

**COMMISSION DECISION****of DD MMMM YYYY****on establishing the ecological criteria for the award of the EU Ecolabel for paper products****(notified under document XXXX)****(Text with EEA relevance)****(XXX/XXX/XXX)**

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 <sup>(1)</sup>, and in particular Article 8(2) and (3) thereof,

After consulting the European Union Eco-labelling 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 groups
- (3) Commission Decision 1999/554/EC <sup>(2)</sup> has established the ecological criteria and the related assessment and verification requirements for copying and graphic paper. Following the review of the criteria set out in that Decision, Commission Decision 2011/332/EC <sup>(3)</sup> has established revised criteria which are valid until 31 December 2018.
- (4) Commission Decision 2012/448/EU <sup>(4)</sup> has established the ecological criteria and the related assessment and verification requirements for newsprint paper which are valid until 31 December 2018.
- (5) Commission Decision 2001/405/EC <sup>(5)</sup> has established ecological criteria and the related assessment and verification requirements for tissue paper. Following the review of the criteria set out in that Decision, Commission Decision 2009/568/EC <sup>(6)</sup> has established revised criteria which are valid until 31 December 2018.

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<sup>1</sup> OJ L 27, 30.1.2010, p. 1.

<sup>2</sup> OJ L 210, 10.8.1999, p. 16.

<sup>3</sup> OJ L 149, 8.6.2011, p. 12–24

<sup>4</sup> OJ L 202, 28.7.2012, p. 26–37

<sup>5</sup> OJ L 142, 29.5.2001, p. 10.

<sup>6</sup> OJ L 197, 29.7.2009, p. 87–95

- (6) In the light of the review of implementation of EU Ecolabel Regulation (EC) No 66/2010 of 30.06.2017<sup>7</sup>, in order to group together closely related product groups it is appropriate to modify the definition of the product groups 'copying and graphic paper', 'newsprint paper', and 'tissue paper', and to establish new ecological criteria for common product group 'paper products'.
- (7) In order to better reflect the state of the art of the market for this product group and take into account the innovation that has taken place during the intervening period, it is considered appropriate to establish a revised set of ecological criteria.
- (8) The revised criteria, as well as the related assessment and verification requirements, should be valid for **xx** years from the date of adoption of this Decision, taking into account the innovation cycle for this product group. These criteria aim at promoting products that have a reduced emission to water and air, are produced during an energy efficient process, and contain a limited amount of hazardous substances.
- (9) Decision 2011/332/EC, Decision 2012/448/EU, and Decision 2009/568/EC should be repealed.
- (10) A transitional period should be allowed for producers whose products have been awarded the Ecolabel for copying and graphic papers on the basis of the criteria set out in Decision 2011/332/EC, Decision 2012/448/EU, and Decision 2009/568/EC so that they have sufficient time to adapt their products to comply with the revised criteria and requirements.
- (11) 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 'paper products' shall comprise articles made of cellulose pulp in the form of a coherent sheet or web, excluding sheets or laps of pulp as commonly understood for paper making or dissolving purposes, and non-woven products. It includes the paper products as specified below:

1. Copying, graphic and newsprint paper products shall comprise sheets or reels of not converted, unprinted blank or coloured paper. It includes paper made from pulp and used for writing, printing, or conversion purposes.

It shall not include:

- paper and board intended for packaging conversion;
- packaging and wrapping paper;
- thermally sensitive paper;
- photographic and carbonless copy paper;

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<sup>7</sup> Commission Communication COM(2017)355

- fragranced paper.

2. Tissue paper and tissue paper products shall comprise sheets or rolls of tissue paper and tissue paper product fit for use for personal hygiene, absorption of liquids and/or cleaning of soiled surfaces used in substitution of textiles. Tissue paper is not converted paper while “tissue paper product” is “tissue paper that has been converted into a finished article for end-user purposes. It includes but is not limited to handkerchiefs, toilet tissue, facial tissue, kitchen/household towel, hand towels, table napkins, mats,.

**It includes coloured, printed or fragranced or lotion treated tissue paper products.**

It shall not include:

- absorbent hygiene products as defined in Commission Decision 2014/763/EU<sup>8</sup> including wet wipes and absorbent undergarments such as disposable diapers;
- tissue paper products containing cleaning agents designed for the cleaning of surfaces;
- coated tissue paper products or tissue paper products laminated with other materials than tissue paper;
- products as referred to in Cosmetic Regulation N°1223/2009<sup>9</sup>.

#### *Article 2*

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

- 1 'pulping' means the act of processing wood, other plant matter or waste paper to obtain pulp;
- 2 'pulp' means fibrous material in papermaking produced in a pulp mill, either mechanically, chemically, or by the combination of both;
- 3 'recycled fibre' means fibres diverted from the waste stream during a manufacturing process or generated by households or by commercial, industrial and institutional facilities in their role as end-users of the product, which can no longer be used for their intended purpose. Excluded is reutilisation of materials generated in a process and capable of being reclaimed within the same process that generated it (mill broke — own produced or purchased);
- 4 'mechanical woodpulp paper or board' means-paper, board paper or board containing mechanical woodpulp as an essential constituent of its fibre composition;
- 5 'chemical pulp' means fibrous material obtained by removal from the raw material of a considerable part of non-cellulosic compounds that can be removed by chemical treatment (cooking, delignification, bleaching);
- 6 'CTMP' means chemithermomechanical pulp;
- 7 'ECF pulp' means elementary chlorine free bleached pulp;
- 8 'TCF pulp' means totally chlorine free bleached pulp.;

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<sup>8</sup> OJ L 320, 6.11.2014, p. 46–63

<sup>9</sup> OJ L 342, 22.12.2009, p. 59–209

- 9 'non-integrated production" means production of market pulp (for sale) in mills that do not operate paper machines, or production of paper/board using only pulp produced in other plants (market pulp);
- 10 'integrated production' means pulp and paper is produced at the same site. The pulp is not dried before paper manufacture. The production of paper/board is directly connected with the production of pulp:
- 11 'deinked pulps' means pulp made from paper for recycling from which inks and other contaminants have been removed
- 12 'Air dry tonne' of pulp (ADt) meaning dry solids content of 90 %; in case of paper, air dry means paper with 6 % moisture content

### *Article 3*

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a paper product shall fall within the product group as defined in Article 1 of this Decision.

1. The product group as specified in Article 1(1) shall comply with the criteria as well as the related assessment and verification requirements set out in the Annex I for the product group 'Copying, graphic and newsprint paper products'.
2. The product group as specified in Article 1(2) shall comply with the criteria as well as the related assessment and verification requirements set out in the and Annex II for the product group 'Tissue paper and tissue paper products'

### *Article 4*

The criteria for the product group 'paper product', and the related assessment and verification requirements shall be valid for **xx** years from the date of adoption of this Decision.

### *Article 5*

For administrative purposes the code number assigned to 'paper products shall falling under the scope of Article 1(1) shall be 011.

2. For administrative purposes the code number assigned to 'paper products shall falling under the scope of Article 1(2) shall be 004.

### *Article 6*

Decision 2011/332/EC, Decision 2012/448/EU and Decision 2009/568/EC are repealed.

### *Article 7*

1. By derogation from Article 6, applications for the EU Ecolabel for paper products falling within the product group 'copying and graphic paper', submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2011/332/EC.
2. By derogation from Article 6, applications for the EU Ecolabel for paper products falling within the product group 'newsprint paper', submitted before the date of adoption of this

Decision shall be evaluated in accordance with the conditions laid down in Decision 2012/448/EU.

3. By derogation from Article 6, applications for the EU Ecolabel for paper products falling within the product group 'tissue paper', submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2009/568/EC.

2. Applications for the EU Ecolabel for paper products falling within the product group 'paper products' submitted from the date of adoption of this Decision until **31 December 2018** at the latest may be based either on the criteria set out in this Decision, or on the criteria set out in Decision 2011/332/EC, or on the criteria set out in Decision 2012/448/EU, or on the criteria set out in Decision 2009/568/EC, as applicable. Those applications shall be evaluated in accordance with the criteria on which they are based. Where the Ecolabel is awarded on the basis of an application evaluated in accordance with the criteria set out in Decision 2011/332/EC, 2012/448/EU, or 2009/568/EC that Ecolabel may be used for 12 months from the date of adoption of this Decision.

This Decision is addressed to the Member States.

Done at Brussels, **DD MMMM YYYY**.

*For the Commission*  
*Karmenu VELLA*  
*Member of the Commission*

<sup>(1)</sup> [OJ L 27, 30.1.2010, p.1](#)

<sup>(2)</sup> [OJ L 210, 10.8.1999, p.16](#)

<sup>(3)</sup> [OJ L 149/12, 8.6.2011, p.1](#)

<sup>(4)</sup> [OJ L 142/32, 6.6.2015, p.1](#)

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