

**1st Ad Hoc Working Group (AHWG) for the revision of the
EU Ecolabel criteria for the product group Rinse-off
Cosmetics (ROCs)**

27th November 2019

Albert Borschette Conference Centre – Room 1B

Rue Froissart 36

Brussels, BELGIUM

Minutes of the meeting

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1. OPENING AND WELCOME

JRC welcomed participants to the meeting and presented the agenda.

2. POLITICAL OBJECTIVES OF THE EU ECOLABEL AND PROCESS DESCRIPTION

The welcome was followed by the presentation of the political objectives of the EU Ecolabel and process description.

DG ENV highlighted that this is the first time that environmental problems become a priority for the European Commission and the objective of EU Ecolabel is to introduce into the market the products having lower environmental impacts.

It was also mentioned that ROCs product group is one of the most successful groups and that an information campaign will be launched in South Europe (Italy, Spain, Greece, Portugal and France) through the use of magazines and bloggers in order to advertise EU Ecolabel products (cosmetics, detergents and tourist accommodation).

JRC briefly presented its organisation and activities, summarized how a criteria revision process works and commented on the utility of the BATIS-commenting system.

Next steps were indicated:

- Stakeholders can provide comments on the technical report and the criteria proposals not later than by 3rd January 2020.
- Comments need to be submitted using the BATIS system, providing an easier way to analyse them.
- The second revision of Technical Report will be published in March/April 2020.
- The 2nd AHWG meeting is scheduled for April/May 2020.

3. SUMMARY OF THE PRELIMINARY REPORT: Focus on revised scope

JRC presented the main results from the preliminary report and the revised scope proposal.

As a general interest to expand the scope was supported in the responses from the stakeholders' survey, a revision of different cosmetic product categories was performed in order to include new products into the revised EU Ecolabel criteria for rinse-off cosmetics.

Following a prioritization methodology and considering relevant aspects of the different product categories, the product groups proposed to be additionally included into the scope were as follows: feminine hygiene products, toothpastes, skin care products and animal products. Products excluded were as follows: products with low risk of release into environment (deodorants and antiperspirants, perfumes, decorative cosmetics, nail enamel remover, hand sanitizers, other preparations of animal care products, and intimate gels/lubricants), depilatory products, mouthwashes, hair styling and treatment, perfumed bath salts and other bath preparations.

The name of the product group “Rinse-off cosmetic products” was proposed to be substituted by “Cosmetic products”, as new categories of cosmetic products, including leave-on, were proposed to be included. The definition of the product group was adapted according to the new proposed inclusions.

The market analysis of cosmetics was summarized. In general, a growing demand of more sustainable products was detected.

The technical analysis was presented, indicating the different points involved in a Life Cycle Assessment (LCA). The LCA of products from current scope was updated and new products (toothpaste, leave-on care product and sun care product) were analysed following the same methodology.

Discussion

Regarding the proposal to expand the scope:

- Most stakeholders and Competent Bodies (CB) agreed with the idea to expand the scope, although they commented that it should be necessary to expand the scope to all cosmetic products. *JRC clarified that the reason to prioritize only some of the categories was to include only the categories for which evidence exists that it would be feasible to be included in the scope (by comparison to other schemes, similarity to other products that are already included in the scope,...) and to comply with the criteria. Considering that the EU Ecolabel aim is to cover the 10-20% of products in the market with the best environmental profile, thresholds that are feasible to be accomplished need to be proposed. Moreover, JRC added that further extension will be explored, however in order to establish thresholds for new products it is necessary to have data proving this feasibility and specifically asked for data on the existing licenced products (EU Ecolabel and other schemes).*
- Another general comment from stakeholders and CBs was that animal products should not be included in the scope, mainly because such products are not covered by the Cosmetics Regulation and do not have the same safety level as products destined to humans. One stakeholder indicated that using animal shampoos could be considered as a “cruel practice” and therefore should not be included in the scope. Another stakeholder mentioned that the formulation of animal products is

very similar to the one of human shampoos. It was mentioned that animal products, if included, should be covered by another Commission Decision. *For the animal products, JRC pointed out that although this group of products is not covered by the Cosmetic Regulation, they are included in Nordic Swan Ecolabel, and they were proposed to be included with the objective to align with other European eco-schemes. JRC will evaluate further after the consultation the interest to include animal products in the scope.*

- One stakeholder indicated that if the reason to include animal products in the scope is the harmonization with other schemes, why not all cosmetic categories are included in the revision, as most schemes include all cosmetic products. Moreover, EU Ecolabel criteria could fill the gap existing in the market by including products that are not covered by other environmental schemes. *JRC will re-discuss the possibility to further expand the scope.*
- A stakeholder mentioned the intention to provide information to JRC about the number of mouthwashes licences.

Regarding the LCA:

- Two CBs raised doubts on the use phase of LCA. For this stage, only water consumption was considered, but the CBs highlighted that the main impact in the LCA is due to water heating, although this would not be relevant for leave-on products. CBs also commented the functional units. *JRC requested to write the comments and suggestions about LCA in BATIS system as the LCA study will be further refined after the meeting, according to the feedback received.*
- One stakeholder commented that cosmetic products are not carcinogenic as this is well regulated by the Cosmetic Regulation, and that in the LCA is unreasonable to analyse “Human toxicity, cancer effects” as an impact category. *JRC explained that this is an element of the methodology of EU Ecolabel process revision. LCA and health criteria are linked to Article 6 point 6 of EU Ecolabel Regulation No 66/2010.*
- One stakeholder suggested that to compare a liquid soap LCA with a solid soap LCA is not logical because their composition is very different. *JRC explained that the comparison of liquid soap with solid soap was done with the objective to compare two products with the same functionality and to identify which product provided a better environmental performance.*
- Regarding packaging, one stakeholder indicated that “it should be recyclable more than environmental-friendly”. Moreover, he suggested that in the end-use stage of the LCA, recyclability should be considered. *JRC will discuss further how the recyclability of the packaging was addressed in the LCA and further refine the LCA if needed.*

One stakeholder indicated that, in the scope definition, the sentence “intended to be placed in contact with the body” was missing. *JRC indicated that they will further look at*

the definition as it already contains the phrase "intended to be placed in contact with the epidermis, mouth, and/or the hair system to see if "intended to be placed in contact with the body" should be included instead in the scope definition.

A stakeholder suggested to include "shampoo bars", (i.e. solid shampoos) in the scope.

One stakeholder did not agree with developing the criteria taking as reference the 10-20% of market share compliance. He added that the criteria should be established and afterwards is up to market to adapt the products in order to comply with the requirements.

4. CRITERION 1. TOXICITY TO AQUATIC ORGANISMS: CRITICAL DILUTION VOLUME (CDV)

JRC presented the revision of criterion 1.

JRC presented data provided by CBs regarding the CDV values of the products which currently have EU Ecolabel licences, however JRC added that this data will be updated considering new information recently received.

CDV thresholds for current categories are proposed to be lowered. For the new categories in the scope the thresholds are proposed to be in line with Nordic Swan. JRC clarified that CDV threshold proposed for shaving foams, shaving gels, shaving creams is 12000, since there was a mistake in the published version of the Technical Report (version October 2019) and in the PPT of the meeting sent to stakeholders before the meeting.

Topic for discussion: Should we promote solid soaps? Possibility to relax threshold values? There are no EU Ecolabel licenses for solid soaps, but the environmental profile seems better than for liquids.

Discussion

Regarding the proposal to lower CDV thresholds:

- Several stakeholders and CBs welcomed the reduction of the values and the alignment with Nordic Swan.
- Regarding the alignment of the values with Nordic Swan, one CB remarked that the current Nordic Swan criteria (2016) will soon be revised. Therefore, the CDV values in Nordic Swan criteria are expected to be lowered even more.
- *JRC confirmed that there is a general agreement on lowering the values. Moreover, stated that is still gathering additional data to discuss if the values could be even lower. JRC confirmed that EU Ecolabel is willing to be aligned with Nordic Swan, despite the Nordic Swan criteria will be revised soon.*

Regarding CDV values of solid soap versus liquid soap:

- One CB remarked the problem of contamination of solid soaps and that, for hygienic reasons, the liquid form is often preferred.
- One CB mentioned that solid soaps contain higher concentration of perfumes. In fact, sometimes consumers buy them to perfume the bathroom. The higher the amount of perfumes in a product, the higher the CDV for that product.
- One stakeholder and one CB stated that the reason why there are no EU Ecolabel licenses for solid soaps is related to a change in consumers habits, preferring the liquid form.
- A CB commented that in Netherlands solid soaps do not play a big role in the market..
- *JRC mentioned the need to discuss further. Acknowledged that liquid form is preferable by hygienic reasons but stated that if the category of solid soaps exists in the current criteria is for a reason. JRC will try to obtain data regarding solid soaps, since there are no EU Ecolabel licences.*

Regarding wording adjustments:

- One CB asked for clarification on the definition of “intentionally added substance”. *JRC clarified that in this revised criterion proposal the wording “intentionally added substances” replaces “ingoiing substance” as it is in the current criteria. JRC also added that this was done to be in line with recently adopted EU Ecolabel criteria product group (product group Lubricants). Moreover, in Article 2(1) – complementary definitions – the current definition “intentionally added substances” was replaced by the definition of “substance”, which is in line with the definition of substance under REACH Regulation. JRC confirmed that the idea is not to change the current scope, therefore criterion 1 (and 2) would apply to substances which equal or exceed 0.010%. This will be clarified in the second proposal for criterion 1 (and 2).*
- Stakeholders also asked for clarification if additives used in raw materials are also taken into consideration for the “intentionally added substances”. In relation to this, one stakeholder sated that preservatives would count for “intentionally added substances”, but impurities no. *JRC mentioned that the text will be carefully revised in order to reflect these comments.*

Concerning the relation between the amount of perfumes and CDV values:

- Several CBs and stakeholders pointed out the relation between the amount of perfumes and the CDV values.

- One CB added that he does not agree in lowering the CDV, because consumers look for perfumed products, being the perfume also part of the function of the product. Another stakeholder agreed on lowering the CDV and that consumers are more and more concerned with chemicals. One CB did not agree in banning perfumes, because consumers need to have the choice.
- A CB commented that Nordic countries use less perfumes than other countries.
- A CB added that increasing the CDV due to perfumes is not reasonable, consumers can choose between 10-20% of ecolabelled products without perfume and the rest of products with perfume.
- *JRC stated that they will discuss this further.*

One stakeholder mentioned that EU Ecolabel aims at the 10-20% of products with a best environmental profile. However, they were not sure that the best products were really included in this 10-20%.

One stakeholder mentioned the *strategy* of formulators of adding more water to the product in order to meet the requirements of CDV thresholds. He added that, as consequence, the consumer uses more quantity of product to achieve the same result, therefore causing increase in the waste of packaging. *JRC replied that these strategies on diluting the product would lead to a less effective product and remarked that EU Ecolabel criterion 6 – Fitness for use – ensures the efficacy of the product.*

One stakeholder asked to discuss the possibility of considering other methods than CDV values for assessing the toxicity to aquatic organisms. JRC commented that already during the previous revision this issue was raised, however finally it was decided to keep the calculation as it was in criteria from 2007. *JRC will discuss this further and explore the schemes that do not use the CDV approach.*

JRC clarified that the proposal to lower CDV thresholds (and the proposal to lower thresholds in EU Ecolabel in general) is done by comparing to other schemes or by comparing to data of EU Ecolabel licences.

A stakeholder requested more information on why the CDV methodology was questioned in last revision. *JRC commented that adding more non-hazardous ingredients to the formulation leads to the decrease of the CDV for a product. This is why the CDV methodology was considered problematic*

5. CRITERION 2. BIODEGRADABILITY

JRC presented the revision of criterion 2.

JRC presented results of the analysis of data provided by CBs regarding aNBO and anNBO of the products which currently have EU Ecolabel licences. Regarding the first proposal for the revised criterion 2, there are no changes in sub-criterion (a), while thresholds for sub-criterion (b) are proposed to be lowered, in line with Nordic Swan.

Discussion

Regarding the Nordic Swan exemptions from the requirement on anaerobic degradability:

– *Emulsifiers, Surfactants in toothpaste:*

- Stakeholders asked for clarification on “surfactant” versus “emulsifier”.
- One stakeholder did not agree with the derogation for surfactants in toothpastes and stated that there are alternatives.
- *JRC will clarify “surfactant” versus “emulsifier” in case this exemption is finally considered in the proposal for criterion.*

One stakeholder raised the possibility to divide the category “shampoo, shower preparations and liquid soaps” into different sub-categories and to adjust the thresholds. *JRC agreed to take this into consideration and discuss it further.*

One stakeholder was concerned about the exemption proposed for sun products. He added that sun products are not biodegradable, and this exemption could damage the reputation of EU Ecolabel. *JRC clarified that sun products, although exempted from criterion 2, would still need to comply with other criteria and, particularly relevant in this case, would need to comply with criterion 3 – Excluded or limited substances and mixtures.*

6. CRITERION 3. EXCLUDED OR LIMITED SUBSTANCES AND MIXTURES

JRC presented the revision of criterion 3.

JRC highlighted that the following clarification was added to criterion 3: “Impurities stated in the SDS, whose presence in the final product equals or exceeds 0.010%, shall comply with the same requirements as the intentionally added substances”.

3(a) Hazardous substances: 3(a)(i) Final product and 3(a)(ii) Substances

When presenting the first proposal for the revised sub-criterion 3 (a) JRC highlighted that the wording was aligned to latest voted EU Ecolabel and that the derogations were eliminated in order to reassess their validity. JRC asked to submit justified requests for derogations using the derogation template form included in the Technical Report.

Discussion

One CB stated that the requirement of sub-criterion 3(a)(i) cannot be applied as the hazard classification of a product is not possible according to the CLP Regulation. Instead, a theoretical formula addressing the aquatic toxicity was proposed to be used.

One stakeholder was concerned that, according to the wording of the criterion proposal, CMRs¹ could be used in formulation below 0.010%. Such substances are generally used in very low concentration and therefore their use would still be allowed, if the proposed wording would be kept. Other stakeholders added that all problematic substances should be banned regardless of their concentration. Concerns were also raised with respect to the way impurities are addressed.

One stakeholder mentioned that it could be problematic to harmonize the revised sub-criterion 5 (b) with criterion 3 on hazardous substances: if CLP-classified complex mixtures of natural substances are banned because added in concentrations greater than 0.01 %, it would be difficult to reach the minimum content of organic ingredients required by sub-criterion 5 (b). A number of natural ingredients; e.g. among essential oils, are considered UVCB² under REACH Regulation.

One stakeholder pointed out that in the assessment and verification, SDS are proof for assessment but it is not mandatory to mention all ingredients in the SDS. Then, signed declaration from the manufacturers are necessary to show compliance. *JRC remarked that besides SDS, declarations are also asked to manufacturers.* It was also mentioned that minor mistakes (related to wording) were found in the SDS.

One stakeholder stated that consumers are increasingly concerned about hazardous substances, especially CMRs, and that mobile Apps to identify them are becoming popular (for instance in Denmark).

Stakeholders were concerned on how to gather the necessary information from the raw material producers, as these actors are not willing to pass on such information. Two CBs offered to JRC forms used in Blue Angel and Nordic Swan Ecolabel that can be used as a template to obtain information from raw material producers.

One stakeholder mentioned that as isothiazolinones are restricted in EU Ecolabel for Detergents, but not in EU Ecolabel for Rinse-off Cosmetics, consumers might be confused.

One stakeholder stated that the Cosmetic Regulation does not refer to “hazardous substances” but to “prohibited substances”. On the other hand, one stakeholder stated that “hazardous substances” is correct since is the wording used in CLP Regulation.

JRC will discuss further the derogations. JRC took note of the stakeholders’ comments regarding the thresholds for CMRs and other substances of concern.

¹ CMR: carcinogenic, mutagenic or reprotoxic chemicals.

² UVCB: Unknown or Variable composition, Complex reaction products or Biological materials.

3(b) Specified excluded substances

JRC presented the substances proposed to be removed from the currently valid list of excluded substances and the substances proposed to be added to this list. Substances that are classified as CMR, PBT, vPvB or SVHC under CLP and REACH Regulations were proposed to be removed from the list of excluded substances in EU Ecolabel ROCs (because implicitly covered by other sub-criteria). Substances that do not have a harmonised classification according to CLP Regulation but that should be classified according to a number of notifications due to their impacts on the environment or as sensitizing substances were added to the list of excluded substances.

Discussion

Regarding the concentration thresholds applying to sub-criteria of criterion 3:

- Stakeholders were concerned about the wording and asked for clarification regarding the thresholds applying to criterion 3 in general. They stated that according to the wording of the revised version, sub-criteria 3(a) and 3(c) would apply to substances at or above a concentration of 0.010%, while 3(b) would apply to substances regardless of their concentration. In this sense, substances classified as substances of concern would be allowed in the formulations in higher concentrations than substances listed in sub-criterion 3 (b). Substances that are automatically restricted by criteria 3(a) or 3(c), but only above 0,010% (according to the current proposal) should be included in the list, for example, cyclic siloxane compounds.
- *JRC welcomed the comments received on the thresholds and will discuss this issue further.*

One stakeholder proposed to go forward concerning ingredients suspected to be hazardous and include all them in the restriction list.

Other stakeholder stated that fluorinated compounds should be added to the list.

One stakeholder proposed to align the criterion with Nordic Swan.

Regarding Endocrine Disruptors (ED):

- Two stakeholders stated that the EC Priority List of substances for further evaluation of their role in Endocrine Disruption should be taken into consideration, and that EU Ecolabel should follow the principle of precaution, thereby banning substances suspected of being EDs unless their safety is proven.

- One stakeholder pointed out the difference between a substance “classified as ED” or “suspected to be ED”. Moreover, he referred to the definition of an ED³ and was concerned regarding its assessment and verification. Additionally, he mentioned that there are several published lists on substances suspected to be ED.
- Several stakeholders raised the difficulty to assess and verify the criterion without having a list of substances considered ED and asked for more clarity.
- One stakeholder was concerned about who will be the authority evaluating those ED case-by-case. He also added that plants contain estrogens with no hazard associated.
- *JRC welcomed the comments received on ED topic and will investigate this subject further.*

One stakeholder raised the possibility to take into consideration the following lists from ECHA: Endocrine Disruptor (ED) Assessment List and PBT Assessment List, when evaluating the substances to be proposed for restriction.

Regarding microorganisms:

One stakeholder raised the possibility to consider microorganisms, he stated that microorganisms are becoming a valuable type of ingredient in cosmetics and that there are already some products on the market. This topic was discussed some years ago in detergents Ecolabel, which has a requirement now⁴. The stakeholder proposed to look at detergents Ecolabel for more information. *JRC acknowledged that this was a recent comment received on BATIS and that will discuss it further.*

Regarding nanomaterials (NMs):

- One stakeholder stated that the first proposal for criteria does not reflect the message from the Technical Report, since there is stated that “the use of NMs is evaluated on a case-by-case basis” but in the EU Ecolabel they are allowed. On the other hand, one stakeholder mentioned that under Cosmetic Regulation NMs also must pass a case-by-case analysis.
- One stakeholder proposed that NMs should be prohibited unless proved to be safe.
- *JRC will discuss further how to deal with NM in the revised criteria.*

³ Endocrine disruptors are defined as “an exogenous substance or mixture that alters function(s) of the endocrine system and consequently causes adverse health effects in an intact organism, or its progeny, or (sub)populations”.

⁴ *Note to the reader:* EU Ecolabel for Hard Surface Cleaning Products.

Two stakeholders raised the issue of different classifications of ingredients and asked for consistency regarding the substances restricted, especially the ones belonging to the same chemical family, and highlighted the example of Cocamide DEA surfactant.

One stakeholder stated that BHT and phthalates are included in the SIN List and also that PFOAs and cyclic siloxanes should be restricted.

One stakeholder stated that isothiazolinones are used in low amount, therefore they should be prohibited without threshold. He also proposed to include other preservatives to sub-criterion 3(b).

One stakeholder did not agree in excluding substances that do not have harmonised classification under CLP Regulation.

One stakeholder pointed out that phosphates are missing in sub-criterion 3 (b), despite in the Technical Report it is mentioned that they are added.

JRC asked stakeholders to write their comments in BATIS system and will revise the criterion taking into consideration all the feedback received.

3(d) Fragrances

One stakeholder stated that the sensibilization to allergenic substances is increasing in general population and EU Ecolabel has an essential role, therefore he is in favour of lowering the thresholds for leave-on products and excluding allergic components.

One stakeholder stated that IFRA will publish the 49th amendment next year.

One CB will send information to JRC about fragrance substances used in Nordic Swan Ecolabel products.

JRC stated that will discuss further how to consider lower levels for leave-on products and will follow the revision of IFRA.

3(e) Preservatives

One stakeholder stated that some natural extracts can also be used as preservatives.

One stakeholder will send information to JRC about preservatives used in Nordic Swan Ecolabel products.

JRC will contact stakeholders that stated they would be willing to provide information on products formulated without isothiazolinones.

3(f) Colorants

One stakeholder agreed with the possibility of requiring that colorants must be approved as a food additive grade.

3(g) UV filters *(New requirement)*

One stakeholder stated that UV filters should only be allowed in sun care products and not in other type of cosmetics such as daily facial creams or as shampoos.

7. CRITERION 4. PACKAGING

JRC presented the revision of criterion 4

Few changes were introduced in the revised criterion 4: additional verification is requested in sub-criterion 4(a); introduction of specific requirement for liquid hand soap dispenser to align with Nordic Swan and additional guidance for the assessment and verification method in sub-criterion 4(c); and inclusion of materials used in labels or sleeves that should be avoided in combination with a PET bottle.

The proposed revised criterion includes a new requirement of “Take-back system”.

Topic for discussion: JRC suggested the possible inclusion of a requirement on mandatory provision of refill bottles for some cosmetics; and asked for Packaging Impact Ratio (PIR) values and data/studies on materials. JRC also asked for the interest of stakeholders regarding the “Take-back system”

Discussion

One stakeholder highlighted that packaging must be designed to be recycled. Moreover, he offered help to contribute to have a more robust background for the Packaging Criterion. The stakeholder also indicated that a harmonized guideline for recycling does not exist. The stakeholder agreed with the 10% requirement of residual product in the packaging, although mentioned that the requirement could be stricter for PET, in order to ensure the maximum quality of the recycle.

A stakeholder agreed with the benefits of a take back system, but he indicated that for some leave-on formulations it could be difficult to comply, as consumers often cut the packaging in order to use the whole product. Another stakeholder was concerned on the way to monitor that the requirement on refilling of packaging is complied with. Also, the requirement on refilling of bottles would not be suitable considering the expectation of expanding the revised scope. *JRC will discuss about the feasible products to be included in the mandatory provision of refill bottles.*

One stakeholder was concerned about the contaminants in packaging and proposed to exclude SVHCs.

A stakeholder pointed out that increasing the ability of recycling is a good point considering the Circular Economy strategy, although care is needed to avoid problematic substances (for example cadmium) in recycled packaging. *JRC will study if it is possible to improve the criterion.*

Several stakeholders and CBs agreed with the new requirement on “Take-back system”, but they were concerned about its compliance and commented that could be difficult to fulfil for some small producers.

JRC asked to stakeholders to write all their comments in BATIS system.

8. CRITERION 5. RENEWABLE INGREDIENTS

JRC presented the revision of criterion 5.

The title “Sustainable sourcing of palm oil, palm kernel oil and their derivatives” was proposed to be substituted by “Renewable ingredients”, as this criterion was divided in two parts:

- (a) Sustainable sourcing of palm oil, palm kernel oil and their derivatives. No fundamental changes have been introduced in this section.
- (b) Certification of plant-based ingredients. This section is a new requirement.

Topic for discussion: JRC asked for the opinion of stakeholders regarding the newly proposed requirement and the new title of the criterion.

Discussion

Regarding the sustainable sourcing of palm oil, palm kernel oil and their derivatives:

- One stakeholder stated that do not agree with acceptance of the Book and Claims system as a mean of verification. Other certification schemes such as Blue Angel have now removed the Book and Claim system from the certification possibilities.
- A stakeholder explained the RSPO certification and the importance to maintain the Book and Claims system, because this system ensures that very poor farmers can sell its palm oil. This stakeholder offered help regarding the RSPO certification and suggested to check the RSPO website to verify if a company is RSPO certified, as the information in the website is updated in real time compared to the RSPO certification, which lasts for 5 years.
- Other certification schemes mentioned by stakeholders were the Roundtable for Sustainable Biomass (RSB) and the certification for coconut oil.
- *JRC acknowledged that received more comments from stakeholders asking to remove the Book and Claim system from criterion and will discuss this further. JRC*

asked the CBs to provide information on the type of RSPO certifications in currently EU Ecolabel-licenced products.

Regarding the certification of plant-based ingredients:

- One CB informed that Blue Angel criteria will be probably revised next year. He did not agree with the new requirement regarding the certification of plant-based ingredients and highlighted that EU Ecolabel is not a bio-organic label.
- One stakeholder suggested that the certification of plant-based ingredients should be optional, in case the manufacturer want to state the % of ingredients, but not mandatory.
- Some stakeholders and CBs commented that it is difficult to find a definition for an “organic cosmetic product” and were astonished that with a 10% of organic raw materials is possible to claim “organic”.
- One stakeholder commented that the assessment and verification method should accept only certifications awarded by Ecocert or the CBs appointed by Regulation 2018/848.
- *JRC agreed with the difficulty to define an “organic cosmetic product” and clarified that the organic production requirement would only apply to the plant-based ingredients covered by Regulation 2018/848 on Organic production.*

JRC asked to stakeholders to submit all their comments in BATIS system.

9. CRITERION 6. FITNESS FOR USE

JRC presented the revision of criterion 6.

No changes were introduced so far, although JRC proposed improvements such us the use of a generic formulation as a comparison product and the use of a standard procedure.

Topic for discussion: JRC asked for testing protocols and methodologies for general and specific cosmetic products; and requested proposals to improve the criterion.

Discussion

Stakeholders commented the importance to follow the standardized methodologies to test the efficacy of the products, for example to demonstrate the SPF of a sunscreen. A stakeholder indicated that efficacies need to be demonstrated. Several stakeholders answered to this stakeholder that safety and efficacy is part of the Cosmetic Regulation, and all cosmetic products must comply with these points. *JRC commented that all claims, safety and efficacies are regulated by the Cosmetics Regulation.*

One stakeholder suggested that instrumental tests are more objective than user tests. Also commented that sample of 10 people for the user test is too low and they do the test with a minimum of 30 people. *JRC will discuss internally a more objective method.*

One stakeholder also commented that sunscreen products should clearly indicate the expiring date after opening (PAO), while toothpaste should indicate whether it contains fluorine.

JRC requested to stakeholders to write all their comments in BATIS system.

10. CRITERION 7. INFORMATION ON THE EU ECOLABEL

JRC presented the revision of criterion 7.

No changes were introduced so far.

Discussion

One stakeholder suggested two new sentences as optional label, which will be introduced in the BATIS system.

One stakeholder remarked that the sentences should be understandable by the consumers.

JRC requested to stakeholders to submit all their comments in BATIS system.

11. CONCLUSION, NEXT STEPS AND CLOSURE OF THE WORKSHOP

JRC mentioned that additional comments received so far included the request to have a simpler registration system, where already approved raw materials are included in a database and are automatically considered approved for other products without the need of providing further proof.

One stakeholder agreed with this methodology, but as long as this list of “approved raw materials” is periodically revised.

JRC did a reminder to all stakeholders to write all their comments in BATIS system.