



PAPER CRITERIA FOR THE EU ECOLABEL - EEB AND BEUC COMMENTS AFTER THE 4TH WORKING GROUP MEETING (13.04.2010)



Prepared by Lukas Hammer, 19 April 2010

➔ MANDATORY REQUIREMENT for the use of RECYCLED FIBRES

EEB and BEUC call for a mandatory requirement for the use of recycled fibres. We therefore suggest adding the following wording to point 3 “Fibres - Sustainable Forest Management”:

3. (a) The fibre raw material in the paper shall be at least 80% recycled fibre.

Rationale:

“The long-term goal is for the EU to become a recycling society that seeks to avoid waste and uses waste as a resource. With high environmental reference standards in place the internal market will facilitate recycling and recovery activities.”¹

The best paper from an environmental perspective is made by 100% recycled fibres:

- Paper with 100% recycled content use no virgin fibers from forests. Given that about 42% of the harvested wood for “industrial uses” is used to make paper² the increased use of recycled fibres contributes in the fight against deforestation and climate change (forests store 50% of the world’s terrestrial carbon).
- Additionally, compared to using virgin wood, paper made with 100% recycled content:³
 - uses **44%** less energy
 - produces **38%** less greenhouse gas emissions
 - produces **41%** less particulate emissions
 - produces **50%** less wastewater
 - produces **49%** less solid waste

¹ COM(2005) 666 final: COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS "Taking sustainable use of resources forward: A Thematic Strategy on the prevention and recycling of waste", page 6

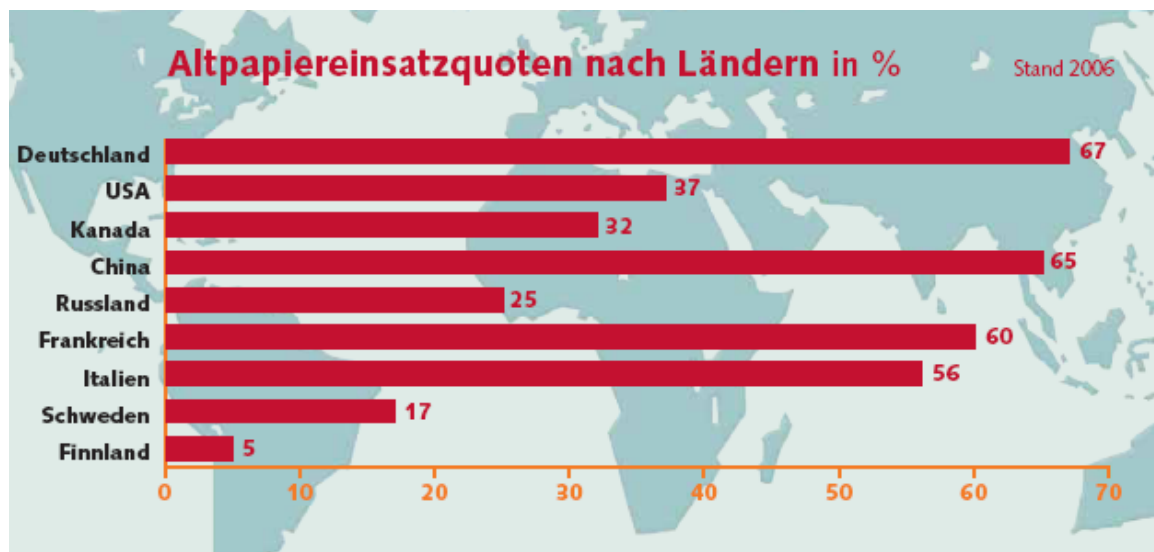
² Abromovitz and Mattoon, Worldwatch Paper: Paper Cuts, p. 20, 1999

³ Compared to groundwood paper. Source: The State of the Paper Industry Monitoring the Indicators of Environmental Performance. <http://www.environmentalpaper.org/stateofthepaperindustry/>

- The environmental benefits of using recycled fibres instead of virgin fibres have been clearly demonstrated by different life cycle assessments. For instance, the LCA study⁴ published by the German Environmental Protection Agency in 2000 clearly shows that the environmental advantages of producing press paper from recycled fibre are greater than the use of virgin fibres. The environmental advantages of using recycled fibres, such as lower levels of AOX (80 times) compared to kraft pulp processes, are also highlighted in the Reference Document on Best Available Techniques in the Pulp and Paper Industry (2001),⁵.

The background document states that “*the amount of recycled paper cannot cover the total paper demand in Europe*” and that “*there would be no recycled paper without having paper made from virgin fibres*”. Therefore “*both types of paper need to be purchased*”.

This argumentation would only be valid for mandatory Ecodesign requirements for paper products but appears very strange for a voluntary label that refers to the 10-20% best performing products on the market (as it is ruled in the revised Regulation). Furthermore, **paper industries in many countries could still dramatically increase the use of recycled fibres**: According to the German Pulp and Paper Association⁶, the Finish paper industry uses only 5% of recycled pulps (Sweden 17%) which means that there is no threat of insufficient supply of virgin fibres for the paper market.



Use of recycled paper in overall paper production, 2006

As long as rates for separate collection and recycling of paper in the EU do not even reach two thirds of all discarded paper, efforts to increase these rates are still

⁴ Life Cycle Assessment for Graphic Papers. Environmental Comparison of recycling and disposal processes for used graphic paper, and or paper products for newspaper and magazine publishing and photocopying, German Federal Environmental Agency 2000.

⁵ Integrated Pollution Prevention and Control (IPPC) Reference Document on Best Available Techniques in the Pulp and Paper Industry, European Commission 2001

⁶ Fact sheet by the Verband Deutscher Papierfabriken (VDP): Papier Recyclen, <http://www.vdp-online.de/pdf/Papierrecyclen.pdf>

urgently needed. Even environmental front runners in the EU could still significantly increase their collection rates. Finland, for example, separately collects only about half of its paper waste - with the rest going into landfill or incineration. In other countries like Bulgaria or Romania nearly 100% of the paper is still dumped on landfills.

Achieving the highest possible recycling rates are not only in line with all European natural resource strategies and waste policies but are also justified by conclusive LCA findings as reported by the European Environment Agency (EEA): “...the results from the nine LCA studies, produced in different geographical areas and including in different degrees the key assumptions mentioned, all indicate that recycling results in less overall environmental impacts than both landfilling and incineration.”⁷

Market-based tools like the EU Ecolabel should be a driver in the right direction. Not requiring the use of recycled fibres would not only be a missed opportunity to set the Ecolabel as a benchmark for paper products but would also undermine the EU’s effort to move towards a “recycling society” which is the aim of the Thematic Strategy on Sustainable Use of Natural Resources (COM 2005/670).



AMBITIOUS REQUIREMENTS FOR VIRGIN FIBRES

EEB and BEUC call to significantly strengthen the requirements on the origin of virgin fibres. We therefore propose the following wording:

Fully certified products and requirement for sustainable managed forests

3. (b) All virgin fibres must be certified by third party certification schemes. The certificate has to prove that a minimum of 70% of the fibers originate from legal and sustainable forest management and no wood from sources listed in point (c) will be used.

Rationale:

As the EU Ecolabel is meant to represent the best in the respective sectors, EEB and BEUC have supported - from the beginning - a requirement for **fully certified products**, where at least 70% of the fibres come from sustainable forest management and the rest does not originate from non-controversial sources. **This will simplify the requirements for assessment and verification of compliance, since all credible certification schemes already have a threshold of 70%⁸ for timber originating from sustainable sources and provisions to ensure that the remaining does not come from controversial sources.**

⁷ http://www.eea.europa.eu/publications/technical_report_2006_5

⁸ PEFC rules (PEFC ST 2001:2008) require 70 % of PEFC certified material and the rest shall not originate from controversial sources. In the case of FSC, there is a transitory reduction of the percentage of chip and fibre products originating from certified sustainable managed forests from 70% to 50% which should apply until 31st of December 2010 (FSC Note FSC-ADV-40-004 1-0 EN). FSC UK explains that by the end of 2010 this percentage should be raised again to 70%, in line with the existing requirements for solid wood.

Requesting 100 % certified fibres is justified through data and facts provided in the Forest Product Annual Market Review 2005/2006 (UNECE, 2006), which reflects that 50% of the Western European forests are certified. This report also shows that the current potential supply of certified forest products exceeds actual demand in many markets: “downstream industries do not usually ask for commodity products to be certified, hence potential supply of CFPs (certified forest products) exceeds actual demand in many markets, especially of PEFC-certified CFPs. An additional constraint impeding awareness of CFPs among the public is that most companies did not communicate that their products were certified”.⁹

Current timber procurement policies like in the UK, Netherlands and Denmark include requirements for all wood to come from legal and sustainable sources. The Ecolabel should not lag behind.

Requirements for certification schemes

3. (c) In addition to the criteria listed in paragraph 15 of the *Council Resolution of 15 December 1998 on the Forestry Strategy for the EU and further development*, the certification schemes shall also:

- Ensure balanced participation of a broad range of stakeholders (including environmental and social NGOs) in governance and standard setting, with a decision process that is based on consensus
- Ensure certification at management unit level
- Ensure that a period revision of the standard, but also of the standard-setting, certification and accreditation procedures is integrated in the system
- Guarantee that wood from genetically modified trees as well as wood from conversion of forests to other land use cannot be certified as sustainable;

Rationale

To ensure that Ecolabel does not become irrelevant it has to guarantee that only credible and independent forest certification schemes will be allowed. In this regard reference to the criteria listed in paragraph 15¹⁰ of the EU Forestry Strategy is not strong enough.

Exclusion of fibres that come from controversial sources

3. (d) Certification schemes shall ensure that the fibers and wood do not:

⁹ UNECE (2006). Forest Product Annual Market Review 2005/2006. pg 103

¹⁰ See Annex I

- Originate from areas where there is a dispute concerning land-rights
- Be illegally sourced, including wood that is harvested, traded or transported in a way that is in breach with applicable national law and international treaties (such regulations can for example address CITES species, money laundering, corruption and bribery).
- Come from protected areas or areas in the official process of designation for protection
- Originate from genetically modified trees (genetically modified is defined by Directive 2001/18/EC on the deliberate release of genetically modified organisms in the environment).
- Originate from areas being converted from forests and other wooded ecosystems to plantations or non-forest use
- Originate from High Conservation Value Forests, if not certified. HCFV are forests that possess one or more of the following attributes:
 - I. forest areas containing globally, regionally or nationally significant: concentrations of biodiversity values (e.g. endemism, endangered species, refugia); and/or large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance
 - II. forest areas that are in or contain rare, threatened or endangered ecosystems
 - III. forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control)
 - IV. forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health) and/or critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities)

Rationale:

This proposal aims to further specify the requirements that are already in the draft proposal but also to add some important controversial sources that should be excluded. Additionally, we propose adding requirements that are not directly related to environmental impacts but to “*social and ethical aspects*” as referred to in Article 6.5 of the Ecolabel Regulation.

Additionally, we propose the following changes to the assessment and verification requirements (changes highlighted in grey):

Assessment and verification:

The applicant shall provide appropriate documentation from the paper supplier indicating the types, quantities and precise origins of fibres used in the pulp and the paper production. The origin of the fibres shall be indicated with sufficient precision to allow checks, where appropriate.

If virgin fibres from forests are used, the product needs to be covered by a valid chain of custody certificate. The chain of custody certificate shall be issued in the applicant's name and cover the products under application. The applicant shall be able to demonstrate that systems are in place and functioning. The organisation that is supplying the chain of custody certificate should be accredited to audit against the certification schemes



ADDITIONAL REQUIREMENT for WITHDRAWING the LICENSE

We believe that Competent Bodies should have the possibility to withdraw the Ecolabel license from a paper producer if the company is involved in illegal or very controversial activities with negative environmental and/or social impacts. Especially for paper products, it is nearly impossible to trace back breaches of environmental law to the final product and to prove that the Ecolabel criteria had been breached. Therefore it is necessary that producers may lose all their Ecolabel licenses if their company or sub-company is involved in any problem that is related to the Ecolabelled product. To give an example, a paper producer that is convicted of illegal logging activities should lose all EU Ecolabel licenses even if it cannot be proven that the illegal logged wood was found in the final Ecolabelled product.

Therefore, we propose the following wording

The company or sub-company of the applicant shall not be linked in illegal or controversial logging activities as defined in point 3 (d) or any other serious breaches of environmental law related to the production of pulp and/or paper. The applicant agrees that the license can be withdrawn even if the illegal or controversial activity can not be directly related to the Ecolabelled product.

Assessment and verification:

Upon the initiative of an EUEB member, the EUEB shall discuss if there is sufficient evidence to withdraw the EU Ecolabel license(s) from a producer. Taking into consideration the opinion of the EUEB, the Commission may withdraw the EU Ecolabel license(s) from a producer.

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ANNEX I

Paragraph 15 of the Council Resolution on a Forest Strategy for the European Union

EMPHASISES that priority must be given to the improvement of public and consumer opinion about forestry and forest products, assuring them that forests are managed sustainably, noting that forest certification schemes are market based instruments which seek to improve consumer awareness of the environmental qualities of sustainable forest management and to promote the use of wood and forest products as environmentally friendly and renewable raw materials, and that forest certification schemes should be comparable and the performance indicators should be compatible with internationally agreed principles of sustainable forest management principles and, furthermore, that they should comply with conditions regarding their voluntary nature, credibility, transparency, cost efficiency, open access and non discriminatory character with respect to forest types and owners, and considering that one essential point in ensuring credibility should be the independent audit of forest management; INVITES the Commission to consider the possibility for further action at European Union level,