



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 15 January 2014
(OR. en)**

5282/14

ENV 25

COVER NOTE

From:	European Commission
date of receipt:	9 January 2014
To:	General Secretariat of the Council
No. Cion doc.:	D029989/02
Subject:	Commission Decision of XXX establishing the ecological criteria for the award of the EU Ecolabel for bed mattresses

Delegations will find attached document D029989/02.

Encl.: D029989/02



Brussels, **XXX**
D029989/02
[...] (2013) **XXX** draft

COMMISSION DECISION

of XXX

establishing the ecological criteria for the award of the EU Ecolabel for bed mattresses

(Text with EEA relevance)

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of **XXX**

establishing the ecological criteria for the award of the EU Ecolabel for bed mattresses

(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 Ecolabel¹, 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 2009/598/EC² has established the ecological criteria and the related assessment and verification requirements for bed mattresses, which are valid until 30 June 2014.
- (4) In order to better reflect the state of the art of the market for this product group and take into account the innovation, on the last year, it is considered appropriate to modify the scope of the product group and to establish a revised set of ecological criteria.
- (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 using of materials produced in a more sustainable way (considering a life cycle analysis approach), limiting the use of hazardous compounds, the levels of hazardous residues and the contribution of mattresses to indoor air pollution and promoting a durable and high-quality product that is easy to repair and disassembly.
- (6) Decision 2009/598/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 bed mattresses on the basis of the criteria set out in Decision 2009/598/EC, 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.

¹ OJ L 27, 30.1.2010, p. 1.

² Commission Decision 2009/598/EC of 9 July 2009 on establishing the ecological criteria for the award of the Community Ecolabel for bed mattresses (OJ L 203, 5.8.2009, p.65).

HAS ADOPTED THIS DECISION:

Article 1

1. The product group “bed mattresses” shall comprise products consisting of a cloth cover that is filled with materials and that can be placed on an existing supporting bed structure or designed for free standing in order to provide a surface to sleep or rest upon for indoor use.
2. The product group shall not include wooden and upholstered bed bases, inflatable mattresses and water mattresses, as well as mattresses classified under Council Directive 93/42/EEC³.

Article 2

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

- (1) "Cot mattress" means a mattress with the length shorter than 1400 mm;
- (2) "Eliminable substance" means a substance that shows 80 % degradation of dissolved organic carbon within 28 days using one of the following test methods: OECD 303A/B, ISO 11733;
- (3) "Inherently biodegradable substance" means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: ISO 14593, OECD 302 A, ISO 9887, OECD 302 B, ISO 9888, OECD 302 C;
- (4) "Readily biodegradable substance" means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: OECD 301 A, ISO 7827, OECD 301 B, ISO 9439, OECD 301 C, OECD 301 D, ISO 10708, OECD 301 E, OECD 301 F, ISO 9408;
- (5) "Semi-volatile organic compound (SVOC)" means any organic compound eluting in a gas chromatographic column between n-hexadecane (excluded) and n-docosane (included) and with a boiling point approximately higher than 287°C, where the measurement is carried out using a capillary column coated with 5 % phenyl / 95 % methyl-polysiloxane;
- (6) "Very volatile organic compound (VVOC)" means any organic compound eluting in a gas chromatographic column before n-hexane and with a boiling point approximately lower than 68°C, where the measurement is carried out using a capillary column coated with 5 % phenyl/95 % methyl-polysiloxane;
- (7) "Volatile organic compound (VOC)" means any organic compound eluting in a gas chromatographic column between, and including, n-hexane and n-hexadecane with a boiling point in the range of approximately 68°C to 287°C, where the measurement is carried out using a capillary column coated with 5 % phenyl/95 % methyl-polysiloxane.

³ Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ L 169, 12.7.1993, p. 1).

Article 3

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a product shall fall within the product group "bed mattresses" 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 "bed mattresses", as well as 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 "bed mattresses" shall be "14".

Article 6

Decision 2009/598/EC is repealed.

Article 7

1. By derogation from Article 6, applications for the EU Ecolabel for products falling within the product group "bed mattresses" submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2009/598/EC.
2. Applications for the EU Ecolabel for products falling within the product group "bed mattresses" submitted within two months from the date of adoption of this Decision may be based either on the criteria set out in Decision 2009/598/EC 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 licenses awarded in accordance with the criteria set out in Decision 2009/598/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

Janez POTOČNIK

Member of the Commission