



EEB and BEUC comments on EU Ecolabel Criteria for Absorbent Hygiene Products (AHPs)

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Summary

This position paper provides EEB and BEUC comments to the draft proposal on "EU Ecolabel criteria for Absorbent Hygiene Products" (version of March 2013)¹. NGOs call for the use of 100% organic cotton and 100% of pulp originating from certified sustainably managed forests. The requirements for pulp should not be set below the standards applied by the main certification schemes in this area. With the aim of avoiding the use of hazardous chemicals for the environment and health we call for the use of totally chlorine free bleaching processes, the exclusion of fragrances, lotions, odour control substances and dyes. Further restrictions are needed to ensure total exclusion of heavy metals, organostannic compounds and phthalates. Finally, NGOs raise concerns regarding the potential use of endocrine disrupting chemicals, nanomaterials and biocides in these products, which should be further investigated and eventually addressed by criteria.

¹ <http://susproc.jrc.ec.europa.eu/sanitaryproducts/stakeholders.html>

No	Comment from	Contact person	Reference: - document - section/task - page	Subject of the comment	Comment
1	EEB and BEUC	BMO	Criterion 2: Fluff pulp / sourcing	General	Taking into account the number of EU Ecolabelled wood related product groups currently under development or revision, and considering that the EU Ecolabel Work Plan 2011 – 2015 foresees the development of a guidance document for forestry aspects, EEB and BEUC would like to encourage that a horizontal task force is set up to thoroughly address this important issue.
2	EEB and BEUC	BMO	Criterion 2.1: Fluff pulp / sourcing	General	<p>Set an ambition level of environmental excellence for sustainable sourcing aiming at 100% fibres originating from sustainable managed forests and at least not below the standards of the main certification schemes</p> <p>EEB and BEUC call for a strong ambition level for the criterion on sustainable sourcing of Fluff Pulp. Considering that the main environmental impacts of AHPs are associated with the production and consumption of raw materials (according to the LCA conclusions described in the preliminary report) and that fluff pulp is one of the major components of these AHPs (cellulose represented 36,6% of the diapers composition in 2011), it is crucial that the requirements are strict enough to differentiate the environmental performance of EU Ecolabelled products and to give the consumers real guarantees that the very best products carry the EU Ecolabel.</p> <p><u>EEB and BEUC consider that the EU Ecolabel should strive to ensure that 100% of the fibres originate from sustainably managed certified forests</u>, thereby signalling environmental excellence in the sector and driving the market towards better performance. For the top 10% of the products, at least, certified materials should be available.</p> <p>Setting this goal for AHPs (and all EU Ecolabel wood based products) would ensure compatibility of the scheme with the <u>EU Biodiversity Strategy</u>. The strategy refers to Sustainable Forest Management as a tool to (by 2020) <i>bring about a measurable improvement in the conservation status of species and habitats that depend on or are affected by forestry and in the provision of related ecosystem services as compared to the EU 2010 baseline</i>. Should the Commission and stakeholders assess that for specific products there is limitation of supply, we propose to phase in this target while ensuring 100% by 2020.</p> <p>However, as starting point, <u>the requirements of the EU Ecolabel, as the label of environmental excellence,</u></p>

					<p>should not be set below the standards of the most relevant certification schemes in this field (FSC and PEFC). Both certification schemes allow the possibility of mixing non-certified wood or pulp up to 30%². However, for this portion of uncertified <u>wood verification systems are required to guarantee that the wood or pulp does not originate from controversial sources</u>³.</p> <p>EEB and BEUC expect that associations such as EDANA and important companies in the sector (Kimberly Clark, P&G, SCA, Fater, Lenzing, Ontex...), will back ambitious requirements, as they are committed to sustainability, support the development of sustainable managed forests and promote certification in their sustainability reports, through their membership of certification schemes and by buying certified labelled products.</p>
3	EEB and BEUC	BMO	Criterion 2.1: Fluff pulp / sourcing	General	<p>Keep strong ambition level for <u>all</u> fluff pulp</p> <p>EEB and BEUC are strongly against the proposal to differentiate between fluff pulp from the EU and the US or to lower the ambition level to meet the lowest US standards. If low percentages of wood originating from sustainable managed forests are set, the EU Ecolabel will not achieve any significant added value for AHPs.</p> <p>While it can be acknowledged that fluff pulp is a challenge in the US, according to FSC, <u>growth of certification has been significant in the past two years in the South East of the US</u>, where the production is concentrated, with paper and packaging producers having supported 30 new group Forest Management Certificates. Strong demand signals, such as the requirements from EU Ecolabel, can lead to further supply increase in 6-12 months' timeframe. In addition, as key producers are currently expanding their FSC programs there is a <u>certification growth potential</u>, the EU Ecolabel not being the only driver. The concern that producers in the US are mainly smallholders could be overcome by considering that key companies in the sector have experience in assisting the foresters and supporting <u>group certification processes</u>. This happens, for instance, in Portugal where Portucel Soporcel, a leading paper company, gives a good example.</p> <p>In addition, representatives from Nordic Ecolabelling have reported that they have awarded the Nordic Swan to AHPs made out of fluff pulp from the US without differentiating their requirements. There are additional examples in the EU market of non ecolabelled AHPs (such as diapers) that have the FSC label (Mixed sources) proving availability of certified fluff pulp.</p>

² The 30% includes non-certified virgin wood materials and/or pre-consumer reclaimed materials.

³ Both FSC and PEFC have introduced the 70% benchmark on demand from companies (FSC has also a label "FSC 100%" where mixing is not allowed and the PEFC label can also come with clarification that 100% of the wood or pulp is from certified forests). However, the uncertified part is verified as Control Wood (FSC) or Control Sources (PEFC), including controls to prevent: illegal logging (FSC-PEFC); conversion of natural forests into plantations (FSC – PEFC); use of GMOs (FSC – PEFC); violation of traditional and civil rights (beyond the laws) (FSC only); threat to High Conservation Value ecosystems (FSC only). FSC has had a temporary exemption allowing 50% of uncertified wood until 31 December 2015 only for those companies who requested it before 1st of April 2011 (please see letter from John Hontelez, FSC Chief Advocacy Officer (29/08/2013) with answers to questions from EEB and BEUC on additional details about this temporary exemption). PEFC Logo usage rules do not refer to any exemption to the 70% rule.

4	EEB and BEUC	BMO	Criterion 2.1: Fluff pulp / sourcing	Technical	<p>Avoid controversial sources beyond illegality</p> <p>According to the EU Timber Regulation (EU) No 995/2010, all timber and products derived from such timber that are placed in the EU market must be legal. In this regard, the proposed requirement addressing the fraction of pulp fibres that do not originate from sustainable managed forests by requiring that they come from legal sources (“<i>the remaining balance of pulp fibres shall be from pulp that is from legal forestry plantations</i>”) is welcome as an extra support to the EU Timber Regulation.</p> <p><u>Further to that, additional guarantees are needed to ensure that pulp will not originate from other controversial sources beyond illegal sources.</u></p> <p>This aim is shared within the EUEB and we appreciate that it has been reflected in the background document (page 20). Nevertheless, the proposed criterion need to be adapted to integrate this concern in case it is decided that the target for pulp originating from certified managed forests will not be set at 100%. EEB and BEUC propose that the criterion as established by the EU Ecolabel for Copying and Graphic paper is used to fill this gap (supporting the UK proposal). The text for Copying Paper offer better guarantees for sustainable sourcing and was more widely discussed by stakeholders. The main difference between the two proposals is that for Copying and Graphic Paper it is required that all virgin wood is covered by valid sustainable forest management and chain of custody certificates, establishing the need to refer to verification systems to ensure that when mixing of uncertified wood is allowed by the certification schemes, controversial sources are avoided in addition to illegality. With this requirement the application process would be simplified as the applicant could use FSC or PEFC certificates, including certificates for mixed sources, if 30% of the fluff pulp is uncertified.</p>
5	EEB and BEUC	BMO	Criterion 2.1: Fluff pulp / sourcing	General	<p>List the controversial sources that shall be avoided</p> <p>In addition to the above considerations, NGOs believe that it would be convenient to further specify the list of controversial sources (perhaps in the guidance user manual) to ensure that the certification schemes comply with the demands of the EU Ecolabelling Board in this regard. An example is given in the EU Ecolabel for Wood Furniture. Nevertheless, the list should be extended including also requirements that are related to ethical and social aspects.</p>

6	EEB and BEUC	BMO	Criterion 2.2 Fluff pulp bleaching	Technical	<p>EEB and BEUC call for a change in the criterion so that EU Ecolabel for AHPs requires the use of totally free chlorine (TCF) pulp.</p> <p>The current draft propose to set the AOX limit for the production of each kind of pulp to 0.170 kg/ADT and ask whether the limit could be decreased.</p> <p>The fluff pulp made from virgin fibres should not be chlorine bleached. The use of chlorine dioxide may lead to undesired outlets of chlorinated compounds at different stages in the supply chain. The long-term effects of the chlorinated effluents are still unknown. However, chlorinated organic compounds often are toxic, bioaccumulate and have low biodegradability. We suggest that the parameter of AOX is either put to zero or that chlorine dioxide is banned in the same way as chlorine gas. Today there is totally chlorine free pulp available on the market with as good quality as pulp bleached with chlorinated compounds.</p> <p>If ECF pulp is accepted, 0.15 Kg/ADT should be the maximum allowed limit. The rationale to support EEB and BEUC proposal was provided during the revision of the EU Ecolabel for Copying and Graphic Paper and can be found here:</p> <p>http://www.eeb.org/?LinkServID=465DD665-96C5-681E-E0CD25ADAE28D6AF&showMeta=0&aa</p>
7	EEB and BEUC	BMO	Criterion 3.1: Sourcing of man-made cellulose fibres	General	<p><u>EEB and BEUC cannot support the proposed target for sustainable sourcing of cellulose used in the production of dissolving pulp as it is below the standards of certification schemes.</u> The same approach as in criterion 2.1 should be flowed as setting lower percentages is misleading for consumers.</p> <p>According to the following statement from South Pacific Viscose (a leading producer from Indonesia), requesting at least the same requirements as FSC Mixed sources (30% uncertified but from Control Sources and pre-consumer reclaimed material) is feasible: (Please see: http://www.pt-spv.com/in/products/viscose-staple-fiber/nonwoven-fibers.html):</p> <p><i>Due to it's insistence of sourcing pulp produced from woods harvested from managed forests <u>and only from certified pulp producers</u>, SPV has succesfully introduced FSC (The Forest Stewardship Council) certified fiber for nonwoven applications.</i></p> <p><u>EEB and BEUC call for a change in the criterion so that when dissolving pulp is made out of cotton linters, they are of 100% of organic certified origin.</u></p> <p>Cotton for dissolving pulp does not compete with textile cotton because the staple length can be much lower and also qualities parameters like micronaire, impurities and homogeneity of the fibre can be lower. Thus the criterion could reinforce the organic cotton market because it gives a good processing channel for organic cotton that does not reach textile quality levels. The processors could market the organic cotton</p>

					<p>(e.g. to comply with the textile criterion of the EU Ecolabel for textiles as demanded by EEB and BEUC) and have an additionally marketing channel for the organic linters.</p> <p>Technically this process would not be different from the conventional linters process. For the time being not all certification agencies that certify organic cotton would be competent to certify this process. But with the launch of the criterion the Commission would give a clear signal that this expertise is relevant and thus the agencies can adapt.</p>									
8	EEB and BEUC	BMO	Criterion 3.2: Bleaching of man-made cellulose fibres	Technical	<p>EEB and BEUC call for changing the proposed criterion to require totally chlorine free viscose. Currently around 15% of the viscose produced in the world is Totally Chlorine Free, proving the technical feasibility of this process (please see: http://www.fibre2fashion.com/news/company-news/sniace/newsdetails.aspx?news_id=78094).</p>									
9	EEB and BEUC	BMO	Criterion 3.4: Production of man-made cellulose fibres	Technical	<p>It should be clarified why emissions of Sulphur and Zinc for the production of viscose are more restricted in the Nordic Swan than the EU Ecolabel. EEB and BEUC would like that the most ambitious values are followed.</p> <table border="1"> <thead> <tr> <th></th> <th>Nordic Swan</th> <th>EU Ecolabel</th> </tr> </thead> <tbody> <tr> <td>Sulphur</td> <td>20 kg S/tonne of viscose</td> <td>30 g/kg</td> </tr> <tr> <td>Zink</td> <td>0.20 kg Zn/tonne of viscose</td> <td>0.30 g/kg</td> </tr> </tbody> </table>		Nordic Swan	EU Ecolabel	Sulphur	20 kg S/tonne of viscose	30 g/kg	Zink	0.20 kg Zn/tonne of viscose	0.30 g/kg
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10	EEB and BEUC	BMO	Criterion 4: Sourcing of cotton and other natural cellulosic seed fibres	General	<p><u>EEB and BEUC call for 100% certified organic cotton or organic cotton in transition.</u></p> <ul style="list-style-type: none"> a) AHPs are in closest contact with the human body. A “certified” absence of any form of pesticide is advisable from a toxicological point of view and for the understanding of the consumer. b) Asking for organic cotton for this product group could greatly reinforce the market for organic cotton in general, because producers of organic cotton would see additional opportunities to produce and market organic cotton with lower staple length and / or organic comber noils. There is hardly any competition with textile grade cotton fibres for cotton used in non-wovens. c) This approach would allow the criterion to be aligned with the Nordic Swan criteria and the criteria suggested for AHPs in here with regard to cotton linters and cotton origin for dissolving pulp. 									
11	EEB and BEUC	BMO	Criterion 4.3: Bleaching of cotton and other natural cellulosic seed fibres	General	<p>EEB and BEUC call for the use of totally chlorine free bleached cotton, as it is technically feasible and marketed by producers (please see: http://www.barnhardtcotton.net/technology/cotton-processing/).</p>									

12	EEB and BEUC	BMO	5.2. Polymers: heavy metals/ organostannic compounds	Technical	EEB and BEUC welcome the limitation of heavy metals and organostannic compounds in plastics. Nevertheless, the limit 0.1% is insufficient as it still allows use of these substances in concentrations that go beyond trace limits. In the Nordic Swan organotin is limited to 0.01%. Non-use of these substances should be ensured by the criterion.
13	EEB and BEUC	BMO	5. Additional requirements relevant for plastics: chlorine and phthalates	Technical	<p>Additional criteria limiting hazardous substances for plastics are needed, such as exclusion of <u>chlorine based plastics</u> and <u>phthalates</u>.</p> <p>As reflected in the preliminary report, while industry has reported that phthalates are never added intentionally, it is stated that contaminations below 100 ppm are possible. In this regard, it would be needed to ensure a limitation of trace pollutants as these substances should not be present in products which are used over a whole day.</p> <p>Tests carried out by consumer's organisations have found DINP in two out of 24 diapers (as reported by a consumer organisation in 2011). DINP was found in the glue at the back of the panty liner. Another study carried out by the Silent Spring Institute searching for Endocrine Disrupters and Asthma-Associated Chemicals in Consumer Products have reported the presence of Bis (2-ethylhexyl) phthalate in some of the diapers tested (Please see: http://ehp.niehs.nih.gov/wp-content/uploads/120/7/ehp.1104052.pdf).</p>
14	EEB and BEUC	BMO	5.3 Super Absorbent Polymers (SAP)	Technical	<p>EEB and BEUC do not support raising the level of residual monomers for SAP and would prefer to keep criterion 5.3.(a) and 5.3.(b) as proposed in the draft criteria version 2 (March 2013). At the AHWG meeting in April it was proposed to change the limit of residual monomers of SAP from 400 ppm to 1000 ppm. This change does not take into account the experience from the Nordic Swan: the limit set by this scheme at 400 ppm can be met by a lot of SAP from different manufactures.</p> <p>In addition, according to the minutes of the AHWG, information received by the JRC supported the safety of sodium polyacrylate and it was stated that a derogation from this requirement could be given to this substance. However, NGOs consider that the description of this substance as inherently safe material in the technical report (page 54), should be nuanced by the fact that not all health aspects of sodium polyacrylate have been thoroughly investigated. A wrong conclusion should not be drawn by considering that no data means no harm. The following is reported in the Material Safety Data Sheet provided in the preliminary report⁴:</p> <p style="text-align: center;"><i>Toxicological information</i> <i>Acute effects: Irritating dust</i> <i>Chronic effects: Not available, not all health aspects of this substance have been fully</i></p>

⁴ http://avogadro.chem.iastate.edu/MSDS/Na_polyacrylate.pdf

					<p><i>investigated.</i> <i>Target organs: Not available, not all health aspects of this substance have been fully investigated.</i> <i>Ecological information: Data not yet available.</i></p> <p>Finally, criterion 5.3.(c) states that acryl amid shall not be <u>intentionally</u> added. However, considering that traces of this substance could be found (as reported in the 2nd AHWG meeting), EEB and BEUC propose to add an additional text limiting it below trace limits or delete the word “intentionally” in the criterion.</p>
15	EEB and BEUC	BMO	6.1 Other materials: adhesive materials	General	Use of all phthalates should be limited as in the Nordic Swan.
16	EEB and BEUC	BMO	6.2 Other materials: inks and dyes	Technical	EEB and BEUC do not support the argumentation to exempt Titanium Dioxide on the basis that its non-use will lead to non-aesthetic products, as we consider it to be subjective. The EU Ecolabel should prioritise the goal to exclude hazardous substances.
17	EEB and BEUC	BMO	6.3. Lotions and fragrances	Technical	<p>EEB and BEUC welcome the exclusion of fragrances in products intended for infants, babies and children under the age of twelve. NGOs propose that the age be raised until eighteen following the definition of a child by the UN Convention on the Rights of the Child. Furthermore, NGOs call for a total exclusion of fragrances in EU Ecolabelled AHPs. There are sufficient environmental, health and market arguments (as expressed by comments from the Danish Competent Body) to support this request.</p> <p>EEB and BEUC also call for an explicit exclusion of lotions from this product group, as this type of substances are not needed in AHPs. They can be used on an ad-hoc basis when required, avoiding thus exposure to unnecessary chemicals.</p>
18	EEB and BEUC	BMO	6.3. Odour Control Substances	General	Similar to fragrances and lotions, EEB and BEUC also recommend an exclusion of odour control substances.
19	EEB and BEUC	BMO	Criterion 7: Excluded or limited substances or mixtures	Technical	Regarding assessment and verification, it would be better to refer to “the product or any homogenous part of the product”. As a diaper is a complex product made of different homogenous parts which cannot easily be disassembled, it is important to clarify whether homogenous parts are e.g. fluff pulp, non woven, SAP, adhesives, elastics, plastic layers or if the whole diaper is seen as a homogenous product. In order to be able to assess the different substances, it is easier to put the criterion on the different materials (or homogenous parts) as the question can then be transferred in the supply chain.

20	EEB and BEUC	BMO	Nanomaterials / nanosilver	General	<p>EEB and BEUC call for the exclusion of nanomaterials in this product group, as done by the Nordic Swan.</p> <p>NGOs would like to draw the attention of the European Commission and the EUEB to the fact that nanosilver may be used in some AHPs. There is at least one example, available in the EU, of sanitary napkins using nanosilver. The napkins are advertised in the Website of the producer as using nanosilver ions (Please see: http://www.fohow.com/index.php/Products/detail/id/44/l/en/).</p>
21	EEB and BEUC	BMO	Biocides	General	<p><u>EEB and BEUC propose to exclude the use of biocides in this product group.</u> Although it has been reported in the Ad Hoc Working Group meeting that biocides are not used in these products, some documents refer to the use of biocides like TBT in diapers. http://www.mp2diaper.com/Diaper-101_ep_42-1.html http://www.awchamburg.org/AWCH_GettingSettled/AWCH_Child_Family/AWCH_Diapers.html</p>
22	EEB and BEUC	BMO	Endocrine disrupter chemicals	General	<p><u>EEB and BEUC propose to exclude at least the use of nonylphenol substances.</u> A study carried out by Silent Spring Institute on Endocrine Disrupters in Consumer Products have reported the presence of 4-t-Nonylphenol in diapers. Please see: http://ehp.niehs.nih.gov/wp-content/uploads/120/7/ehp.1104052.pdf Further investigation should be done on the potential use of EDCs these type of products.</p>