

**REVISION OF THE EU ECO-LABELLING SCHEME****UNICE COMMENTS**

UNICE has been informed of progress in the Council on Revision of the European Eco-labelling Scheme and would like to provide you at this early stage with its comments.

**General Considerations**

European Business supports the objective of sustainable consumption by providing the consumer with more and more accurate information.

UNICE acknowledges the role to be played by environmental NGOs and consumer organisations in the decision making process for the award of Community eco-labels (Recital 4a) but considers that business also has a crucial role to play in that process and in making the scheme efficient.

**Objectives and Principles (Article 1)**

UNICE agrees with the need to ensure that the Community eco-label award scheme is consistent and coordinated with the priorities of Community environment policy.

**Procedures for the establishment of eco-label criteria and assessment and verification requirements (Articles 3, 5, 13 and Annex IV)**

UNICE does not like the idea of having an "elitist" scheme. Experience has shown that having too "elitist" a system does not in the end produce any environmental benefits.

In previous position papers UNICE has already stated that it is not in favour of creation of a private independent body which would take final decisions as to attribution of the different criteria for a specific product group. UNICE believes that the Council's proposal regarding creation of a European Union Eco-labelling board (EU-EB) is more appropriate as it would involve participation of the Consultation Forum and Competent Bodies. Nonetheless, there is a need for clarification of the meaning and interpretation of the German Presidency's proposal as to the exact role and mandate of the EU-UB, the Advisory Committee as such and the Forum's rules of procedures.

**The Eco-label (Article 7)**

6. UNICE would like to suggest addition to Article 7 of the Commission's intention to consult also interested parties such as business, on assessment of the effectiveness of the label.

**Promotion of the eco-label (Recital 10, Article 10)**

7. UNICE is very much in favour of public authorities providing the public with more information on the European Eco-labelling Scheme. However, UNICE feels that the wording is not accurate and would propose the following change: "Whereas it is necessary to provide more information on the label about the reasons for the award in order to assist consumers in understanding the *justification* for the award, whereas such additional information should comply with the same rules as the environmental self-claims and conform to the relevant international standards" (Recital 10). Moreover, UNICE would request that per product group a choice should be made as to whether or not to provide any additional information apart from the logo itself.

UNICE questions the recommendation in Article 10 since a single public procurement market does not yet exist, bearing in mind the different interpretations of eco-label requirements in Member States and given the fact that different uses of eco-labels between Member States could prevent the development of a single market in public procurement. This would furthermore jeopardise the voluntary character of the EU Eco-labelling Scheme and progressively make it, de facto, mandatory, thus leading to discrimination amongst products.

### **OTHER ECO-LABEL SCHEMES IN THE MEMBER STATES**

UNICE would like to recall that the Commission's initial approach to European eco-labelling sought to avoid creation, and consequently a proliferation of national and/or regional labels, as set out in recitals 4 to 7 of Regulation 880/92. UNICE is concerned that the Council and the European Parliament are moving away from the initial position and endorsing the co-existence of eco-labels issued under public and private schemes in individual Member States. UNICE reiterates its statement that this recognition of national schemes undermines the *raison d'être* for establishment of a European Eco-labelling Scheme.

### **Exemptions**

UNICE strongly supports the Commission and the European Parliament in excluding medical devices from the scope of the new revised scheme in addition to food, drinks and pharmaceuticals.

### **Annex II – Methodological requirements for selecting key environmental aspects**

UNICE welcomes the process described in Annex II for identifying and selecting key environmental aspects including a market study, a life-cycle analysis - provided it is conducted in accordance with the most recent standards agreed upon at international level - and a technical, economic and market analysis for environmental improvement corresponding to the various options available. However the current wording of what is understood by "improvement analysis" is unclear and should be tightened up.

### **Annex III - Description of the eco-label**

UNICE draws Council Ad'Hoc Working Group's attention to the fact that the word "guarantees" in Box 1 is a rather absolute term which also may invoke liability questions. We suggest use of a word like "*identifies*".

Concerning Box 2, UNICE requests that it should be made possible that per product group a choice can be made as to whether to add any information provided to the final consumer apart from the logo itself. The current wording in this annex should be reworked.

### **Annex V- Fees**

Regarding fees, UNICE does not want to see rates that discriminate between different companies.

### **Conclusion**

UNICE calls on the Council ad-hoc working group members to review its proposal on the basis of comments in this position paper, and is willing to explain these comments in greater detail with a view to realistic and balanced development of EU Eco-labelling.