the following NACE codes (Rev. 2.1):
   (a) 55.10: Hotels and similar accommodation.
   (b) 55.20: Holiday and other short-stay accommodation

DRAFT

Economic activities under 55.90 (Other accommodation) can also be included if provided with a tourist accommodation purpose.

2. The product group 'tourist accommodation in small or medium hotels, holiday and other short-term rentals' shall not comprise tourist accommodation services related to:
    (a) Timeshares or other emerging shared ownership or leasehold mechanisms.
    (b) Any overnight accommodation provided in marinas, means of transport and pleasure voyages.

Article 3 Campsite and/or caravan park accommodation

1. The product group 'campsite and/or caravan park accommodation' shall comprise the provision to tourists, by an establishment and for a fee, of short-term pitches equipped for any of the following structures: tents, caravans, mobile homes or camper vans, and of access to private or shared sanitary facilities. The modality of how the accommodation is booked or procured shall have no effect on its relevance to the scope.
   The scope shall also include establishments providing only seasonal accommodation services, establishments which are combined with other permanent or seasonal economic activities (for example farm plus campsite and/or caravan park, service station plus campsite and/or caravan park etc.).
   Included in the scope are economic activities falling under the following NACE codes (Rev. 2.1):
    (a) 55.30: Camping grounds and recreational vehicle parks
2. The product group 'campsite and/or caravan park accommodation' shall not comprise the economic activities related to:
    (a) Campsite and/or caravan park establishments exclusively dedicated to long-term letting of pitches.
    (b) Any overnight accommodation provided in marinas, mountain refuge shelters and other protective shelters, and plain bivouac facilities.

Article 4 Definitions

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

(1) 'tourism' as defined in Article 2(f) of Regulation (EU) 692/2011;
(2) 'establishment', for the purposes of this decision, means an enterprise or part of an enterprise that is situated in a single location and in which the provision of tourist accommodation is the single productive activity or the principal productive activity accounting for most of the value added. It also refers to non-professional tourist accommodations;

DRAFT

(3) ‘large hotels, holiday and other short-term rentals’, for the purposes of this decision, means establishments with 50 rooms or more that fall under NACE code 55.10 or 55.20;
(4) ‘medium and small hotels, holiday and other short-term rentals’, for the purposes of this decision, means establishments between 5 and 49 rooms , that fall under NACE code 55.10 or 55.20;
(5) ‘micro-hotels, holiday and other short-term rentals’, for the purposes of this decision, means establishments with less than 5 rooms, that fall under NACE code 55.10 or 55.20 (e.g. B&Bs);
(6) ‘bivouac facilities’, for the purposes of this decision, means a simple, temporary camp, often with only very rudimentary shelter, that are mainly used by hikers, mountaineers, soldiers, or emergency situations. Bivouac facilities include extremely basic shelter structures such as emergency huts, rock overhangs, or simple wooden refuges. These facilities are normally unstaffed and without any services (plumbing, electricity etc.);
(7) ‘glamping’, for the purposes of this decision, means an accommodation category characterised by semi-permanent, experience-oriented outdoor lodging - such as safari tents, yurts, cabins, pods, or treehouses - equipped with enhanced amenities well above standard camping, aimed at delivering comfort, convenience, and a premium guest experience;
(8) ‘short-term rentals’ means ‘short-term accommodation’ or ‘short-term accommodation rental service’ as defined in Article 3(2) of Regulation 2024/1028;
(9) ‘energy from renewable sources’ or ‘renewable energy’, as per Article 2(1) of Directive (EU) 2018/2001;
(10) 'Water Exploitation Index (WEI+)', for the purposes of this Decision, refers to an index to measure the pressure on renewable water resources at river basin level, where the tourist accommodation is located, during a given period (i.e. based on multi-annual Q3 averages) as a consequence of water use for human activities;
(11) ‘river basins under severe seasonal water stress’ shall be considered as river basins with a multi-annual average autumn Water Exploitation Index (WEI+) of 40% or higher;
(12) ‘newly procured equipment’, for the purposes of this decision, refers to equipment procured and installed by the applicant after the date of award of the EU Ecolabel licence;
(13) ‘persons with disabilities’ as defined in Article 3(1) of Directive 2019/882.

Article 5 Criteria and related assessment and verification requirements

1. In order for a product to be awarded the EU Ecolabel under Regulation (EC) No 66/2010 for the product group ‘tourist accommodation in large hotels, holiday and other short-term rentals’, it shall fall within the definition of that product group in Article 1 of this

DRAFT

Decision and shall comply with the respective criteria and related assessment and verification requirements set out in Annex I to this Decision.

2. In order for a product to be awarded the EU Ecolabel under Regulation (EC) No 66/2010 for the product group 'tourist accommodation in small or medium hotels, holiday and other short-term rentals', it shall fall within the definition of that product group in Article 2 of this Decision and shall comply with the respective criteria and related assessment and verification requirements set out in Annex II to this Decision.
3. In order for a product to be awarded the EU Ecolabel under Regulation (EC) No 66/2010 for the product group 'campsite and/or caravan park accommodation', it shall fall within the definition of that product group in Article 3 of this Decision and shall comply with the respective criteria and related assessment and verification requirements set out in Annex III to this Decision.

Article 6 Code number

For administrative purposes, the code number assigned to the product group 'tourist accommodation' shall be '051'.

Article 7 Repeal

Decision 2017/175/EU is repealed.

Article 8 Transitional provisions

1. Applications for the EU Ecolabel for products that fall within the product group 'tourist accommodation' that are submitted before the date of application of this Decision shall be evaluated in accordance with Decision 2017/175/EU.
2. Applications for the EU Ecolabel for products that fall within the product group 'tourist accommodation' that are submitted within 2 months following the date of application of this Decision may be based either on this Decision, or on Decision 2017/175/EU. Those applications shall be evaluated in accordance with the criteria and related assessment and verification requirements on which they are based.
3. EU Ecolabel licences awarded on the basis of an application evaluated in accordance with the criteria established in Decision 2017/175/EU may be used for 12 months from the date of application of this Decision.

Article 9 Applications

This Decision shall apply from 1 January 2028 to 31 December 2034.

Article 10 Addresses

DRAFT

This Decision is addressed to the Member States.

Done at Brussels,

For the Commission

XXX

Member of the Commission

DRAFT