



Brussels, **XXX**
[...] (2019) **XXX** draft

COMMISSION DECISION

of **XXX**

establishing the EU Ecolabel criteria for hard covering products

(Text with EEA relevance)

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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 Ecolabel¹, 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 according to product groups.
- (3) Commission Decision 2009/607/EC² established criteria and related assessment and verification requirements for the product group 'hard coverings'. The period of validity of those criteria and requirements was extended to 30 June 2021 by Commission Decision (EU) 2017/2076³.
- (4) The EU Ecolabel Fitness check (REFIT) of 30 June 2017, reviewing the implementation of Regulation (EC) No 66/2010⁴, concluded on the need to develop a more strategic approach for the EU Ecolabel, including the bundling of closely related product groups where appropriate.
- (5) In line with those conclusions and after consulting the EU Ecolabelling Board it is appropriate to expand the scope to similar products, made of the same materials by the same or very similar production techniques that can also be considered as hard covering products. The original scope of floor and wall coverings is now extended to roofing tiles, masonry units, bricks, blocks, pavers, table-tops and kitchen countertops.

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 2014/256/EU of 2 May 2014 establishing the ecological criteria for the award of the EU Ecolabel for converted paper products (OJ L 135, 8.5.2014, p. 24).

³ Commission Decision (EU) 2017/1525 of 4 September 2017 amending Decision 2014/256/EU in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to converted paper products (OJ L 230, 6.9.2017, p. 28).

⁴ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the review of implementation of Regulation (EC) No 122/2009 of the European Parliament and of the Council on 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).

- (6) In addition, after consulting the EU Ecolabelling Board it is appropriate to introduce a scoring system based on the exceedance of minimum mandatory environmental performance and on optional compliance with additional criteria. In addition to compliance with all mandatory requirements, a minimum number of points must be accumulated in order for a product to be awarded the EU Ecolabel. The scoring approach encourages continuing improvement year on year for existing license holders, may encourage competition between existing license holders, offers a more flexible approach to obtaining the EU Ecolabel for the best environmental products on the market, acts as a gauge for aspirational producers on the market that do not yet comply and allows for greater weighting to be applied to criteria that are associated with the most significant environmental impacts. An important potential future window of opportunity for increased uptake of EU Ecolabel hard coverings is recognition of Type I ecolabels by green building assessment schemes with potential further distinction in degrees of recognition by such schemes as a function of the EU Ecolabel score.
- (7) The revised EU Ecolabel criteria require raw materials to be extracted in an environmentally responsible way. All other criteria are under the direct control of potential applicants or their direct supplier. The EU Ecolabel criteria require that raw materials are processed in such a way that emissions to air, energy consumption and process waste disposal are minimised. Good practice requirements are set for manufacturing processes where air emissions are diffuse and quantitative requirements are set where air emissions are channelled through a centralised emission stack. The use of renewable electricity is encouraged where electricity dominates energy consumption. Limits on specific fuel consumption or CO₂ emissions are placed where thermal energy dominates energy consumption. Process waste water recycling is recognised by the criteria and emission limits set where relevant.
- (8) A greater weighting is applied to the new criteria for emissions to air, material efficiency and specific energy consumption/renewable energy in line with a general life cycle analysis approach which delivers reduced emissions of compounds that contribute to the photochemical oxidation, human toxicity, abiotic depletion, eutrophication acidification, and climate change. In line with the promotion of the circular economy, recycled content is rewarded with EU Ecolabel points but not obligatory due to potential undesirable outcomes in cases where recycled aggregate material would be transported significantly longer distances than equivalent virgin aggregate material, resulting in higher overall environmental impacts from a life cycle perspective.
- (9) To better reflect best practice in the market for this expanded product group and to take account of innovations introduced in the intervening period, it is appropriate to establish a new set of criteria for the product group.
- (10) The new criteria and related assessment and verification requirements for the product group should remain valid until 31 December 20XX, taking into account the innovation cycle for the product group.
- (11) For reasons of legal certainty, Decision 2009/607/EC should be repealed.
- (12) A transitional period should be allowed for producers whose products have been awarded the EU Ecolabel for hard coverings on the basis of the criteria set out in Decision 2009/607/EC, so that they have sufficient time to adapt their products to comply with the new criteria and requirements. For a limited period after adoption of this Decision, producers should also be allowed to submit applications based either on

the criteria established by Decision 2009/607/EC or on the new criteria established by this Decision. EU Ecolabel licences awarded in accordance with the criteria set out in one of the old Decisions may be used for 12 months from the date of adoption of this Decision. 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

The product group 'hard covering products' shall comprise floor tile, wall tile, roofing tile, masonry unit, brick, block, paver, table-top and kitchen countertop products for internal or external use and without any relevant loadbearing function for building structures. Hard covering products shall be made of one of the following materials:

- (a) ~~Agglomerated stone;~~
- (b) Ceramic tile or fired clay;
- (c) Natural stone;
- (d) Pre-cast concrete;

The product group 'hard covering products' shall not include the following products:

- (a) Refractory ceramics, technical ceramics, clay pipes, technical ceramics, ceramic tableware, ceramic ornamental ware or ceramic sanitaryware;
- (b) Reinforced pre-cast concrete products;

Article 2

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

- (1) 'ceramic tile' means tile made from clays and/or other inorganic raw materials as per EN 14411;
- (2) 'fired clay' means;
- (3) 'natural stone' means a piece of naturally occurring rock as per EN 12670;
- (4) 'pre-cast concrete' means...;
- (5) ~~'Volatile Organic Compounds' (VOC) means any organic compound as well as the fraction of creosote, having at 293,15 K a vapour pressure of 0,01 kPa or more, or having a corresponding volatility under the particular conditions of use.~~

Article 2

In order for a product to be awarded the EU Ecolabel under Regulation (EC) No 66/2010 for the product group 'hard covering products' it shall fall within the definition of that product group as specified in Article 1 of this Decision and shall comply with the criteria and related assessment and verification requirements set out in the Annex to this Decision.

Article 3

The criteria for the product group 'hard covering products' and the related assessment and verification requirements shall be valid until **31 December 20XX**.

Article 4

For administrative purposes, the code number assigned to the product group 'hard covering products' shall be **XX**.

Article 5

Decision 2009/607/EC is repealed.

Article 6

1. Notwithstanding Article 5, applications submitted before the date of adoption of this Decision for the EU Ecolabel for product group 'hard coverings' as defined in Decision 2009/607/EC shall be evaluated in accordance with the conditions laid down in Decision 2009/607/EC.

2. Applications for the EU Ecolabel for products falling within the product group 'hard covering products' submitted on or within two months from the date of adoption of this Decision may be based either on the criteria set out in this Decision, or on the criteria set out in Decision 2009/607/EC for the product group 'hard coverings'. Those applications shall be evaluated in accordance with the criteria on which they are based.

5. EU Ecolabel licenses awarded on the basis of an application evaluated in accordance with the criteria set out in Decision 2009/607/EC may be used for 12 months from the date of adoption of this Decision.

Article 7

This Decision is addressed to the Member States.

Done at Brussels,

For the Commission
Karmenu VELLA

Member of the Commission