Commission Decision (EU) 2020/1803 of 27 November 2020 establishing the EU Ecolabel criteria for printed paper, stationery paper, and paper carrier bag products (notified under document C(2020) 8155) (Text with EEA relevance)

COMMISSION DECISION (EU) 2020/1803

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

After consulting the European Union Ecolabelling Board,

Whereas:

(1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to those products with a reduced environmental impact during their entire life cycle.

(2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.

(3) Commission Decision 2012/481/EU[(2)] established the criteria and related assessment and verification requirements for the product group ‘printed paper’. The period of validity of those criteria and requirements has been extended to 31 December 2020 by Commission Decision (EU) 2018/1590[(3)].

(4) Commission Decision 2014/256/EU[(4)] established criteria and related assessment and verification requirements for the product group ‘converted paper products’. The period of validity of those criteria and requirements has been extended to 31 December 2020 by Commission Decision (EU) 2017/1525[(5)].

(5) In order to better reflect best practice in the market for these product groups and to take account of innovations introduced in the intervening period, it is appropriate to establish a new set of criteria for printed paper, stationery paper, and paper carrier bag products.

(6) The EU Ecolabel Fitness check Report[(6)] of 30 June 2017, reviewing the implementation of Regulation (EC) No 66/2010 concluded on the need to develop a more strategic approach for the EU Ecolabel, including the bundling of closely related product groups where appropriate.

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(7) In line with those conclusions and after consulting the European Union Ecolabelling Board it is appropriate to revise the criteria for the product groups 'printed paper' and 'converted paper products', taking into consideration the current success, stakeholders' interest in the product and potential future windows of opportunity for increased uptake and market`s demand on sustainable products.

(8) Since the two product groups 'printed paper' and 'converted paper products' are closely related and their criteria will overlap, it is appropriate to adopt a single decision with one Annex for both product groups.

(9) The product group name should be modified to 'printed paper, stationery paper, and paper carrier bag products' to better reflect product functionality and ensure the clarity of the products included in the scope. This should also increase the visibility of the schemes for market participants and reduce the administrative burden for national authorities.

(10) In addition, in line with the review, certain modifications should be made to the definition of the product group 'printed paper, stationery paper, and paper carrier bag products', notably to make a clearer distinction between different type of products.

(11) The New Circular Economy Action Plan for a cleaner and more competitive Europe[7] adopted on 11 March 2020 stipulates that the durability, recyclability and recycled content requirements are to be more systematically included in the EU Ecolabel criteria.

(12) The revised EU Ecolabel criteria for printed paper, stationery paper, and paper carrier bag products should aim, in particular, at using paper-based products manufactured in a more sustainable way and sourced from sustainably managed forests or recycled materials. The new criteria should be based on a life cycle analysis approach and aim to promote energy efficient manufacturing processes and to reduce emission of volatile organic compounds (VOCs) that contribute to the photochemical oxidation, human toxicity, abiotic depletion, eutrophication, acidification, and climate change. The revised criteria should restrict the use of hazardous substances, address emissions generated during the printing process, reduce the quantity of paper waste generated in a process and increase product recyclability, which contributes to facilitate the transition to a more circular economy.

(13) The new criteria and related assessment and verification requirements for each product group should remain valid until 31 December 2028, taking into account the innovation cycle for the two product groups.

(14) For reasons of legal certainty, Decisions 2012/481/EU and 2014/256/EU should be repealed.

(15) A transitional period should be allowed for producers whose products have been awarded the EU Ecolabel for printed paper products, or converted paper products, on the basis of the criteria set out in Decision 2012/481/EU or Decision 2014/256/EU respectively, so that they have sufficient time to adapt their products to comply with the new criteria and requirements. For a limited period after adoption of this Decision, producers should also be allowed to submit applications based either on the criteria

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established by those Decisions or on the new criteria established by this Decision. EU Ecolabel licences awarded in accordance with the criteria set out in one of the old Decisions should be allowed to be used for 18 months from the date of adoption of this Decision.

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

HAS ADOPTED THIS DECISION:

Article 1

1 The product group ‘printed paper, stationery paper, and paper carrier bag products’ shall comprise the following products:

a printed paper products that consist of at least 90 % by weight of paper, paperboard or paper-based substrates, except for books, catalogues, booklets or forms that shall consist of at least 80 % by weight of paper or paperboard or paper-based substrates. Inserts, covers and any printed paper parts of the final product shall be considered to form part of the product except for non-fixed inserts (such as flyers, removable stickers) that are sold or provided with printed paper products. If the EU Ecolabel is intended to be placed on non-fixed inserts, they shall fulfil the requirements of the Annex to this Decision. Fixed inserts to the printed paper product (not intended to be removed) shall fulfil the requirements of the Annex to this Decision;

b envelopes that consist of at least 90 % by weight of paper, paperboard or paper-based substrates;

c paper carrier bags, including wrapping paper, that consist of 100 % by weight of paper, paperboard or paper-based substrates;

d stationery paper products, including filing products, that consist of at least 70 % by weight of paper, paperboard or paper based substrates, except for suspension files and folders with metal fastener to which the threshold does not apply.

2 For products referred to in point (a) of paragraph 1 that shall consist of at least 80 % by weight of paper or paperboard or paper-based substrates and for products referred to in point (d) of paragraph 1, the plastic component cannot exceed 10 % by weight, except for ring binders, exercise books, notebooks, diaries, and lever arch files where the plastic weight cannot exceed 13 %.

3 The metal weight cannot exceed 30 g per product, except for suspension files, folders with metal fasteners, ring binders and lever arch files having a filing capacity of up to 225 sheets where it can be up to 75 g and except for lever arch files having a filing capacity of more than 225 sheets, where it can be up to 170 g.

4 The product group ‘printed paper, stationery paper, and paper carrier bag products’ shall not include the following products or materials:

a packaging and elements adhered to packaging such as labels (with the exception of paper carrier bags and wrapping paper);

b corrugated board;

c food contact materials and articles intended to come into contact with food that constitutes the subject matter of article 1 of Regulation (EC) No 1935/2004of the European Parliament and of the Council[8];

d products falling within the product group 'tissue paper and tissue products' as defined by Article 2 in Commission Decision (EU) 2019/70[9];

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e fragranced printed paper products, fragranced stationery paper products, and fragranced carrier bags;

f polyvinyl chloride (PVC).

Article 2

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

(1) 'binders' means paper-based products used for storing of documents or magazines and consisting of a cover, usually made of board, with rings for holding loose papers together, including ring binders and lever arch files;

(2) 'books' means yarn-bound or adhesive-bound printed paper products with hard or soft covers, not including annual reports, journals, brochures, magazines, and catalogues published on a regular basis;

(3) 'filing products' mean product used for organization, storage and protection of paper documents, including suspension files and lever arch files;

(4) 'folder' means a folding case or cover used for storage of loose papers including products including indices and dividers, document wallets, square cut folders, suspension files, cardboard boxes and 3-flap folders;

(5) 'insert' means an extra leaf or section, printed independently from the printed paper product which is either placed within the pages of a printed paper product and may be removed (non-fixed insert) or bound into the pages of the printed paper product and thus form an integral part thereof (fixed insert) including multipage advertisements, booklets, brochures, reply cards, or other promotional materials;

(6) 'packaging' means all products made of any material of any nature to be used for the containment, protection, handling, delivery or presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer;

(7) 'paper carrier bags' mean paper-based products used for the handling or transportation of goods.

(8) 'printed paper product' means product bearing the printed image resulting from the processing of a printing material printed onto paper and including finishing.

(9) 'stationery paper products' mean writing and filing materials made of paper, including envelopes and office materials;

(10) 'wrapping paper' means a paper sheet or roll used for wrapping items such as gifts and parcels;

Article 3

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

Article 4

The EU Ecolabel criteria for the product group 'printed paper, stationery paper, and paper carrier bag products' and the related assessment and verification requirements shall be valid until 31 December 2028.

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Article 5

For administrative purposes, the code number assigned to the product group 'printed paper, stationery paper, and paper carrier bag products' shall be '053'.

Article 6

Decisions 2012/481/EU and 2014/256/EU are repealed.

Article 7

1 Notwithstanding Article 6, applications submitted before the date of adoption of this Decision for the EU Ecolabel for the product group 'printed paper' as defined in Decision 2012/481/EU shall be evaluated in accordance with the conditions laid down in Decision 2012/481/EU.

2 Notwithstanding Article 6, applications submitted before the date of adoption of this Decision for the EU Ecolabel for the product group 'converted paper products' as defined in Decision 2014/256/EU shall be evaluated in accordance with the conditions laid down in Decision 2014/256/EU.

3 Applications for the EU Ecolabel for products falling within the product group 'printed paper, stationery paper, and paper carrier bag products' submitted on or within two months from the date of adoption of this Decision may be based either on the criteria set out in this Decision, or on the criteria set out in Decision 2012/481/EU for product group 'printed paper', or in Decision 2014/256/EU for product group 'converted paper products', as applicable. Those applications shall be evaluated in accordance with the criteria on which they are based.

4 EU Ecolabel licenses awarded on the basis of an application evaluated in accordance with the criteria set out in Decision 2012/481/EU or Decision 2014/256/EU may be used for 18 months from the date of adoption of this Decision.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 27 November 2020.

For the Commission

Virginijus SINKEVIČIUS

Member of the Commission