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COVER NOTE

From:	European Commission
date of receipt:	9 July 2021
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 D073072/03 - Annex.

Encl: D073072/03 - Annex

ANNEX

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

- (1) the section headed “1. Preservatives added to colorants, binders and the final product, (iii) Permitted sum totals of isothiazolinone substances and compounds in the ready to use product” is amended as follows:
- (a) the limit of 0,0200 % for 2-methyl-2H-isothiazol-3-one is replaced by the following:
“2-methyl-2H-isothiazol-3-one: 0,0015 %”;
- (b) the limit of 0,0500 % for 2-octyl-2H-isothiazol-3-one is replaced by the following:
“2-octyl-2H-isothiazol-3-one: 0,0500 % (until 28 February 2022); 0,0015 % (from 1 March 2022 onwards)”;
- (2) in the section headed “5. Miscellaneous functional substances with general application”, point (f) (Pigments) is replaced by the following:

‘Substance group	Scope of restriction and/or derogation	Concentration limits (where applicable)	Assessment and verification
(f) Pigments Applicability: All products	Restriction: Pigments containing metals shall only be used where laboratory testing of the pigment shows that the metal chromophore is bonded within a crystal lattice and is insoluble. Derogation: The following metal containing pigments are derogated for use without the need for testing: —Barium sulphate —Antimony nickel within an insoluble TiO ₂ lattice —Cobalt aluminate blue spinel —Cobalt chromite blue-green spinel	n/a	Verification: Test results demonstrating that the pigment chromophore is bonded within a crystal lattice and is insoluble. Test method: DIN 53770-1 or equivalent
	Derogation to criterion 5(a): Carc. Cat. 2, H351 (inhalation): — For titanium dioxide (TiO ₂) only, and only in cases where the presence of TiO ₂ does not trigger Carc. 2, H351 classification of the paint or varnish product to be licensed	n/a	Verification: The applicant shall demonstrate that both they and the TiO ₂ supplier have systems in place to minimise worker exposure to dry TiO ₂ powder in the workplace (e.g. closed dosing systems, ventilated dosing and mixing areas, personal protective equipment).
	Derogation to criterion 5(a): Repr. Cat. 2, H361fd: — For trimethylolpropane (TMP), and only when used as an additive in pigments	0,50 %	Verification: The pigment supplier shall declare that the TMP content does not exceed 0,50 % w/w of the pigment.