



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JRC
JOINT RESEARCH CENTRE
Institute for Prospective Technological Studies (Seville)
Sustainable Production and Consumption Unit

2nd Meeting of the AHWG for the revision of the Commission Decision establishing the Ecological Criteria for the Award of the Community Ecolabel for Soaps, Shampoos and Hair Conditioners

28 September 2012- (9:30 – 17:30)

**Albert Borschette Conference Centre (CCAB), room AB-2A
Rue Froissart 36, 1040 Brussels, Belgium**

Draft Agenda

1.	Opening and welcome
2.	Background information on the project development – Overview Outcomes of the technical analysis and product environmental performance
3.	Product group definition and scope revision
4.	Revision of existing criteria – Presentations and discussion Criterion 1: Toxicity to aquatic organisms Criterion 2: Biodegradability Criterion 2a: Aerobic biodegradability of surfactants Criterion 2b: Aerobic biodegradability of non-surfactants Criterion 2c: Anaerobic biodegradability Criterion 3: Excluded or limited substances and mixtures
6.	Revision proposals for existing criteria – Presentations and discussion Criterion 3: Excluded or limited substances and mixtures – cont. Criterion 4: Packaging requirements Criterion 5: Sustainable sourcing of palm oil – For discussion:
7.	Revision proposals for existing criteria – Presentation and discussion Criterion 6: Fitness for use Criterion 7 - User information - Information appearing on the EU Ecolabel Other issues of relevance in the new criteria proposals – Presentation and discussion
8.	Conclusions and close of the workshop



Revision of European Ecolabel Criteria for Soaps, Shampoos and Hair Conditioners

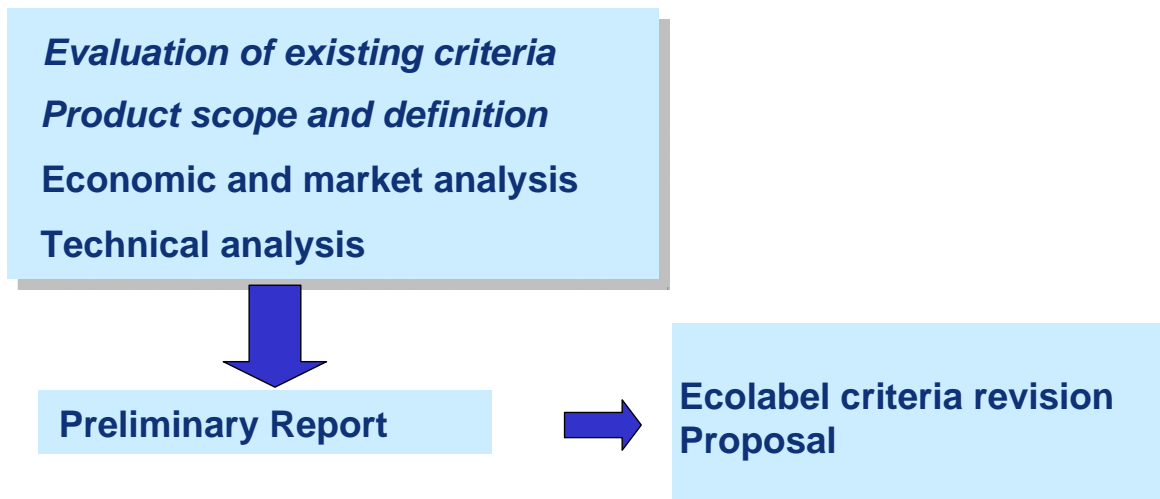
Process Description

*2nd Ad-hoc Working Group Meeting
28th September 2012, Brussels*

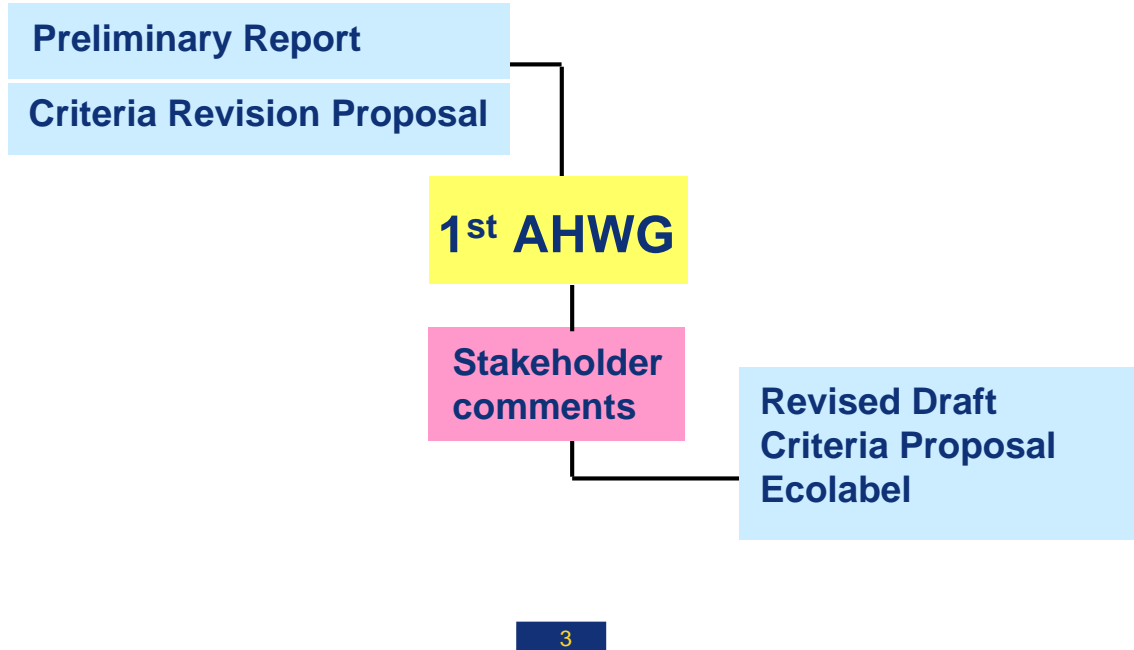
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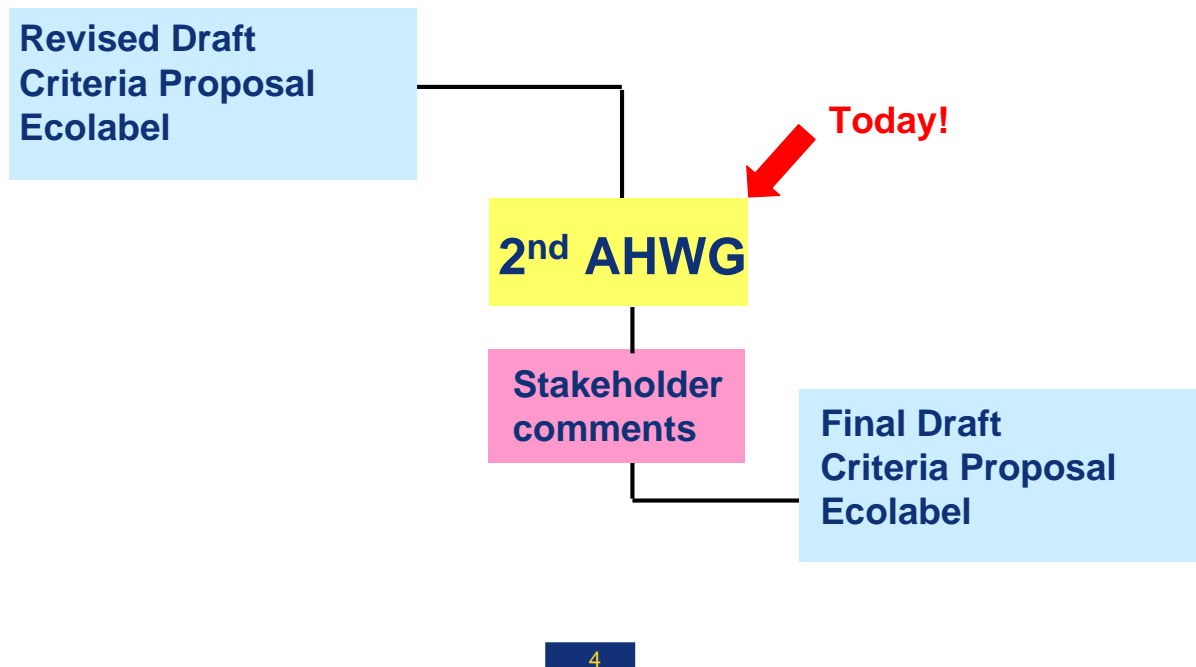
Criteria Development Step by Step (1/3)



Criteria Development Step by Step (2/3)



Criteria Development Step by Step (3/3)



Next steps

- Stakeholder comments (11th October 2012)
- Final draft criteria (end October 2012)
- Presentation to the EUEB (23rd November 2012)
- Commission inter-service consultation (end 2012)
- Regulatory Committee vote on criteria (March 2013)

Today's 2nd AHWG

- Agree on revised definition and scope
- Discuss on revised EU Ecolabel proposal
- Comments:
 - Deadline: 11/10/12
 - To be sent: renata.kaps@ec.europa.eu

Project website:

http://susproc.jrc.ec.europa.eu/soaps_and_shampoos/



Revision of European Ecolabel Criteria for Soaps, shampoos and hair conditioners

2nd Ad-hoc Working Group Meeting
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Content

1. Background information
2. Scope and definition
3. Revised criteria proposals
 - presentation of the proposal and feedback received prior to the meeting

Background research – developing the evidence basis

After the preliminary background report and 1st AHWG our additional research focused on:

- Investigation of scope extension including market analysis
- Life cycle assessment, identification analysis of alternatives for substances of concern, specific issues
- Analysis of criteria, rationale, determination of thresholds

Deliverables:

1. Scope and definition document
2. Technical Analysis
3. Background report including criteria proposal



Additional background research on extension of scope

Deliverables:

1. Scope and definition document – Investigation of scope extension including market analysis

Following products were investigated:

1. shaving-foam, -cream, -gel, -soap,
2. toothpaste,
3. shampoo for animals,
4. wet wipes,
5. cleansing and remover make-up products.

In order to assess the extension of the product scope we investigated:

- the typical ingredients of each new considered product group have been analyzed and compared with the composition of soaps, shampoos and hair conditioners.
- basic market information,
- brief overview on available environmental information
- function of product



The analysis included:

1. Shaving-foam, -cream, -gel, -soap,
1 965 products has been analyzed regarding composition
2. toothpaste,
4 812 products has been analyzed regarding composition
3. shampoo for animals,
201 products has been analyzed regarding composition
4. wet wipes,
many different kinds of wipes, 1821 cosmetic and 1860 sanitary wipes
5. cleansing and remover make-up products
4 142 products have been analyzed.

Function of product:

Similar function: 1. Shaving-foam, -cream, -gel, -soap, and on 3. shampoo for animals

Market analysis differs among the studied product groups (given in detail in background report). Relevant outcomes on this is that the market of pet shampoos is limited. Wet wipes are suggested to be investigated separately as standalone product group.



Additional background research

2. Life cycle assessment, identification analysis of alternatives for substances of concern

Responding to stakeholders input the Life Cycle Assessment was further elaborated and few parts were analysed in more detail or amended .

e.g. it was investigated the inclusion of hot water consumption within the LCA system boundaries. This results in high contribution of the use phase. The consumption of hot water becomes the most important factor regarding the overall environmental impact.

There was no significant change or the change of the LCA results does not affect the criteria revision (it is assumed that hot water consumption is dependent to user behaviour).

Outcomes of the investigation on alternatives for substances of concern was integrated in the respective criteria.

Responding to stakeholder information on the use of nanomaterials in this product group was collected (including definition of nanomaterials, their use, available information on potential impacts and legislative framework).



Additional background research

3. Analysis of criteria, rationale, determination of thresholds

Outcomes of this research are presented in more detail in the following slides.

Thank You Very Much



Revision of European Ecolabel Criteria for Rinse-off products/ (Soaps, shampoos and hair conditioners)

Session 1: Product group definition and scope revision

2nd Ad-hoc Working Group Meeting
28th September 2012, Brussels
Joint Research Centre, Institute for Prospective Technological Studies

Product definition and scope

The product group “**Rinse-off cosmetic products**” shall comprise **soaps, shampoos, hair conditioners and pre-shaving preparations**, i.e. *“~~any~~ rinse-off substance and preparation intended to be placed in contact with the epidermis and the hair system with a view exclusively or mainly to cleaning them. That product group shall also comprise any rinse-off substance and preparation intended to be placed in contact with the hair system with a view to improve the condition of the hair (**hair conditioners**) and any rinse-off substance and preparation intended to be placed in contact with the epidermis with a view to protect it and to lubricate the hair before shaving (**pre-shaving formulations**)”*.



Product definition and scope

The product group shall cover products for **both private and professional use**.

The product group **shall not cover** products that are **specifically marketed for disinfecting or anti-bacterial use**.

Further, depending on the final decision on the scope extension, the following statement can be added:

“Shampoos for animals are eligible for EU Ecolabel”





Feedback received

A Stakeholder meeting held at Ecolabelling Denmark revealed a wish for ecolabelling **cosmetics products in general**; not just the suggested rinse-off products. Often customer ask for an ecolabel on whole product series, and they will not choose to ecolabel, when only a few of the product line can be labeled.

We approve the **extension of these criteria to Shaving products and shampoos for animals**. Since shaving foams are going to be included, we recommend to enclose also hair sprays.

"Shampoos for animals are eligible for EU Ecolabel"

We are critical of an extension to pet shampoos because these products don't fit to the others, as they aren't covered by the cosmetics directive and are used for animals and not for humans. Furthermore they are not used regularly and by a high proportion of the population of the EU.



Feedback received

Regarding the proposal to include **pet shampoos** we understand that there are certain similarities (e.g. similar formulation and environmental fate) with the current product scope. However we see some difficulties that need to be addressed if pet shampoos were to be included.

„Pet Shampoo“ is only a **marketing term**, the correct legal term (as also used by the Commission regarding EU market harmonization) is „**animal detergent**“, therefore covered under the Detergent Regulation 648/2004/EC and not the Cosmetic Regulation 1223/2009/EC.

Furthermore there are also several pet shampoos with **biocide effects** on the market (against fleas and other parasites). The current scope of the Ecolabel for soaps etc. states that products „that are specifically marketed for disinfecting or anti-bacterial use“ are excluded.

Additionally, it will be **difficult to distinguish pet shampoos from medicinal products for veterinary use**. According to Article 2 of the Ecolabel Regulation 66/2010/EC medicinal products for veterinary use as defined in Directive 2001/82/EC are excluded from the general scope of the Ecolabel.

In our view, pet shampoos are not cosmetics and therefore do not belong in the EU Ecolabel criteria for cosmetics.





Revision of European Ecolabel Criteria for Rinse-off products/ (Soaps, shampoos and hair conditioners)

Session 2: Criteria revision

2nd Ad-hoc Working Group Meeting
28th September 2012, Brussels
Joint Research Centre, Institute for Prospective Technological Studies



Criteria

Criteria are set for each of the following aspects:

1. Toxicity to aquatic organisms: Critical Dilution Volume (CDV)
2. Biodegradability
3. Excluded or limited substances and mixtures
4. Packaging requirements
5. Sustainable sourcing of palm oil
6. Fitness for use
7. User information – Information appearing on the packaging

Functional unit and reference flow

The functional unit refers to **washing actions using the product**.

The reference flow is defined as the **weight of the quantity of product containing 1 gram of 'Active Content (AC)'**.

AC is defined as the **sum of organic ingoing substances in the product (expressed in grams)**. It must be calculated on the basis of the complete formulation of the product.



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Detergents

Assessment and verification

(a) Requirements

The specific assessment and verification requirements are indicated within each criterion. Where the applicant is required to provide declarations, documentation, analyses, test reports, or other evidence to show compliance with the criteria, it is understood that those may originate from the applicant and/or his supplier(s) and/or their supplier(s), as appropriate.

Where appropriate, test methods other than those indicated for each criterion may be used if their equivalence is accepted by the competent body assessing the application.

Where possible, the testing shall be performed by laboratories that meet the general requirements of EN ISO 17025 or equivalent.

Where appropriate, competent bodies may require supporting documentation and may carry out independent verifications.

Detergent ingredient database (DID list) contains the most widely used ingoing substances used in detergent and cosmetics formulations. It shall be used for deriving the data for the calculations of the Critical Dilution Volume (CDV) and for the assessment of the biodegradability of the ingoing substances. For substances not present on the DID list, guidance is given on how to calculate or extrapolate the relevant data.



Assessment and verification (b) Measurement thresholds

Unless indicated otherwise in the criteria, the compliance with the ecological criteria is required for substances intentionally added, as well as for by-products and impurities from raw materials, the concentration of which equals or exceeds **0.010 % by weight of final formulation**.

For **preservatives and colorants** compliance with the criteria is required regardless of their concentration.

Substances in the product meeting the threshold limit as listed above are hereby referred to as **“Ingoing substances”**.

It is very good to see ingoing substances. We wonder however, if the phrase “*For preservatives and colorants...*” should include **fragrances** as well, as it is done in the newly decided criteria for laundry detergents for professional use. It will have importance when discussing requirement 3 a) and 3 d).



Feedback received

First sentence: threshold of 0.01% for **by-products and impurities from raw materials**: this is likely to further limit the applicability of the Ecolabel, e.g. when preserved raw materials (especially through cumulative effect where different raw materials are preserved with the same preservative), or product preservation systems are used;

Second sentence: as in the first sentence, compliance with the criteria should only apply to intentionally added colorants and preservatives

Threshold should be **0.1%**. For preservatives and colorants **intentionally added** compliance with the criteria is required regardless of their concentration.

Unless indicated otherwise in the criteria, the compliance with the ecological criteria is required for substances intentionally added, as well as for by-products and impurities from raw materials, the concentration of which equals or exceeds **0.010 % by weight of final formulation**.

For **preservatives and colorants** compliance with the criteria is required regardless of their concentration.

Substances in the product meeting the threshold limit as listed above are hereby referred to as **“Ingoing substances”**.





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Functional unit and reference flow

Requirements related to assessment and verification

The following information shall be provided:

The full formulation indicating trade name, chemical name, CAS no. and INCI designations, DID no.*, the ingoing quantity including and excluding water, the function and the form of all organic and inorganic ingoing substances and ingredients (regardless of concentration) in the product must be submitted to the competent body.

Safety data sheets for each ingoing substance shall be submitted to the competent body in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council .

* DID no. is the number of the ingoing substance on the DID list (“Detergent Ingredient Database” list), and is used in determining compliance with Criteria 1 and 2.

Part A and Part B of the DID list can be found on the EU Ecolabel website:

http://ec.europa.eu/environment/ecolabel/documents/did_list/didlist_part_a_en.pdf

http://ec.europa.eu/environment/ecolabel/documents/did_list/didlist_part_b_en.pdf



Criterion 1 - Toxicity to aquatic organisms: Critical Dilution Volume (CDV)

The **critical dilution volume toxicity (CDV)** is calculated for each ingoing organic substance and for the whole product using the following equations:

$$\text{CDV(ingoing organic substance } i) = \text{weight } (i) \times \text{DF}(i) \times 1\,000 / \text{TF chronic } (i)$$

$$\text{CDV} = \sum \text{CDV(ingoing organic substance } i)$$

Where:

weight (i) - is the weight of the ingoing organic substance (in grams) per functional unit.

DF (i) - is the degradation factor

TF chronic (i) - is the toxicity factor of the ingoing organic substance (in milligrams/litre)

The values of DF and TF chronic shall be as given in the Detergent Ingredient Database list-part A (DID list-part A). If the ingoing organic substance in question is not included in the DID list-part A, the applicant shall estimate the values following the approach described in the DID list-part B and attaching the associated documentation. The CDV is summed for each ingredient, making the CDV for the product.



Criterion 1 - Toxicity to aquatic organisms: Critical Dilution Volume (CDV)

The total CDV of the product shall not exceed the following limits:

Product CDV (l/g AC)

Product	CDV (l/g AC)
Shampoo, shower products and liquid soaps	18 000
Solid soaps	3 000
Conditioners	(Discussion point)

After finalising the discussion on the scope extension:

Shaving foams, shaving gels, shaving creams: **(Discussion point)**

Shaving soaps: **(Discussion point)**

Shampoos for animals; and limits for: **(Discussion point)**

Assessment and verification: the applicant shall provide the calculation of the CDV of the product. A spreadsheet for calculation of the CDV value is available on the EU Ecolabel website.



Feedback received

The total CDV of the product shall not exceed the following limits:
Product CDV (l/g AC)

CDV(ingoing o

CDV = Σ CDV(i

After finalising the discussion on the scope extension:

We recommend **not to reduce CDVtox limits too much**, because all the cosmetic products encompassed in this product group need to have **fragrances** in order to be marketed, especially in south Europe. So proposed limits for shampoos, shower products, liquid soaps and solid soaps are adequate. As for conditioners we recommend to set 25000 l/g AC. As for shampoos for animals we propose the same limits as those for shampoos, shower products, liquid soaps. Regarding limits for shaving foams, gels and creams we propose 20000 l/g.

of the product. A spreadsheet for calculation of the CDV value is available on the EU Ecolabel website.



Criterion 2 - Biodegradability

a) Biodegradability of surfactants

All surfactants must be biodegradable under aerobic conditions.

All non-ionic and cationic surfactants must also be biodegradable under anaerobic conditions.

b) Biodegradability of organic substances

(i) Aerobic biodegradability of non-surfactants (aNBDO_{non-surf})

(ii) Anaerobic biodegradability (anNBDO)



Criterion 2b – Biodegradability of organic substances

(i) Aerobic biodegradability of non-surfactants (aNBDO_{non-surf})

The content of all organic ingoing substances in the product that are aerobically non-biodegradable (not readily biodegradable) or have not been tested for aerobic biodegradability shall not exceed the following limits:

Product	aNBDO _{non-surf} (mg/g AC)
Shampoo, shower products and liquid soaps	20
Solid soaps	10
Conditioners	45

To discuss after finalising the discussion on the scope extension:

Shaving foams, shaving gels, shaving creams: **(Discussion point)**

Shaving soaps: **(Discussion point)**

Shampoos for animals: **(Discussion point)**



Criterion 2b – Biodegradability of organic substances

(ii) Anaerobic biodegradability (anNBDO)

The content of all ingoing organic substances in the product that are not biodegradable under anaerobic conditions shall not exceed the following limits:

Product	anNBDO (mg/g AC)
Shampoo, shower products and liquid soaps	20
Solid soaps	10
Conditioners	45

To discuss after finalising the discussion on the scope extension:

Shaving foams, shaving gels, shaving creams: (Discussion point)

Shaving soaps: (Discussion point)

Shampoos for animals: (Discussion point)



Criterion 2 – Biodegradability

Assessment and verification: the applicant shall provide documentation for the degradability of surfactants as well as the calculation of aNBDO_{non-surf} and anNBDO for the product. A spreadsheet for use in calculating aNBDO_{non-surf} and anNBDO values is available on the EU Ecolabel website.

For both surfactants and aNBDO_{non-surf} and anNBDO values reference should be done to the DID List. For ingoing substances which are not included in the DID list, the relevant information from literature or other sources, or appropriate test results, showing that they are aerobically and anaerobically biodegradable shall be provided as described in Appendix I.

In the absence of documentation in accordance with the above requirements, a substance other than a surfactant may be exempted from the requirement for anaerobic degradability if one of the following three alternatives is fulfilled:

1. Readily degradable and has low adsorption ($A < 25\%$) or
2. Readily degradable and has high desorption ($D > 75\%$) or
3. Readily degradable and non-bioaccumulating.

Testing for adsorption/desorption may be conducted in accordance with OECD guidelines 106.



Feedback received

Surfactants.

Biodegradability.
Denmark proposes **all surfactants shall be anaerobically degradable**. It still seems as a very awkward distinction not to include anionic surfactants.

a) We support the recognition of the fact that anaerobic **biodegradability is not a factor of environmental concern for readily-biodegradable anionic surfactants** and wonder why the same approach was not applied for readily biodegradable non-ionic and cationic surfactants.
b.ii). surfactants should not be considered.
b.i) and b.ii) **Limits are decreased by 10 – 30%** we fear that not many of the currently Ecolabelled products would meet these limits

No anaerobic criteria (extension of this derogation to all readily biodegradable surfactants).
Readily biodegradable non-ionic and cationic surfactants should also be excluded from this requirement.
Current limits, already very tight, should be kept.

Proposed **limits are adequate both for aNBDO and anNBDO**
As regards **shampoo for animals** we recommend the same limits as shampoos, shower products and liquid soaps.
We are **very please for the introduction of the exemption from the requirement for anNBDO for substances other than a surfactant that are readily biodegradable and not bioaccumulable.**

(non-surf)

Area: Substances and mixtures

Important issues:

- **EU Ecolabel must follow the Ecolabel Regulation 66/2010.**
- The difficulties to develop this have been expressed by some stakeholders
- The stakeholders were asked to provide **specific requests for derogations for certain substances** together with the supportive scientific and technical information which could substantiate this decision. Without this evidence, a derogation cannot be made.
- After 1st AHWG the **derogation requests were** submitted to the project team and consulted
- **No derogation** shall be given to substances classified as substances of very high concern (**SVHC**) –Article 6.7 Ecolabel Regulation 66/2010



New Ecolabel Regulations (EC) No 66/2010

Based on Article 6.6 and 6.7 a restriction is made to:

Substances and mixtures found in the final product that are classified with a certain list of **Hazardous and Risk phrases**

Article 6.7: For specific categories of goods containing substances referred to in paragraph 6, and only in the event that it is not technically feasible to substitute them as such, or via the use of alternative materials or designs, or in the case of products which have a significantly higher overall environment performance compared with other goods of the same category, the Commission may adopt measures to grant derogations from paragraph 6. No derogation shall be given concerning substances that meet the criteria of Article 57 of Regulation (EC) No 1907/2006 and that are identified according to the procedure described in Article 59(1) of that Regulation, present in mixtures, in an article or in any homogeneous part of a complex article in concentrations higher than 0,1 % (weight by weight).



Criterion 3 – Excluded or limited substances and mixtures

a) Specified limited and/or excluded ingoing substances

The following ingoing substances shall not be included in the product, neither as part of the formulation nor as part of any mixture included in the formulation:

- Alkyl phenol ethoxylates (APEOs) and other alkyl phenol derivatives
- NTA (nitrilo-tri-acetate)
- Boric acid, borates and perborates
- Nitromusks and polycyclic musks
- Phthalates: Bis(2-methoxyethyl) phthalate, diisobutyl phthalate (DIBP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP) and bis (2-ethylhexyl)phthalate (DEHP).
- D4 (octamethylcyclotetrasiloxane)
- Butylated Hydroxi Toluene (BHT)



Criterion 3 – Excluded or limited substances and mixtures

a) Specified limited and/or excluded ingoing substances

- The following preservatives: triclosan, parabens (Ethyl-, methyl-, propyl- and butyl-parabens), formaldehyde and formaldehyde releasers (bronopol, 5-bromo-5-nitro-1,3-dioxane, sodium hydroxyl methyl glycinate (SHMG), DMDM hydantoin, diazolidinyl urea and imidazolidinyl urea).
- The following fragrances: Cinnamal, Cinnamyl Alcohol, Citral, Coumarin, Eugenol, Farnesol, Geraniol, Hydroxycitronellal, Hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC), Isoeugenol, Limonene (oxidised), Linalool (oxidised), Chloroantranol and Atranol.
- Ethylenediaminetetraacetate (EDTA) and its salts and non-readily biodegradable phosphonates may only be added to solid soaps and only to a maximum content of 0,6 mg/g AC.

Assessment and verification: *the applicant shall provide a completed and signed declaration of compliance supported by declarations from manufacturers of substances, as appropriate, confirming that the listed substances have not been included in the product.*



Feedback received

- The following preservatives: butyl-parabens), formaldehyde 5-nitro-1,3-dioxane, sodium

We propose to add **nanosilver** to criterion 3a. A lot of experts, universities and other organizations e.g. the German Federal Institute for Risk Assessment (BfR) warn against the use of nanosilver in any Consumer product. Therefore we should mention nanosilver explicitly in the criteria to be clear and transparent - also to consumers.

*We welcome that **fragrance compounds of high risk of sensitization** shall be excluded from ecolabelled products.*

*As the opinion of **SCCS has been finalized and published in June** (http://ec.europa.eu/health/scientific_committees/consumer_safety/docs/sccs_o_102.pdf) we ask to take the final list thereof.*

Therefore we propose following list (the names in Capitals have to be added):

Cinnamal, Cinnamyl Alcohol*, Citral*, Coumarin*, Eugenol*, Farnesol*, Geraniol*, Hydroxycitronellal*, Hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC)*, Isoeugenol*, Limonene (oxidised)*, Linalool (oxidised)*, Chloroantranol and Atranol.*

CANANGA ODORATA** and Ylang-ylang oil, **EUGENIA CARYOPHYLLUS LEAF / FLOWER OIL**, **EVERNIA FURFURACEA EXTRACT, **EVERNIA PRUNASTRI EXTRACT***, **JASMINUM GRANDIFLORUM / OFFICINALEMYROXYLON PEREIRAE**, **SANTALUM ALBUM**, **TURPENTINE (oil)**.*



Feedback received

We miss the **exclusion of isothiazolinone compounds or at least MI (methylisothiazolinone)** which has turn out to be an airborne contact allergen. MI is not classified R43 but Danish research has shown it to be highly problematic with regards to sensitization.

- The following preservatives: triclosan, sodium hydroxide, methylglycine diacetate, EDTA

Isothiazolinones - MI and CMI – should be excluded because they are potent sensitizers.

Ethylenediaminetetraacetate EDTA:

EDTA behaves as a persistent substance in the environment and its contribution to heavy metals bioavailability and remobilization processes in the environment is a major concern. Therefore it **should not be present in products awarded with the Ecolabel**. It was excluded from the very beginning in EU Ecolabel criteria for Detergents.

We think it is a shame that in hard soaps it shall be accepted in the same concentration as in the existing criteria - all the more regarding the fact, that more biodegradable chelants have been introduced the last years, e.g. Methylglycinediacetic acid MGDA (Trilon M) or Ethylenediamine-N,N'-disuccinic acid EDSS.

Therefore we propose to exclude EDTA at all.

of compliance supported by declarations from manufacturers of substances, as appropriate, confirming that the listed substances have not been included in the product.



Criterion 3 – Excluded or limited substances and mixtures b) Hazardous substances and mixtures

According to the Article 6(6) of Regulation (EC) No 66/2010 on the EU Ecolabel, the product or any component of it shall not contain substances meeting criteria for classification with the hazard statements or risk phrases specified below in accordance with Regulation (EC) No 1272/2008 or Directive 67/548/EC nor shall it contain substances referred to in Article 57 of Regulation (EC) No 1907/2006. The risk phrases below generally refer to substances. However, if information on substances cannot be obtained, the classification rules for mixtures apply.

Hazard Statement ¹	Risk Phrase ²
H300 Fatal if swallowed	R28
H301 Toxic if swallowed	R25
H304 May be fatal if swallowed and enters airways	R65
H310 Fatal in contact with skin	R27



Hazard Statement ¹	Risk Phrase ²
H311 Toxic in contact with skin	R24
H330 Fatal if inhaled	R23; R26
H331 Toxic if inhaled	R23
H340 May cause genetic defects	R46
H341 Suspected of causing genetic defects	R68
H350 May cause cancer	R45
H350i May cause cancer by inhalation	R49
H351 Suspected of causing cancer	R40
H360F May damage fertility	R60
H360D May damage the unborn child	R61
H360FD May damage fertility. May damage the unborn child	R60-61
H360Fd May damage fertility. Suspected of damaging the unborn child	R60-63



Hazard Statement ¹	Risk Phrase ²
H360Df May damage the unborn child. Suspected of damaging fertility	R61-62
H361f Suspected of damaging fertility	R62
H361d Suspected of damaging the unborn child	R63
H361fd Suspected of damaging fertility. Suspected of damaging the unborn child	R62-63
H362 May cause harm to breast fed children	R64
H370 Causes damage to organs	R39/23; R39/24; R39/25; R39/26; R39/27; R39/28
H371 May cause damage to organs	R68/20; R68/21; R68/22
H372 Causes damage to organs through prolonged or repeated exposure	R48/25; R48/24; R48/23
H373 May cause damage to organs through prolonged or repeated exposure	R48/20; R48/21; R48/22
Sensitizing substances	
H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled	R42
H317: May cause allergic skin reaction	R43



Criterion 3 – Excluded or limited substances and mixtures

b) Hazardous substances and mixtures – cont.

Note that this criterion also applies to known degradation products such as **formaldehyde releasers**.

Substances or mixtures which **change their properties through processing e.g., become no longer bioavailable, or undergo chemical modification in a way that removes the previously identified hazard** are exempted from the above requirement.

The final product must not be labelled according to the hazard statements above and moreover the final product formulation shall not contain any hazardous substances, or combinations thereof, that result in the formulation being greater than 0.85 of the limit required for classifying dangerous substances as defined within ANNEX II of Directive 1999/45/EC and as required by the Regulation (EC) No 1272/2008 (CLP Regulation).



Feedback received

We think that it's **unnecessary to introduce a further limitation for dangerous substances that result in formulation being greater than 0.85** of the limit required for classifying dangerous substances as defined within ANNEX II of Directive 1999/45/EC and as required by the Regulation (EC) No 1272/2008. This would lead to a too much complicated calculation sheet.

The final product must not be labelled according to the hazard statements above and moreover the final product formulation shall not contain any hazardous substances, or combinations thereof, that result in the formulation being greater than 0.85 of the limit required for classifying dangerous substances as defined within ANNEX II of Directive 1999/45/EC and as required by the Regulation (EC) No 1272/2008 (CLP Regulation).

known degradation products such as

change their properties through processing e.g.,
become no longer bioavailable, or undergo chemical modification in a way that
removes the previously identified hazard

It is very important to emphasize that **cosmetic products is NOT subject to classification** and producers often take offense by the implication that the products should be classified. This should be formulated carefully. Finally, the phrasing “... *being greater than 0.85 of the limit...*” is unclear. 0.85 does that correspond to 85%?



Criterion 3 – Excluded or limited substances and mixtures

b) Hazardous substances and mixtures – cont.

Derogations – for discussion :

Fragrances	H412: Harmful to aquatic life with long-lasting effects H413: May cause long-term adverse effects to aquatic life	R52-53 R53
Preservatives*	H411: Toxic to aquatic life with long-lasting effects H412: Harmful to aquatic life with long-lasting effects H413: May cause long-term adverse effects to aquatic life	R51-53 R52-53 R53
Antifungal, antimicrobial agent: Zinc pyrithione (ZPT)	H400 Very toxic to aquatic life	R50

* Derogation is only for criterion 3)b. Preservatives should comply with criterion 3)e.

For discussion: Derogation of Surfactants classified with R52-53 and H412: Harmful to aquatic life with long-lasting effects when readily biodegradable R52-53



Feedback received

The **derogation for preservatives** should be **(allowed for liquid products only)**.

Derogations. The **derogations** proposed **seems to be relevant**, and shall always be describing to which usage the derogation refers to. With regards to **Zinc pyrithione** is might be relevant to restrain this substance to **anti-dandruff products as only possible usage**.

Derogations for **fragrances**: proposal agreed if the relevant entry in the DID list is amended as proposed by Cosmetics Europe (8.06.12).
For **surfactants** R52/53 (H412) there should be a derogation, as proposed by Cosmetics Europe (6.07.12); without this derogation almost all currently Ecolabelled products would no longer meet the criterion.

Derogation should be granted to surfactants classified H412 (R52/53) according to the 2nd ATP to the CLP Regulation, in force as of 1.12.12.

* Derogation is only for criterion 3)b. Preservatives should comply with criterion 3)e.

We **disagree** with a derogation of **Surfactants** classified with R52-53 and H412.



Criterion 3 – Excluded or limited substances and mixtures

b) Hazardous substances and mixtures – cont.

Assessment and verification: *The applicant shall demonstrate compliance with this criterion by providing a declaration on the non-classification of each ingoing substance into any of the hazard classes associated to the hazard statements referred to in the above list in accordance with Regulation (EC) 1272/2008, as far as this can be determined, as a minimum, from the information meeting the requirements listed in Annex VII of Regulation (EC) 1907/2006. This declaration shall be supported by summarized information on the relevant characteristics associated to the hazard statements referred to in the above list, to the level of detail specified in section 10, 11 and 12 of Annex II of Regulation (EC) 1907/2006 (Requirements for the Compilation of Safety Data Sheets).*

Information on intrinsic properties of substances may be generated by means other than tests, for instance through the use of alternative methods such as in vitro methods, by quantitative structure activity models or by the use of grouping or read-across in accordance with Annex XI of Regulation (EC) 1907/2006. The sharing of relevant data is strongly encouraged.

The information provided shall relate to the forms or physical states of the substance or mixtures as used in the final product.

For substances listed in Annexes IV and V of REACH, exempted from registration obligations under Article 2(7)(a) and (b) of Regulation 1907/2006 REACH, a declaration to this effect will suffice to comply with the requirements set out above.

The applicant shall also demonstrate compliance with this criterion by providing the calculations as required based on the R-phrases/H-statements that apply to the formulation and as indicated using the rules provided by the CLP Regulation.

Criterion 3 – Excluded or limited substances and mixtures

c) Substances listed in accordance with article 59(1) of Regulation (EC) No 1907/2006

No derogation from the exclusion in Article 6(6) of the Regulation (EC) No66/2010 shall be given concerning substances identified as substances of very high concern and included in the list foreseen in Article 59 of Regulation (EC) No 1907/2006, present in the product in concentrations higher than 0.010 % (weight by weight).

Assessment and verification: The list of substances identified as substances of very high concern and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006 can be found here:

http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp

Reference to the list shall be made on the date of application. The applicant shall provide the exact formulation of the product to the competent body. The applicant shall also provide a declaration of compliance with this criterion, together with related documentation, such as declarations of compliance signed by the material suppliers and copies of relevant Safety Data Sheets for substances or mixtures.

We welcome the suggestion but point out that the phrasing should be “... **under the age of 12 years** shall be...” because the term “children” does not cover only up until the age of 3 years. In that case “children” should be left out.

Criterion 3 – Excluded or limited substances and mixtures, d) Fragrances

- (i) Products intended for infants, babies and children under the age of three year should be fragrance-free. Infant, baby and/or children products refers to products that are marketed as designed and intended for infants, babies and/or children or have any of these words on the label/packaging.
- (ii) Any ingoing substance added to the product as a fragrance shall be manufactured and handled following the code of practice of the International Fragrance Association (IFRA). The code can be found on IFRA website: <http://www.ifraorg.org>. The recommendations of the IFRA Standards concerning prohibition, restricted use and specified purity criteria for materials shall be followed by the manufacturer.

For discussion if the list of fragrances excluded already in 3a) should be extended to the following:

- (iii) Fragrances reported as established contact allergens in humans, as indicated in Table 13-1 of the Opinion on fragrance allergens in cosmetic products of the Scientific Committee on Consumer Safety (2012¹), shall not be present in quantities $\geq 0,010\%$ (≥ 100 ppm) per substance in the final product.

Assessment and verification: the applicant shall provide a declaration of compliance.



Criterion 3 – Excluded or limited substances and mixtures d) Fragrances

Table Established fragrance contact allergens of special concern (single chemicals only)

Cinnamal,
Cinnamyl Alcohol
Citral
Coumarin
Eugenol
Farnesol
Geraniol
Hydroxycitronellal
Hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC)
Isoeugenol
Limonene (oxidised)
Linalool (oxidised)
Chloroantranol
Atranol

Source: SCCNFP, 2011



Excluded fragrances mention 15 fragrances substances based on the new SCCS Opinion on fragrance allergens. Is there a reason that the natural extracts fulfilling the same criteria are not excluded?

Feedback received

a) **Fragrances: the SCCS opinion has not yet been followed up by any regulatory measures.** It would, therefore, be premature to refer to it in the revised criteria.

Fragrance-related requirements in the Ecolabel criteria already go further than the legal requirements. **The list of fragrances excluded under 3.a) should not be further extended.**

Fragrances. It is not clear whether or not all the fragrances that has to be declared on the product (required in the Cosmetic and Detergent regulation) are excluded from this product group. They shall all be, and the list shall be supplemented with other fragrances, e.g. those listed in the opinion from SCCS. However, it is important that the **a list in the criteria document includes all fragrances excluded, un the time of finalising the criteria** (as a non-exhaustive list) and a text added refering to fragrances eventually added in e.g. such an opinion.

Denmark supports the exclusion of fragrances as suggested in 3 d), but added to the list of 3 a).

First we **approve fragrance-free requirement for products intended for infants, babies and children.**

As for allergens, we must pay attention about the last definition of established contact allergens in humans list made by SCCS in 2011, Table 13-1 (The Scientific Committee on Consumer Safety – Opinion on fragrance allergens in cosmetic products, December 2011). Actually this list encompasses a much larger number of allergens, and **consequently fragrances will be practically banned from the use in EU Ecolabel cosmetic products.**

Furtherly we don't understand why there is an exclusion of 12 fragrances just listed by SCCS in 2011 at criterion 3a and simultaneously there is also a restriction for all fragrances listed by SCCS in 2011, Table 13-1.

We think that these criteria about fragrances are going to create confusion and lead to negative impacts to EU Ecolabel cosmetic products.



Feedback received

Fragrances reported as established contact allergens in humans, as indicated in **Table 13-1** of the Opinion on fragrance allergens in cosmetic products of the Scientific Committee on Consumer Safety (2012), shall not be present in quantities $\geq 0,010\%$ (≥ 100 ppm) per substance in the final product.

We support this.

The Ecolabel as voluntary scheme should go one step ahead compared to regulatory measures: We should **exclude the most potent sensitizers and we should limit the above mentioned remaining sensitizers to the proposed quantities.**

“The following fragrances”: We welcome that fragrance compounds of high risk of sensitization shall be excluded from ecolabelled products.

As the opinion of SCCS has been finalized and published in June

(http://ec.europa.eu/health/scientific_committees/consumer_safety/docs/sccs_o_102.pdf)

we ask to take the final list thereof.

Therefore we propose following list (the names in Capitals have to be added):

Cinnamal*, Cinnamyl Alcohol*, Citral*, Coumarin*, Eugenol*, Farnesol*, Geraniol*, Hydroxycitronellal*, Hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC)*, Isoeugenol*, Limonene (oxidised)*, Linalool (oxidised)*, Chloroantranol and Atranol.

CANANGA ODORATA and Ylang-ylang oil, EUGENIA CARYOPHYLLUS LEAF / FLOWER OIL, EVERNIA FURFURACEA EXTRACT*, EVERNIA PRUNASTRI EXTRACT*, JASMINUM GRANDIFLORUM / OFFICINALEMYROXYLON PEREIRAE, SANTALUM ALBUM, TURPENTINE (oil).

Criterion 3 – Excluded or limited substances and mixtures

e) Preservatives

- (i) The product may only include preservatives in order to preserve the product, and in the appropriate dosage for this purpose alone. This does not refer to surfactants, which may also have biocidal properties.
- (ii) Preservatives must not release substances that are classified in accordance with the requirements of Criterion 3b or/and are endocrine disrupters .
- (iii) It is prohibited to claim or suggest on the packaging or by any other communication that the product has an antimicrobial or disinfecting effect.
- (iv) The product may contain preservatives provided that they are not bioaccumulating. A biocide is not considered bioaccumulating if $BCF < 100$ or $\log Pow < 3,0$. If both BCF and $\log Pow$ values are available, the highest measured BCF value shall be used.

Assessment and verification: *the applicant shall provide copies of the material safety data sheets of any preservative added, together with information on their BCF and/or logPow values and information on their exact concentration in the product. The manufacturer or supplier of the preservatives shall provide information on the dosage necessary to preserve the product.*



Criterion 3 – Excluded or limited substances and mixtures

f) Colorants

Colorants allowed in the product must not be bioaccumulating. A colorant is considered not bioaccumulating if $BCF < 100$ or $\log Pow < 3.0$. If both – BCF and $\log Pow$ – values are available, the highest measured BCF value shall be used. In the case of colouring agents approved for use in foodstuffs it is not necessary to submit documentation of bioaccumulation potential.

Assessment and verification: *the applicant shall provide copies of the material safety data sheets of any colorants added, or documentation to ensure that the colouring agent is approved for use in foodstuff.*



Criterion 4 – Packaging requirements – Overview

- a) Packaging Impact Ratio (PIR)
- b) Single use products
- c) Requirements on substances used in packaging
 - (i) Substances listed in accordance with article 59(1) of Regulation (EC) No 1907/2006
 - (ii) Phthalates used in plastic packaging
 - (iii) Classified substances used in packaging
- d) Sustainable sourcing of paper and cardboard packaging and paper bleaching process – For discussion, whether this criterion should be kept
- e) Aerosol propellants – **For discussion**
- f) Labelling of packaging
- g) Disassembly of packaging



Criterion 4 - Packaging requirements – Rationale

The **significance of packaging** for this product group was identified in the Life Cycle Assessment performed.

“Packaging has an important load in the overall life cycle impact of the products under study. Based on the LCA carried out on average 22% of products’ impact can be assigned to packaging and packaging waste. Impacts of packaging come mainly from the material used (derived from resources and energy consumed for producing packaging materials). It is thus very important to address the weight, materials and characteristics of packaging in the Ecolabel criteria for this product group in order to minimize its environmental impact.

Relevant issues:

- Stakeholders agreed that the formula should take into account availability of **refillable** and **refill packaging**.
- Explore if **bioplastics and/or biodegradable** plastics for packaging purposes should also be addressed.
- Update and set **stricter limit** for WRC (now substituted by PIR)



Criterion 4 - Packaging requirements – Rationale

Relevant issues (cont):

- **Align the criteria** with the criteria for the **EU Ecolabel Tourist accommodation services Disposable toiletries** (not refillable), such as shampoo and soap.
- **Sustainable sourcing** of packaging materials (e.g. of paper and cardboard).
- Substances of Very High Concern (SVHC) shall not be used (article 6.7 of Ecolabel Regulation 66/2010)
- **Previous specific** packaging requirements for different kinds of material used: plastic, metal, paper and cardboard.
- **Disassembly** and facilitating **recyclability** of packaging.
- Additional requirements regarding **aerosol packaging** –as this type of packaging is used by shaving foams and gels (now included in the scope).



Criterion 4 – Packaging requirements

a) Packaging Impact Ratio (PIR)

The Packaging Impact Ratio (PIR) must be less than 0,2 g (for discussion) of packaging per gram of product for all products except of shaving preparations packed in metal aerosol containers, for which PIR must be less than 0,xx g (for discussion) of packaging per gram of product. PIR shall be calculated as follows:

$$\text{PIR} = \frac{\text{Sum} (W_i + (\text{Wirefill} \times F) + N_i + (\text{Nirefill} \times F))}{(D + (\text{Drefill} \times F))}$$

Where:

W_i – weight of packaging (Primary + proportion of secondary per Stock Keeping Unit (SKU)

Wirefill – weight of refill packaging (Primary + proportion of secondary per SKU)

N_i – weight of Non renewable + non-recycled packaging (Primary + proportion of secondary per SKU)

Nirefill – weight of non-renewable and non-recycled refill packaging (Primary + proportion of secondary per SKU)

D – weight of product contained by the "parent" pack

Drefill – weight of product delivered by the refill

F – number of refills required to meet the total refillable quantity, calculated as follows:



Criterion 4 – Packaging requirements

a) Packaging Impact Ratio (PIR)

F – number of refills required to meet the total refillable quantity, calculated as follows:

$$F = V \times R / V_{\text{refill}}$$

Where;

V – volume capacity of the parent pack

V_{refill} – volume capacity of the refill pack

R – the refillable quantity. This is the number of times that the parent pack can be refilled.

Where F is not a whole number it should be rounded up to the next whole number

For discussion:

A new criterion has to be set for determining the refillable quantity R. In the current criteria R was set to 20 for plastics and 10 for corrugated board unless the applicant can document a higher number. Comparing this factor with other Ecolabels, it appears to be too high.

It is proposed that manufacturer should provide the number of foreseen refillings. It could be proposed that R=5 for plastics and R=2 for cardboard is set as default values.

Criterion 4 – Packaging requirements

a) Packaging Impact Ratio (PIR)

Assessment and verification: *the applicant shall provide the calculation of the PIR of the product. A spreadsheet for this calculation is available on the EU Ecolabel website. The applicant shall provide a completed and signed declaration for the content of recycled or material from renewable origin in the packaging and a description of the refill system offered, if applicable (kinds of refills, volume). For approval of refill packaging, the applicant and/or retailer shall document that the refills will be/are available for purchase on the market.*

Area: Packaging – Packaging Impact Ratio (PIR)

PIR is proposed to substitute the previous Weight Content Relation (WIR) criterion

Important issues:

- following parameters are included: a) refilling, b) non-renewable and non-recycled packaging
- the formula was output after consultation with Cosmetics Europe and the limits are proposed based on preliminary analysis of available data of products
- Biodegradable and degradable plastics are not proposed to be included

Regarding exclusion of biodegradable and degradable plastics:

- The behaviour of biodegradable plastic waste depends on the treatment they have as packaging waste, which can not, nevertheless, be guaranteed in the current situation.



Feedback received

4.a) We support the **PIR formula**; however, the **threshold proposed by the Commission is too low**; For **shaving products in aerosol form a different threshold is needed** (the definition of an “aerosol” in the Aerosol Dispensers Directive includes only non-refillable containers due to safety reasons; furthermore thickness / weight of can material depends on legal requirements for pressure resistance and is already optimised).

R values: **we support the proposal to use default values.**

Proposed value: $PIR \leq 0.28$

a) Packaging Impact Ratio (PIR)

We cannot judge the proposed limits in detail, but as Denmark we fear that **the proposed criteria might be too strict.**

In Austria refills for some liquid soaps are available. For other product groups comprised in this Ecolabel refills are not common.

The proposed limit for **PIR is too low. This limit is linked with part b of this criterion that would lead to the exclusion of the most part of EU Ecolabelled cosmetic products for hotels.** EU Ecolabelled products have been requested a lot by many hotel chains, so they brought positive impact for the environment because they substituted the traditional ones. **These products also gave a boost to the image of EU Ecolabel, increasing its knowledge among consumers.** This new criterion will make many EU Ecolabel license holders to shift to Nordic Ecolabel, we cannot accept this and we think that also European Community wants to avoid this. We have to increase EU Ecolabel products' market share, not the opposite.



Feedback received

Criterion 4a) Packaging Impact Ratio (PIR)

Point in reference to industrial products:

One of our Ecolabel product is classified into the “**LIQUID SOAPS**” category. This product is a cellulose powder on which a liquid cleaning solution is soaked.

The final aspect of the product is a powder. We classified this product in the “Liquid soaps” category as it “runs” by gravity from a dispenser and because the washing-base formula, going at a high rate into the final product, is quite similar to “classical” liquid soaps formulas. This product is in a **powder form**, it obviously has a density much lower than 1 (about 0.50). So packagings are lower filled in terms of weight.

Change PIR ratio from 0.3 g/g to 0.2 g/g will remove many products that have a low density from the ecolabel. Moreover, in the case of **low-density products, the dose of the soap for a similar volume of a product that have a density close to 1, is actually less** (it contains less product in term of weight, same volume because the powder is “aerated”), the discharge into the environment is thus less.

Skepticism for the benefits of refills. This is because the requirements for preservatives are very strict and refilling may then cause a hygienic problem. Focus should be on recycled materials instead. From handling cases of both EU and Nordic Ecolabel show that refill systems are very rarely used. With this in mind the requirement suggested for the limit of PIR seems very strict.

Criterion 4 – Packaging b) Single use products

- request to align with EU Ecolabel criteria for tourist accommodation.

In EU Ecolabel for tourist accommodation services is found (criterion 19):

“unless required by law, disposable toiletries (not refillable) such as **shampoo and soap**, and other products (not reusable), such as shower caps, brushes, nail files, etc. shall not be used. Where such disposable products are requested by law the applicant shall offer to guests both solutions and encourage them with appropriate communication to use the non-disposable products”.

Limits in preservatives makes preserving the product a challenge. **Therefore small packaging are not always bad, since they are used quickly and less preservative is needed.**

Criterion 4 – Packaging

b) Single use products

For discussion (if accepted, to consider if it should be in the section of the product group scope):

Products that are intended for very limited number of washing actions, approximately 4 or less and, in case they are in liquid form, are sold without the option of refilling shall not be awarded the EU Ecolabel. Therefore, a minimum product net weight of 50 ml for liquid soaps, hair conditioners and shampoos and a minimum product net weight of 10 g for solid soaps are required.

Assessment and verification: *The applicant shall provide completed and signed declaration of compliance.*



Criterion 4 – Packaging

c) Requirements on substances used in packaging

The packaging must not contain substances which do not fulfil criterion 3b and 3c.

Assessment and verification: The applicant shall provide completed and signed declaration of compliance. Copies of the Safety Data Sheets shall be provided for all ingredients used in the packaging material (whether substances or preparations) together with a signed declaration prepared by the manufacturer of packaging material showing compliance with this criterion.

For discussion: This requirement may be difficult to comply for recycled material. On this basis an exemption for recycled content can be suggested. Alternatively, recycled material should comply with the requirements given in “proposal option 2” which follows.



Criterion 4 – Packaging

c) Requirements on substances used in packaging

(i) Substances listed in accordance with article 59(1) of Regulation (EC) No 1907/2006

Packaging shall not contain any substances identified as substances of very high concern and included in the list foreseen in Article 59 of Regulation (EC) No 1907/2006, present in mixtures in a product in concentrations higher than 0.010 % (weight by weight).

Assessment and verification: *The list of substances identified as substances of very high concern and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006 can be found here:*

http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp.

Reference to the list shall be made on the date of application. The applicant shall provide the exact formulation of the product to the competent body. The applicant shall also provide a declaration of compliance with this criterion, together with related documentation, such as declarations of compliance signed by the material suppliers and copies of relevant Safety Data Sheets for substances or mixtures.



Criterion 4 – Packaging

c) Requirements on substances used in packaging

Impurities in packaging: **the threshold might penalise recycled materials;**

(ii) Phthalates used in plastic packaging

Only phthalates that at the time of application have been risk assessed and have not been classified according to criterion 3(b) (and combinations hereof) may be used in the plastic packaging.

Assessment and verification: *the applicant shall provide completed and signed declaration of compliance.*

To be
harmonised with
CLP

(iii) Classified substances used in packaging

The packaging material shall not contain substances or preparations exceeding 0,01 % by weight of the final product packaging that are classified as carcinogenic (Carc), mutagenic (Mut) or toxic to reproduction (Rep) including rules for self-classification class III.

Assessment and verification: *the applicant shall provide completed and signed declaration of compliance. Copies of the safety data sheets shall be provided for all ingredients used in the packaging material (whether substances or preparations) together with a signed declaration prepared by the manufacturer of packaging material showing compliance with this criterion.*



Criterion 4 – Packaging

d) Sustainable sourcing of paper and cardboard packaging and paper bleaching process

“use recycled fibres instead of virgin ones”

For discussion, whether this criterion should be kept

Chlorine shall not be used in bleaching processes.

Materials made of wood fibres used for packaging should be demonstrated to be produced from forest managed according to the principles of Sustainable Forestry Management (SFM).

Assessment and verification: *Manufacturers should provide a declaration of compliance with the criterion and provide documentation to prove that forests are managed according to Sustainable Forest Management principles. For verification, certificates of chain of custody for the wood fibers certified as FSC, PEFC or any other sustainable forest management official standard will be accepted as proof of compliance.*



Feedback received

The criterion should apply only to virgin materials (it is not relevant for recycled paper);

d) Sustainable sourcing of paper and cardboard packaging and paper bleaching process

Chlorine shall not be used in bleaching processes.

We support this.

Materials made of wood fibres used for packaging should be demonstrated to be produced from forest managed according to the principles of Sustainable Forestry Management (SFM).

In our opinion rather than primary fibres, even those from sustainable foresting, recycled fibres should be used.

Therefore we propose to discuss about an obligatory percentage of recycled fibres in the packages instead of this criterion.

standard will be accepted as proof of compliance.



Criterion 4 – Packaging

e) Aerosol propellants

We agree, but suggest moving this point to criterion 3 a).

Aerosols containing hydrocarbon propellants shall not be used. – **For discussion**

Assessment and verification: *the applicant shall provide completed and signed declaration of compliance.*

We would like clarification of the rationale behind the exclusion of hydrocarbon propellants (they have a marginal effect on the environment (not classified as dangerous for the environment)).

f) Labelling of packaging

To allow for identification of different parts of the packaging for recycling, plastic parts in the primary packaging must be marked in accordance with DIN 6120, Part 2 or the equivalent. Caps and pumps are exempted from this requirement.

Assessment and verification: *the applicant shall submit a completed and signed declaration of compliance and a sample of primary packaging.*



Criterion 4 – Packaging

g) Disassembly of packaging

All materials in the packaging should be separable by hand (paper, card-board, plastic, metal, glass) for sorting or should be suitable for recycling. Packaging elements such as caps or labels also have to be considered to ensure that these elements do not pose difficulties in recycling processes.

Assessment and verification: *the applicant or packaging producer shall submit a declaration of compliance.*



Feedback received

Packaging requirement. We all know the situation with bad designed packaging and cosmetics. E.g. the bottle of shampoo where it is difficult to get all of the product out. It should be possible to establish a packaging requirement to ensure a minimised content of the product left in bottle. Examples are the possibility of turning the bottle 180 degrees and have it standing so the rest of the product is running down in the cap. As there are no straitforeward examples of how to do it, we suggest a frame criteria, e.g.:

"The packaging of the "product" shall be designed to ensure that the amount of "product" left in the packaging (e.g. bottle) is minimised".

Examples in "consumer raids" of food and non-food products packaging shows sometime up to a waste of 20% of the original content.



Criterion 5 – Sustainable sourcing of palm oil – For discussion

Vegetable ingredients made of palm oil should be made of oil coming from sustainable managed source according to the principle of sustainability for economic, social and environmental aspects.

Assessment and verification: *the applicant shall provide supply-chain-evidence that the ingredients originate from a certified and well managed source and that products are not mixed with products from uncertified sources at any point in the supply chain.*

Certification RSPO would be accepted as evidence, as well as other official certifications if considered sure enough and in conformance with ISO Guide 65/66.

Feedback received

Clarification of ingredients covered is needed.

Criterion 5 – Sustainable sourcing of palm oil

We would be highly interested to establish criteria for sustainable sourcing of palm oil.

We should discuss if RSPO really is a step ahead as a lot of NGOs interested in the issue of palm oil production and the destruction of rainforest are very critical about the RSPO.



Amendment on Annex II -
Guidelines for performance
test are made

Criterion 6 – Fitness for use

The product's fitness for use must be demonstrated either through laboratory test(s) or a consumer test. The test must be in conformity with the guidelines in Appendix II for testing of product efficiency.

Claims placed on the product label and/or packaging shall also be tested.

Assessment and verification: *the applicant shall provide a report from a laboratory test or consumer test documenting satisfactory efficiency of the product and substantiating the claims placed the product label and/or packaging.*



Danish
producers find
that 30 test
persons are
many for a
very subjective
test.

Appendix II – Guidelines for performance test – consumer test

If a consumer test is employed the following guidelines must be followed:

A consumer test must include as minimum of 30 people. The consumers must be asked about the product's efficiency compared to a market-leading product. The questions to the consumers must cover at least the following aspects:

1. How well does the product perform in comparison with the market-leading product?
2. Is the packaging designed in such a way that the desired dosage is easily provided to the user (e.g. the opening is not too wide) in comparison with the market-leading product and the user expectation?
3. How easy is it to apply the product to the hair and/or skin in comparison with the market-leading product?
4. How easy is it to rinse-off the product in comparison with the market-leading product?
5. If the product does not cause consumers any sensitising effects in use and/or after use.

At least 80 % of the consumers must be at least as satisfied with the product as with the market-leading product. All raw data from the test must be specified. Additionally, the test procedure must be described in detail





For discussion:

Claims substantiation

In order to test the claims placed on the product label and/or packaging the approach described in the “Practical guidance on methodology for cosmetic claim substantiation” developed and published by Cosmetics Europe should be followed.

The definition of fitness for use should be included, see Cosmetics Europe proposal (16.02.12): *a product’s fitness for use is the capacity to fulfil its primary function (e.g. cleaning, conditioning) and any secondary functions claimed (e.g. anti-dandruff, colour protection, etc.). Fitness for use should enable a fair comparison of product applications per product category and should especially be related to the definition of use dosages (as per criterion 1).*

We welcome the improved and clearer questions for the consumer test

What kind of claims must be tested? All claims or the ones with relevance for efficiency. Examples would be nice. Note, that a working group in the Commission works with this area under the Cosmetics Regulation.

Claim substantiation is already a legal requirement, therefore the meaning of this paragraph is not entirely clear.



Criterion 7 - User information - Information appearing on the packaging

(a) Information on the packaging / product information sheet

The following recommendations must appear on the packaging, and/or on product information sheet or equivalent.

For discussion, e.g.: “To minimize the environmental impacts of this product apply proper dosage of the product and rationally consume water, in particular hot water”.



Criterion 7 - User information - Information appearing on the packaging

(b) Information appearing on the EU Ecolabel

The logo should be visible and legible. The use of the EU Ecolabel logo is protected in primary EU law. The EU Ecolabel registration/licence number must appear on the product, it must be legible and clearly visible.

The optional label with text box shall contain the following text:

- Reduced impact on aquatic ecosystems,
- Fulfils strict biodegradability requirements,
- Limits packaging waste.

For discussion:

- Fulfils strict environmental requirements on the use of substances or "Minimized use of substances harmful to the environment"

The guidelines for the use of the optional label with text box can be found in the "Guidelines for use of the Ecolabel logo" on the website:

http://ec.europa.eu/environment/ecolabel/documents/logo_guidelines.pdf

Assessment and verification (a-b): the applicant shall provide a sample of the product label and/or product sheet, together with a declaration of compliance with this criterion.

Feedback received

b) in our view, the wording of the 3 + 2 recommended phrases should be better adapted to consumer understanding and to the **personal care** nature of these products (a consumer survey might be useful from this point of view). In addition, as the use phase has a significant impact on the environment, consumers have a very important role to play in reducing this impact. Therefore, we think it is important that the aspect of consumer education be also addressed by products carrying the EU Ecolabel. This could be done by providing sustainable use tips on, for example, the Ecolabel website.

Further discussion of the text in the text box is needed.

(a) Information on the packaging / product information sheet

The following recommendations must appear on the packaging, and/or on product information sheet or equivalent.

For discussion, e.g.: "To minimize the environmental impacts of this product apply proper dosage of the product and rationally consume water, in particular hot water".

We are critical about obligatory user information if it is not really essential. And we are not sure if this is the case for the proposed recommendation



Thank you