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Delegations will find attached document D038860/02.

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Brussels, **XXX**  
D038860/02  
[...] (2015) **XXX** draft

## COMMISSION DECISION

of **XXX**

**establishing the ecological criteria for the award of the EU Ecolabel for growing media,  
soil improvers and mulch**

(Text with EEA relevance)

## COMMISSION DECISION

of **XXX**

**establishing the ecological criteria for the award of the EU Ecolabel for growing media, soil improvers and mulch**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel<sup>1</sup>, and in particular Article 8(2) thereof,

After consulting the European Union Eco-labelling Board,

Whereas:

- (1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to products which have a reduced environmental impact during their entire life cycle.
- (2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.
- (3) Commission Decision 2006/799/EC<sup>2</sup> and Commission Decision 2007/64/EC<sup>3</sup> have established the ecological criteria and the related assessment and verification requirements for soil improvers and growing media, respectively, which are valid until 31 December 2015.
- (4) In order to better reflect the state of the art of the market for these product groups and take into account the innovation of the last years, it is considered appropriate to merge both product groups into one product group and add mulch to its scope, as it is distinguished as a type of soil improver with particular characteristics and functions.
- (5) The revised criteria, as well as the related assessment and verification requirements should be valid for four years from the date of adoption of this Decision, taking into account the innovation cycle for this product group. These criteria aim at promoting the recycling of materials, the use of renewable and recycled materials, thus reducing environmental degradation, and decreasing soil and water pollution by means of establishing strict limits on pollutants concentrations in the final product.

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<sup>1</sup> OJ L 27, 30.1.2010, p. 1

<sup>2</sup> OJ L 325, 24.11.2006, p. 28–34

<sup>3</sup> OJ L 32, 06.02.2007, p. 137–143

- (6) Decision 2006/799/EC and Decision 2007/64/EC should therefore be replaced by this Decision.
- (7) A transitional period should be allowed for producers whose products have been awarded the EU Ecolabel for soil improvers and growing media on the basis of the criteria set out in Decision 2006/799/EC and Decision 2007/64/EC, respectively, so that they have sufficient time to adapt their products to comply with the revised criteria and requirements.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010.

HAS ADOPTED THIS DECISION:

#### *Article 1*

The product group "growing media, soil improvers and mulch" shall comprise growing media, organic soil improvers and organic mulch.

#### *Article 2*

For the purpose of this Decision, the following definitions shall apply:

- (1) '*Growing medium*' means a material used as a substrate for root development, in which plants are grown;
- (2) '*Mineral growing medium*' means a growing medium totally composed by mineral constituents;
- (3) '*Soil improver*' means a material added to soil in situ whose main function is to maintain or improve its physical and/or chemical and/or biological properties, with the exception of liming materials;
- (4) '*Organic soil improver*' means a soil improver containing carbonaceous materials whose main function is to increase soil organic matter content;
- (5) '*Mulch*' means a type of soil improver used as protective covering placed around plants on the topsoil whose specific functions are to prevent the loss of moisture, control weed growth, and reduce soil erosion;
- (6) '*Organic mulch*' means mulch containing carbonaceous materials derived from biomass;
- (7) '*Constituent*' means any input material that can be used as an ingredient of the product;
- (8) '*Organic constituent*' means a constituent composed by carbonaceous materials.
- (9) '*Product family*' means the range of products composed by the same constituents;
- (10) '*Annual output*' means annual production of a product family;

- (11) *'Annual input'* means the annual amount of materials treated in a waste or animal by-product treatment plant;
- (12) *'Batch'* means quantity of goods manufactured by the same process under the same conditions and labelled in the same manner and is assumed to have the same characteristics;
- (13) *'Bio-waste'* means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises and comparable waste from food processing plants.
- (14) *'Biomass'* means the biodegradable fraction of products, waste and residues from biological origin from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste.

### *Article 3*

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a product shall fall within the product group 'growing media, soil improvers and mulch', as defined in Article 1 of this Decision and shall comply with the criteria as well as the related assessment and verification requirements set out in the Annex.

### *Article 4*

The criteria for the product group 'growing media, soil improvers and mulch' and the related assessment and verification requirements shall be valid for four years from the date of adoption of this Decision.

### *Article 5*

For administrative purposes the code number assigned to the product group 'growing media, soil improvers and mulch' shall be '048'

### *Article 6*

Decision 2006/799/EC and Decision 2007/64/EC are repealed.

### *Article 7*

1. By derogation from Article 6, applications for the EU Ecolabel for products falling within the product groups 'soil improvers' or 'growing media' submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2006/799/EC and Decision 2007/64/EC, respectively.
2. Applications for the EU Ecolabel for products falling within the product groups 'soil improvers' or 'growing media' submitted within two months from the date of adoption of this Decision may be based either on the criteria set out in Decision

2006/799/EC and Decision 2007/64/EC, respectively, or on the criteria set out in this Decision. Those applications shall be evaluated in accordance with the criteria on which they are based.

3. EU Ecolabel licences awarded in accordance with the criteria set out in Decision 2006/799/EC and Decision 2007/64/EC may be used for 12 months from the date of adoption of this Decision.

*Article 8*

This Decision is addressed to the Member States.

Done at Brussels,

*For the Commission*

*Karmenu VELLA      Member of the*

*Commission*