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EEB and BEUC comments on the EU Ecolabel for wood, cork and bamboo based floor coverings (draft proposal January 2016)

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Scope and definition

The EEB and BEUC would prefer to set the minimum content of wood at 90% to limit substances with harmful effects to human health and that undermine recycling. Given that 80% is a common reference for wood in laminates, NGOs could accept this lower limit as a compromise provided that:

- This threshold is not further lowered as suggested during the second AHWG meeting.
- Hazardous substances are strictly limited, including halogen organic compounds.
- Resilient flooring or vinyl floorings are explicitly excluded from the scope.

It is crucial to avoid any hazardous substances that undermine recycling processes and remain in the recycled material affecting consumers' health during the second life of the material. The EU Ecolabel can contribute to a non-toxic environment and to a more sustainable and circular economy by increasing the recycling potential of the products through better design.

| | Current text | Comment and proposed changes |
|--|--|---|
| Article 1 | [...] <i>Synthetic fibres are not permitted in any of the composing layers.</i> | It should be clearly stated that resilient floorings or vinyl floorings are not permitted in any of the composing layers, Add: "Neither resilient floorings". |
| Article 2. Definition 16. "Wood-based materials" | <i>It also refers to composite materials made from wood-based panels coated by plastics, or laminated plastics, or other coating materials and finished/semi-finished wood-based panels.</i> | This provision is not necessary if the intention is to englobe laminates. The clause opens the option to include hybrid vinyl coating, which cannot be in the category of wood based floor. It is not acceptable to include plastic based floorings within the definition of wood-based materials, since they are another group of products, have different qualities and it can be misleading for consumers. Delete or change to: "wood-based materials" are commonly covered by an overlayer as a finishing varnish in the manufacturing process of laminates. |

Criterion 3: Hazardous substances

Criterion 3.b.

The EEB and BEUC strongly urge the JRC to delete criterion 3.b which introduces loopholes that seriously undermine the aim of criterion 3. The objective of criterion 3 is to limit hazardous substances in the final product and in its component parts, but this is compromised through the provisions set in 3.b.

Subcriterion 3.b allows the use of restricted substances if they are used in quantities that amount to less than 0.1% in the total weight of the floor covering. Such possibility is contradictory with the restriction of hazardous substances above 0.1% in the final product and in its layer of the covering (see amendments in yellow in first paragraph of criterion 3 and 3.a).

Subcriterion 3.b permits the intentional use of hazardous substances when they are in concentrations below 0.1%. This is unacceptable, it goes against the objectives of the EU Ecolabel Regulation and the outcome of the horizontal task force on chemicals. It cannot be possible to allow the intentional use of, for example, carcinogenic substances when they are below 0.1%. Pragmatically, it was accepted to refer to the 0.1% threshold for the restriction of hazardous substances, because this is the reference used through REACH. Manufacturers must communicate if SVHC are above 0.1% in articles or components. However, the primary objective is to avoid their use if there are substitutes available. The intentional use of hazardous substances must not be allowed at concentrations below 0.1%, unless specific derogations are introduced when there are no alternatives.

| | Current text | Comment and proposed changes |
|------------------------------------|--|------------------------------|
| Criterion 3.b | <p><i>Criterion 3.b (...) However, the use of such restricted substances shall be permitted if one or more of the following conditions apply:</i></p> <ul style="list-style-type: none"> - <i>that the restricted substance or mixture was used in quantities that amount to less than 0.10% of the total weight of the floor covering and/or</i> - <i>that the restricted substance changes its properties upon processing (e.g. becomes no longer bioavailable or undergoes chemical reaction) so that the restricted CLP hazards no longer apply and that any unreacted residual content of the restricted substance is less than 0.10% of the total weight of the floor covering</i> | Delete |
| Assessment and verification | <p><i>"(iii) If a supplier prefers not to disclose the substances of a mixture to the applicant, the information can be sent directly by the supplier to the Competent Body"</i></p> <p>Not acceptable as the Article 33.1 of REACH regulation makes it compulsory for suppliers to communicate information on substances in the articles. The applicant cannot be hidden information about substances present in the material they buy. If they do not have access to this information, enforcement authorities should act.</p> | Delete |

Criterion 4. Specific substance requirements

| | |
|---|--|
| <p>Criterion 4.a. Contaminants in recycled wood, cork and bamboo</p> | <p>BEUC and the EEB strongly recommend to increase the ambition level and further limit the concentration of contaminants in recycled wood. The proposed values, are not stringent enough compared to the German recycled Wood Directive (Altholzverordnung) and the requirements set in the Naturplus label. The limits are from 2 times up to 20 times higher (please see Annex I).</p> |
| <p>4.b) Biocidal products</p> | <p>The criterion allows the use of biocidal products for in-can preservation, but it does not establish any provisions to limit health and environmental impacts. NGOs strongly encourage the JRC to further develop the requirement and specify that these biocidal products must have been authorised under Biocides Directive, as done in other EU Ecolabel product groups.</p> <p>NGOs highly welcome that biocidal products cannot be used to treat the wood, cork and/ or bamboo of the floor coverings.</p> |
| <p>4.g) Halogenated organic compounds</p> | <p>The EEB and BEUC strongly support the inclusion of this criterion, in line with the Blue Angel and the Nordic Swan.</p> <p>It is important to restrict these compounds to facilitate future recycling and reduce environmental impacts during disposal or incineration.</p> <p>This criterion can exclude vinyl floorings. It is very important for the credibility of the scheme, to have provisions in this respect, given the increased market penetration of these type of floorings which should not be awarded the EU Ecolabel.</p> |
| <p>Flame retardants</p> | <p>Use of flame retardants must be restricted as in the previous draft.</p> |

Criterion 7. Emissions of formaldehyde from the floor covering

BEUC and the EEB strongly call for an additional provision that will limit formaldehyde emissions also at the level of the core board to 50% of E1. The current proposal set strict limits for formaldehyde, but this is done only for the final product not for the core board.

Tests performed by consumers organisations evidence that it is possible for the end floor covering to comply with a lower value of formaldehyde emissions (50% of E1) even though the core board used in the manufacturing has higher emissions (E1). Experts from the laboratories suggest that this can be achieved through the sealed provided by the finishing layer on top. However, higher emissions of formaldehyde to the air from the core board can occur because of floor degradation during use or at the disposal stage. This has a very negative impact on indoor air quality. The restriction of

formaldehyde in the core board is crucial considering recent processes of hazard reclassification and further restrictions under discussion.

Formaldehyde has been re-classified as Carcinogenicity Cat 1B (not restricted to inhalation route) and Mutagenicity (germ cells) Cat 2 since April 2015. Future restrictions through REACH cannot be excluded, including its use in floor coverings. It is essential for the EU Ecolabel to deliver strict criteria for the core board that take account of these developments. That would be in line with the requirements set by the Blue Angel for particle and fibre boards to achieve his ecolabel and would also contribute to differentiate EU Ecolabelled products in terms of marketing.

NGOs propose to divide the criterion in two parts for clarity reasons and mention explicitly that:

- Only core boards certified with formaldehyde emissions lower than 50% E1 shall be bought by the manufacturer of wooden floor coating and shall be allowed to be used in ecolabelled products. Assessment can be done through suppliers certificates.
- In addition, the final product shall not have formaldehyde emissions higher than 50% E1. This is what the criterion already proposes. Assessment is to be done through tests.

Criterion 6. VOC emissions should be reduced

BEUC and the EEB highly welcome this criterion but recommend to increase its ambition level. The limits proposed in the current version are more than 10 times higher than proposal presented in May 2015 and results from studies carried out by consumer organisations show that lowering the values is possible.

Several European consumer organisations made comparative tests on 20 laminate floors present on the European market. This study revealed an average value for TVOC of 0.023 mg/m³ and a maximum amount of emissions of 0.050 mg/m³. This demonstrates that products existing on the market can comply with the requirements of 0.16mg/m³ TVOC emissions¹. Setting strict limits will contribute to make ecolabelled products stand out as the environmentally best performing products on the market. The EU Ecolabel products have to remain frontrunners in the market and pave the way for better products profiles.

Criterion 8. Fitness for use

BEUC and the EEB strongly call for reintroducing class 32 for both private and commercial use, as this is a better standard for durability and its use is widespread.

The introduction of a separate class for private use, class 22, will not help to differentiate ecolabelled coverings in terms of durability, since the standards for this class are much weaker than those of class 32 in terms of resistance. Class 32 guarantees the product's resistance, durability and therefore an expanded product lifetime and its use is widespread.

¹ See OCU-Compra Maestra, September 2015.

Class 32 is most often recommended to consumers by the staff working in building supply stores. Even big manufacturers like Quick Step in the United Kingdom advertises their laminate floors by making reference to the class 32 on their website².

Last but not least, it is preferable to set a unique class for durability given that it is not possible to control whether the covering will be given a commercial or private use.

² <http://www.quick-step.co.uk/Articles/Quality-standards-for-laminate-flooring>.

Annex I. Comparison of limits of hazardous chemicals present in recycled wood in the EU Ecolabel proposal, the German recycled Wood Directive, the Austrian Recycled Wood Directive and the Naturplus test parameters

| Elements and compounds | Ecolabel suggestion EPF limit values | German recycled Wood Directive (Altholzverordnung) | Austrian Recycled Wood Directive (Recyclingholzverordnung) ³ | Naturplus Test parameters |
|--|---|---|--|--|
| | (mg/kg of total dry panel) ¹ | mg/kg of total dry matter (shreds/shavings) ² | mg/kg of total dry matter (shreds/shavings) ² Median (Also an 80er Perzentil-Value has been established) | Testing of the uppermost 2 mm of the surface layer mg/kg |
| Arsenic | 25 | 2 | 1,2 | ≤5,0 |
| Cadmium | 50 | 2 | 0,8 | ≤ 0,5 |
| Chromium | 25 | 30 | 10 | ≤5,0 |
| Copper | 40 | - 20 | | ≤ 20,0 |
| Lead | 90 | 30 | 10 | ≤ 5,0 |
| Mercury | 25 | 0,4 | 0,05 | ≤ 0,1 |
| Fluorine | 100 | 100 | 15 | |
| Chlorine | 1000 | 600 | 250 | |
| Zinc | | | 140 | |
| Organic chlorinated substances (total amount) (including PCP, TeCP) | | | | |
| Chloropesticides: Pentachlorophenol, Tetrachlorophenol, γ-HCH (Lindane), HCH-Isomere, Endosulfane, Dichlofluanid, Chlorthalonil, DDT, DDD, DDE, Aldrin, Dieldrin, Endrin, Heptachlor, Chlordan, HCB, Mirex | PCP – 5 | | | ≤ 0,5 |
| Pyrethroids: Cyfluthrin, Cyhalothrin, Cypermethrin, Deltamethrin, Fenvalerate, Lambda-Cyhalothrin, Permethrin | | | | ≤ 0,5 |
| Others: Imalizil, Isoxaben, Simazine | | | | ≤ 0,5 |
| Polychlorinated Biphenyls (PCBs) | | 5 | | ≤ 0,5 |
| Sum of PAK (EPA) | | | 2 | |

³ <http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007830>,
Thresholds from 15.5.2015

