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COVER NOTE

From:	European Commission
date of receipt:	27 February 2015
To:	General Secretariat of the Council
Subject:	Annex to the Commission Decision of XXX amending Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes

Delegations will find attached document D038234/02 - Annex.

Encl.: D038234/02 - Annex

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<u>ANNEX</u>

The Annex to Decision 2014/312/EU is amended as follows:

in criterion 3 (Efficiency in use), Table 2 the name of criterion 3a is replaced by the following: "3(a) Spreading rate (only for white and light coloured paints, including the white base paints used in tinting systems)) — ISO 6504/1. Not applicable to varnishes, lasures, transparent adhesion primers or any other transparent coatings."

in criterion 3 (Efficiency in use), Table 2, in the eighth and ninth columns referring to "Primer (g)" and "Undercoat and primer (h)", the text "$6m^2$/L (without opacity)" is replaced in both columns by the following: "$6m^2$/L (without opacity or having specific properties".

in criterion 3(a), the fifth paragraph is replaced by the following:

'Semi-transparent primers and undercoats shall have a spreading rate of at least 6 m^2 and those with opacity at least 8 m^2. Opaque primers with specific blocking/sealing, penetrating/binding properties and primers with special adhesion properties shall have a spreading rate of at least 6 m^2 per litre of product.'

criterion 4 is amended as follows:

(a) in the fourth paragraph the following sentence "The markers given in Table 4 shall be used as the basis for delimiting the Gas Chromatography results for SVOCs is replaced by "The test shall be carried out using the analytical system as identified in the Criteria User Manual.";

(b) Table 4 is deleted;

(c) in section Assessment and verification, second paragraph, the second sentence is replaced by the following:

'The test shall be carried out with reference to the modifications to ISO 11890-2 provided in the Criteria User Manual.';

in criterion 5, point (a)(i) is replaced by the following:

'For the purpose of this product group, derogations have been granted for defined groups of substances that may be contained within the final product. These derogations stipulate the hazard classifications that are derogated for each specific substance group and the associated derogation conditions and concentration limits that apply. The derogations are set out in the Appendix.';

in criterion 5(a)(ii), second paragraph, the second indent is replaced by the following:

'— Paint or varnish formula ingredients that fall within the groups of substances listed below:

(1) Preservatives added to colorants, binders and the final product

(a) In-can preservatives,

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(b)   Tinting machine preservatives,

(c)   Dry film preservatives,

(d)   Preservative stabilisers,

(2)   Drying and anti-skinning agents,

(a)   Drying agents,

(b)   Anti-skinning agents,

(3)   Corrosion inhibitors

(a)   Corrosion inhibitors,

(b)   Verdigris prevention,

(4)   Surfactants

(a)   General purpose surfactants,

(b)   Alkylphenolethoxylates (APEOs),

(c)   Perfluorinated surfactants

(5)   Miscellaneous functional substances with general application

(a)   Silicon resin emulsion in white paints, colorants and tinting bases,

(b)   Metals and their compounds,

(c)   Mineral raw materials including fillers,

(d)   Neutralising agents

(e)   Optical brighteners,

(f)   Pigments,

(6)   Miscellaneous functional substances with specialist applications

(a)   UV protectors and stabilisers,

(b)   Plasticisers

(7)   Residual substances that may be present in the final product

(a)   Formaldehyde,

(b)   Solvents,

(c)   Unreacted monomers,

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(d) Volatile Aromatic Compounds and halogenated compounds

(8) Substances in binders and polymer dispersions,

(a) Binders and cross linking agents,

(b) Reaction products and residues

and that are present at concentrations of more than 0,010 %';

in the Appendix, the entry for formaldehyde is replaced by the following:

. Residual substances that may be present in the final product			
(a) Formaldehyde Applicability: *All products.*	Free formaldehyde shall not be intentionally added to the final product. The final product shall be tested in order to determine its free formaldehyde content. The sampling requirements for testing shall reflect the product range. *The following sum total limit value shall apply:* The following derogations are made from the requirement set out in the first paragraph: (i) Where preservatives that are formaldehyde donors are required as an in-can preservative to protect a specific type of paint or varnish and where the formaldehyde donor is used in the place of isothiazolinone preservatives. (ii) Where polymer dispersions (binders) provide, through residual levels of formaldehyde, the function of formaldehyde donors instead of in-can preservatives. *In both points (i) and (ii) the sum total shall not exceed the following limit value*:	0,0010 % 0,010 %	*Verification:* The free formaldehyde content shall be determined for the white base or transparent tinting base predicted to contain the highest theoretical amount of formaldehyde. The content of the colour tint which is predicted to contain the highest theoretical amount of formaldehyde shall also be determined. *Test method:* 0,0010 % limit value: Determination of the in-can concentration using the Merckoquant method. If the outcome is not definitive according to this method then high-performance liquid chromatography (HPLC) shall be used to confirm the in-can concentration. 0,010 % limit value: (1) All paints: Determination of the in-can formaldehyde concentration by means of analysis using VdL-RL 03 *or* high-performance liquid chromatography

			(HPLC)
			(2) Indoor paints and varnishes: Determination by means of analysis according to ISO 16000-3. Emissions must not exceed 0,25 ppm upon first application and they must be less than 0,05 ppm after 24 hours from the first application.

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