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To:	General Secretariat of the Council
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Subject:	Annex to COMMISSION DECISION of XXX establishing the EU Ecolabel criteria for decorative paints, varnishes, and related products, performance coatings and related products, and water-based aerosol spray paints and repealing Decision (EU) 2014/312

Delegations will find attached document D 108494/1 - Annex III.

Encl.: D 108494/1 - Annex III

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ANNEX III

EU Ecolabel criteria for awarding the EU Ecolabel to water-based aerosol spray paints

The EU Ecolabel criteria target the best water-based aerosol spray paints on the market, in terms of environmental performance. The criteria focus on the main environmental impacts associated with the life cycle of these products and promote circular economy aspects.

Assessment and verification requirements

For the EU Ecolabel to be awarded to a specific product, the product shall comply with each requirement. The applicant shall provide a written confirmation stating that all the criteria are fulfilled.

Specific assessment and verification requirements are indicated within each criterion.

Where the applicant is required to provide declarations, documentation, analyses, test reports, or other evidence to show compliance with the criteria, these may originate from the applicant and/or their supplier(s) as appropriate.

Competent bodies shall preferentially recognise attestations that are issued by bodies accredited in accordance with the relevant harmonised standard for testing and calibration laboratories, and verifications by bodies that are accredited in accordance with the relevant harmonised standard for bodies certifying products, processes, and services.

Where appropriate, test methods other than those indicated for each criterion may be used if the competent body assessing the application accepts their equivalence.

Where appropriate, competent bodies may require supporting documentation and may carry out independent verifications or site inspections to check compliance with these criteria.

Changes in suppliers and production sites pertaining to products to which the EU Ecolabel has been awarded shall be notified to competent bodies, together with supporting information to enable verification of continued compliance with the criteria.

As pre-requisite, the product shall meet all respective legal requirements of the country or countries in which the product is intended to be placed on the market. The applicant shall declare the product's compliance with this requirement.

The following information shall be provided together with the application for the EU Ecolabel:

(a) A list of all individual paint and varnish products covered by the EU Ecolabel application, grouped into product families and indicating any relevant product characteristics that affect which specific requirements from the EU Ecolabel criteria would apply. A family of products will all have the same base formulation and product subcategory, but may differ in terms of shade and/or packaging format.

(b) A description of the product formulation(s), with a % composition of the ingredients used and the specific function of each ingredient (the composition information may be subject to a non-disclosure agreement between the applicant and the competent body or, in some cases, directly between the supplier and the competent body). Ingredient functions shall be either: accelerator; additive; anti-blocking agent; anti-foaming agent; anti-settling agent; anti-skinning agent; binder; coalescing agent; colourant-dyestuff; colourant-pigment; crosslinking agent; curing agent/hardener; diluent; dispersing agent; drier; filler; dry-film preservative; in-can preservative; matting agent;

neutralising agent; optical brightener; plasticiser; polymer dispersion; preservative stabiliser; resin; retarder; rheological modifier; silicone resin; solvent; surfactant; UV stabiliser; water; water-repelling agent or, in case none of these apply, "other".

(c) Safety data sheets for the ingredients used in the paint and varnish formulations.

(d) Any other information associated with the production of ingredients and materials that is necessary for demonstrating compliance with the EU Ecolabel criteria shall be provided by the suppliers or producers of those ingredients and materials.

(e) In order to help determine the number of products within any given family of products, a description of the packaging format(s) used, the volume(s) of product held and the packaging material(s) used for each of the paint and varnish products covered by the EU Ecolabel application.

(f) In order to reduce the quantity of testing and documentation required for assessment and verification procedures, several criteria explicitly state that compliance of an entire family of products can be assumed if the worst-case product can be shown to comply. Each time data for a worst-case product is submitted, it shall be accompanied by an explanation of why this particular product represents the worst-case within its family of products for the property being tested.

Criterion 1. Titanium dioxide production

If the final product contains more than 3,0 % w/w of titanium dioxide (TiO_2) pigment, the emissions to air and water from the production of any titanium dioxide pigment used shall meet the relevant requirements listed below for the respective production processes:

Table 1. Requirements for Titanium Dioxide production

Parameter and analytical method	Sulphate process	Chloride process
Emissions of dust to air[(1)] (measured with the relevant European or international standards)	≤ 0,40 kg/t TiO_2 pigment	≤ 0,66 kg/t TiO_2 pigment
Emissions of SO_2 to air[(1)] (measured with the relevant European or international standards)	≤ 4,5 kg/t TiO_2 pigment	n/a
Emissions of HCl to air[(1)] (measured with the relevant European or international standards)	n/a	≤ 0,70 kg/t TiO_2 pigment
Emissions of SO_4^{2-} to water (measured with the relevant European or international standards)	≤ 300 kg SO_4^{2-}/t TiO_2 pigment	n/a
Emissions of Cl^- to water (measured using the mass balance method or with the relevant European or international standards)	n/a	≤ 103 kg Cl^-/t TiO_2 pigment[(2)] ≤ 179 kg Cl^-/t TiO_2 pigment[(3)] ≤ 329 kg Cl^-/t TiO_2 pigment[(4)]
Low dust working environment	To be demonstrated	To be demonstrated

(1) Point sources for emissions of dust to air from the chloride process are considered as: milling, chlorination, oxidation and micronisation stages. Point sources for emissions of HCl to air from the chloride process are considered as: chlorination, acid scrubber from solid separation and metal chloride treatment processes. Point sources for emissions of dust to air from the sulphate process are considered as: milling, digestion, calcination and micronisation stages. Point sources for emissions of SO_2 to air from the sulphate process are considered as: digestion and calcination processes.

(2) When ore used is >95% TiO_2 content.

(3) When ore used is 90-95% TiO_2 content.

(4) When ore used is <90% TiO_2 content.

Emissions to air shall be counted from the relevant point source(s) stated in point (1) above where emissions can be continuously or periodically monitored from a fixed sampling point after any exhaust gas abatement system(s).

Emissions to water shall be considered as sulphate or chloride present in any treated wastewater effluent that is discharged into any rivers, lakes, transitional waters, coastal waters or seawaters.

The relevant limit for chloride emissions to water shall be based on the weighted average % TiO_2 content of ore(s) used during the calculation period.

A low dust working environment shall, as a minimum, include the follows aspects:

— A risk assessment for the workplace that identifies all the main areas of potential dust emission and worker exposure to dust.

— The need to have in place an occupational hygiene workplace monitoring program.

— Provision of appropriate training to employees about good practice for dust control.

— Provision of adequate personal protective equipment to employees and visitors.

Assessment and verification

The applicant shall declare the content of TiO_2 used in each of the product formulations subject to the EU Ecolabel license application. For any products with more than 3,0 % w/w TiO_2 pigment content, the applicant shall also declare the supplier or suppliers of the TiO_2 used in those products.

The applicant declaration shall be supported by declarations from their TiO_2 supplier(s) (or TiO_2 producer(s), if different) stating:

— The type of TiO_2 production process used (chloride or sulphate).

— The applicable TiO_2 content range of the weighted average ore in case of the chloride process.

— Annual average emissions data of dust to air, SO_2 to air, and SO_4^{2-} to water for TiO_2 produced through the sulphate process. Alternatively, average emission data of dust to air, HCl to air, and Cl^- to water for TiO_2 produced through the chloride process.

— The declarations from TiO_2 supplier(s) (or TiO_2 producer(s), if different) should include the relevant European or international standards used to measure the relevant parameters listed in the Table 1.

— The measures in place to ensure a low dust working environment.

The declaration from the TiO_2 supplier(s) (or TiO_2 producer(s), if different) shall include a basic calculation about how the annual average emissions were obtained. If the production of the supplied TiO_2 pigment is non-continuous, then emission data calculations covering a shorter period than 12 months may be accepted. In cases of continuous monitoring, the annual average emission concentrations shall be derived from daily average concentrations. For periodically monitored emissions, at least 3 samples must be taken to derive the average results. Any periodic sampling must be taken during periods of stable operation that are representative of normal plant conditions for the production of the TiO_2 pigments used in the EU Ecolabel paint products.

The emission calculations shall only be required to be submitted at the date of application for the EU Ecolabel. If the EU Ecolabel is awarded, the applicant can simply request updated declarations each year from their TiO_2 supplier(s) of continuing compliance with the emission limits.

For emissions to air, concentrations shall be expressed in units of mg/Nm^3 and multiplied by a specific emission air flow rate in units of Nm^3/tonne TiO_2 pigment production for the same time period that the data was collected. If there is more than one exhaust gas abatement system for major point sources of emissions to air, emissions from the clean air from each abatement system shall be counted and added.

For emissions to water, either a direct measurement or a mass balance approach shall be used. The mass balance approach shall be based on the balance between inputs of raw sulphate/chloride and outputs of sulphate/chloride in by-products, in emissions to air and in solid waste that is disposed of to landfill or incinerated. The difference in the masses of the inputs and outputs shall be considered as the mass of sulphate/chloride that is emitted to water during the calculation period and shall be divided by the estimated quantity of TiO_2 pigment produced during the same period to calculate specific emissions to water in units of kg sulphate or chloride/t TiO_2 pigment.

With the direct measurement approach for emissions to water, measured concentrations in units of g/m^3 shall be multiplied by a specific treated wastewater effluent flow rate in units of m^3/tonne TiO_2 pigment production for the same time period that the sulphate/chloride data was collected.

Criterion 2. Efficiency in use requirements

In order to demonstrate the efficiency in use of aerosol spray paints the following tests and requirements shall be undertaken:

2(a) Spreading rate

Note 1: This requirement does not apply to any aerosol products that are designed to apply transparent or semi-transparent coatings.

Note 2: If tinting systems are used to make different aerosol paint shades, only to the tinting base containing the most TiO_2 needs to be tested. In cases where this tinting base is unable to achieve this requirement, the criterion shall be met after tinting the base to produce the standard colour RAL 9010.

Note 3: This requirement applies to white aerosol spray paints. For families of aerosol spray paints available only in preset shades, the spreading rate shall apply to the lightest colour.

Aerosol spray paints shall have a spreading rate of at least 2,0 m^2 per litre while ensuring a hiding power of at least 98 % according to relevant European or international standards. The volume unit in the spreading rate calculation shall refer to the declared volume of the ready to use spray can.

Assessment and verification:
The applicant shall provide a declaration of compliance with the spreading rate limits or a justification of non-applicability of the spreading rate requirement for each of the products covered by the EU Ecolabel application. The declaration shall be supported by test results according to the method in relevant European or international standards. In cases where a result covers multiple products, it shall be clearly indicated which results correspond to which products covered by the EU Ecolabel license application.

2(b) Efficiency in spraying

Aerosol spray paints shall have an efficiency in spraying of at least 97 %, considered as the fraction of product in the ready to use spray can that is discharged from the can.

The test method shall consist of a calculation of the total content of product contained in the ready to use spray can that has not yet been operated. Prior to the test, the ready to use spray can shall be weighed. During the test, the contents of the can shall be continuously discharged onto a weighed surface at a steady rate in order to monitor the discharge rate. After the test, the spray can shall be weighed again to determine the total content of product discharged. The efficiency in spraying rate shall be calculated as

$$Efficiency\ in\ spraying\ (\%) = \frac{total\ weight\ of\ product\ discharged\ during\ test(g)}{total\ weight\ of\ product\ in\ can\ at\ beginning\ of\ test\ (g)} x100\%$$

Assessment and verification:
The applicant shall provide a test report demonstrating the calculation of the efficiency in spraying rate. The report shall include the initial aerosol spray can weight, a plot of discharge rate versus time and the weight of the spray can at the end of the test. The total weight of product discharged shall be considered as the difference between the initial weight and the final weight of the can.

2(c) Adhesion

Note 1: This requirement does not apply to any aerosol products that are designed to apply transparent or semi-transparent coatings.

Aerosol spray paint shall achieve an adhesion score of 2 or less in the test for adhesion in relevant European or international standards.

Assessment and verification:

The applicant shall provide a declaration of compliance with the relevant requirement or a justification of the non-applicability of the requirements for each of the products covered by the EU Ecolabel application. The declaration shall be supported by test results according to the method in relevant European or international standards, as applicable.

2(d) Corrosion resistance

Aerosol spray paint, when applied to blasted steel panels with a dry film thickness of at least 60µm, shall ensure adequate corrosion resistance after being subjected to a salt spray test of 240 hours duration according to relevant European or international standards.

After exposure, the coating shall meet the following criteria:

- A rating of 3 or better (i.e. 0, 1 or 2) for size of blisters according to relevant European or international standards.
- A rating of 3 or better (i.e. 0, 1 or 2) for quantity of blisters according to relevant European or international standards.
- A rating of Ri2 or better (i.e. Ri0 or Ri1) for degree of rusting according to relevant European or international standards.
- A delamination result of 4mm or less according to relevant European or international standards.
- An adhesion score of 2 or less according to relevant European or international standards.

Assessment and verification:

The applicant shall provide a declaration of compliance supported by test results according to relevant European or international standards for salt spray test, for rust, for blistering, for delamination and adhesion

2(e) Weathering

Aerosol spray paint, when applied to blasted steel panels with a dry film thickness of at least 60µm, shall ensure adequate weathering resistance after being subjected to 500 hours of weathering cycles according to relevant European or international standards.

After exposure, the coating shall meet the following criteria according to relevant European or international standards:

- Colour change of $\Delta E \leq 4$.
- Decrease of gloss of ≤ 30 %.
- Degree of flaking of ≤ 2 in terms of flake density and ≤ 2 in terms of flake size.
- Degree of blistering of ≤ 3 in terms of blister density and ≤ 3 in terms of blister size.
- Degree of cracking of ≤ 2 in terms of crack size.

Assessment and verification:

The applicant shall provide a declaration of compliance supported by test results of coated substrates before and after the weathering exposure according to relevant European or international standards: for colour deviation; for gloss level deviation; for degree of flaking; for degree of cracking, and for degree of blistering.

Criterion 3. Content of Volatile and Semi-volatile Organic Compounds (VOCs, SVOCs)

The maximum VOC content permitted in aerosol spray paints shall not exceed the limits defined in Table 2. The VOC content shall be determined separately for each component and then added together.

The VOC content for the liquid paint component shall first be determined either by calculation based on the ingredients and raw materials or by using the methods given in relevant European or international standards. Then the VOC content for the paint component (in g/l liquid paint) shall be converted to units of g/l of ready to use product by multiplying by the aerosol spray paint volume ratio, defined as:

$$Aerosol\ spray\ paint\ volume\ ratio = \frac{X\ Litres\ of\ liquid\ paint}{Y\ Litres\ of\ declared\ aerosol\ spray\ can\ volume}$$

Unless otherwise demonstrated, the propellant, whether it is an individual substance or mixture, shall be assumed to be 100 % VOC. The amount of propellant VOC in the ready to use product shall be calculated based on a declared propellant content (in units of g propellant /l volume of the aerosol can). The mass of propellant added per litre of aerosol shall be calculated by the manufacturer.

Table 2. VOC content limit

VOC content limits (1)		
Liquid paint component	Propellant	Final product
VOC limits (expressed in terms of g/l of aerosol)		
60 g/l	290 g/l	350 g/l
(1) 'Volatile organic compounds (VOCs)' means any organic compounds having an initial boiling point less than or equal to 250 °C measured at a standard pressure of 101.3 kPa		

Assessment and verification:

The applicant shall provide a declaration of compliance supported by calculations of VOC content.

For the liquid paint component, the declaration of compliance shall be supported by calculations of VOC content based on the ingredients and raw materials used in the liquid paint component. Alternatively, the VOC content of the liquid paint component shall be communicated via a representative test report or reports using the methods given in relevant European or international standards and results, when corrected for the water-based aerosol spray paint volume ratio, shall demonstrate compliance with the limit.

For the propellant component, the applicant shall declare the propellant(s) used and provide details of the calculation.

Criterion 4. Restriction of hazardous substances and mixtures

Note: These sub-criteria apply to the final product formulation and any supplied ingredients therein.

4.1. Restrictions on Substances of Very High Concern (SVHCs)

The final product formulation and any supplied ingredients therein shall not contain any ingoing substances that meet the criteria referred to in Article 57 of Regulation (EC) No 1907/2006 that have been identified according to the procedure described in Article 59 of that Regulation and included in the candidate list for substances of very high concern for authorisation.

Assessment and verification:

The applicant shall provide a signed declaration that the final product formulation and any supplied ingredients therein do not contain any SVHCs as ingoing substances. The applicant declaration shall be supported by safety data sheets of all supplied ingredients used to produce the final product and declarations from the chemical suppliers.

The list of substances identified as SVHCs and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006 can be found here:

https://www.echa.europa.eu/candidate-list-table

Reference to the list shall be made on the submission date of the EU Ecolabel application.

For any level of known impurities identified as SVHCs in ingredients, the concentration of the impurity and an assumed retention factor of 100% shall be used to estimate the quantity of the SVHC impurity remaining in the final product formulation. Impurities that are SVHCs cannot be present in the paint or varnish product formulation above 0,0100% w/w or in any individual ingredient in concentrations exceeding 0,100% w/w. Any deviation from a retention factor of 100% for an SVHC impurity (for example due to solvent evaporation) or in case of chemical modification, must be supported by adequate justifications.

4.2. General restrictions based on classifications according to specific hazard classifications defined in Regulation (EC) No 1272/2008.

(a) Final product formulation

The final product formulation shall not be classified as being carcinogenic, mutagenic, toxic for reproduction, acutely toxic, an aspiration hazard, a specific target organ toxicant, a respiratory or skin sensitiser, hazardous to the aquatic environment, hazardous to the ozone layer, an endocrine disruptor, persistent, bioaccumulative and toxic (PBT) or persistent, mobile and toxic (PMT) in accordance with Regulation (EC) No 1272/2008 and specifically in terms of the hazard statement codes stated in Table 3. The only exception permitted to this rule shall be the H412 and H413 classification, and only if due to levels of dry-film preservatives in the case of outdoor paints or varnishes.

(b) Ingoing substances

Unless derogated in Table 4, the final product formulation shall not contain any ingoing substances in concentrations at or above 0,010 % weight by weight of the final product formulation that are classified, in accordance with Regulation (EC) No 1272/2008, with any of the hazard classes, categories and associated hazard statement codes stated in Table 3.

Table 3. Restricted hazard classes, categories and associated hazard statement codes

Carcinogenic, mutagenic or toxic for reproduction (CMR)	
Categories 1A and 1B	Category 2
H340: May cause genetic defects	H341: Suspected of causing genetic defects
H350: May cause cancer	H351: Suspected of causing cancer
H350i: May cause cancer by inhalation	
H360: May damage fertility or the unborn child	H361: Suspected of damaging fertility or the unborn child
H360F: May damage fertility	H361f: Suspected of damaging fertility
H360D: May damage the unborn child	H361d: Suspected of damaging the unborn child
H360FD: May damage fertility. May damage the unborn child	H361fd: Suspected of damaging fertility. Suspected of damaging the unborn child
H360Fd: May damage fertility. Suspected of damaging the unborn child.	H362: May cause harm to breast fed children
H360Df: May damage the unborn child. Suspected of damaging fertility.	
Acute toxicity	
Categories 1 and 2	Category 3
H300: Fatal if swallowed	H301: Toxic if swallowed
H310: Fatal in contact with skin	H311: Toxic in contact with skin
H330: Fatal if inhaled	H331: Toxic if inhaled
	EUH070: Toxic by eye contact
Aspiration hazard	
Category 1	
H304: May be fatal if swallowed and enters airways	
Specific target organ toxicity	
Category 1	Category 2
H370: Causes damage to organs	H371: May cause damage to organs
H372: Causes damage to organs through prolonged or repeated exposure	H373: May cause damage to organs through prolonged or repeated exposure
Respiratory and skin sensitization	
Category 1, 1A and 1B	
H317: May cause an allergic skin reaction	
H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled	
Hazardous to the aquatic environment	
Categories 1 and 2	Categories 3 and 4
H400: Very toxic to aquatic life	H412: Harmful to aquatic life with long-lasting effects

H410: Very toxic to aquatic life with long-lasting effects	H413: May cause long-lasting effects to aquatic life
H411: Toxic to aquatic life with long-lasting effects	
Hazardous to the ozone layer	
H420: Harms public health and the environment by destroying ozone in the upper atmosphere	
Endocrine disruptors (EDs) for human health and the environment	
Category 1	Category 2
EUH380: May cause endocrine disruption in humans	EUH381: Suspected of causing endocrine disruption in humans
EUH430: May cause endocrine disruption in the environment	EUH431: Suspected of causing endocrine disruption in the environment.
Persistent, Bioaccumulative and Toxic (PBT)	
PBT	very Persistent and very Bioaccumulative (vPvB)
EUH440: Accumulates in the environment and living organisms including in humans	EUH441: Strongly accumulates in the environment and living organisms including in humans
Persistent, Mobile and Toxic (PMT)	
PMT	very Persistent and very Mobile (vPvM)
EUH450: Can cause long-lasting and diffuse contamination of water resources	EUH451: Can cause very long-lasting and diffuse contamination of water resources

The use of substances that are chemically modified during the production process, so that any relevant hazard for which the substance has been classified under Regulation (EC) No 1272/2008 no longer applies, shall be exempted from the above requirement.

This criterion shall not apply to ingoing substances covered by points (a) and (b) of Article 2(7) of Regulation (EC) No 1907/2006, which set out criteria for exempting substances within Annexes IV and V to that Regulation from the registration, downstream user and evaluation requirements.

Table 4. Derogations to restrictions on ingoing substances that are classified with one or more of the restricted hazards listed in Table 3 and are present in concentrations at or above 0,010% (weight by weight) of the final product formulation

Substance type, substance name and CAS number	Derogated hazard code(s)	Derogation conditions
Preservatives and preservative stabilisers		

Note on preservatives: all preservatives: added to ingredients must be declared by suppliers and all preservatives added directly to the final product formulation must be declared by the paint or varnish producer. The only types of preservatives permitted in ingredients and the final product shall be those that are compliant with Regulation (EU) No 528/2012. For final products originating in the Union, it is reminded that it is not sufficient that the active substances contained in the preservative product are approved under Regulation (EU) No 528/2012 for product type 6 (PT6) (in-can preservative) or for product type 7 (PT7) (dry-film preservative), but the preservative product must be authorised under Regulation (EU) No 528/2012 for PT6 or PT7 or made available on the market according to the transitional measures set out in Article 89(2) of that Regulation. The combined total limits for PT6 and PT7 preservatives shall apply to these following product categories:

- For indoor products: up to 0,080 % weight by weight of PT6 in the final product.

- For colour tints used in tinting systems: up to 0,20 % weight by weight of PT6 in the colour tint.

- For indoor products marketed for use in high humidity areas: up to 0,080 % weight by weight of PT6 and up to 0,10 % weight by weight of PT7 in the final product.

- For outdoor products: up to 0,080 % weight by weight of PT6 and up to 0,50 % weight by weight of PT7 in the final product.

Except for colour tints, all references to concentrations/limits/levels of preservatives in the section ‘Preservatives and preservative stabilisers’, shall be understood as referring to the preservative active substances contained in the final product formulation.

Any preservatives which cannot be present in the final product formulation at concentrations exceeding 0,010 %, due to specific concentration limits (SCLs) lower than 0,010 % that would classify the final product with a restricted CLP hazard, are not mentioned in the derogation table below because they cannot be used in concentrations exceeding 0,010 % in the first place and thus do not need a derogation. This does not imply that they cannot be used as ingoing substances in EU Ecolabel products at any level. If not explicitly excluded in sub-criterion 4.3, such preservatives may be used so long as it is at levels below any SCLs that would trigger a restricted CLP classification of the final product formulation.

In-can preservatives (PT6) in colour tints or final product:	H301, H311, H317, H330, H331, H372, H373, H400, H410, H411, H412, H413	*See horizontal derogation condition at foot of table The sum total of all PT6 in-can preservatives (those derogated for use above 0,010% and those that are non-derogated but allowed in levels < 0,010%) must be within the relevant limits defined in the note above.

		When preservatives that are formaldehyde donors are used, the relevant limits for free formaldehyde in the final product set out in sub-criterion 4.3(l) must be respected. Specific concentration limits (% weight by weight in the final product) shall apply for the derogated substances listed below: - Bronopol (CAS No 52-51-7): up to 0,030 %. - DBNPA (CAS No 10222-01-2): up to 0,030 % - Sodium pyrithione (CAS No 3811-73-2): up to 0,030 %. - BIT (CAS No 2634-33-5): up to 0,036 %. - Combined total isothiazolinones and isothiazolinone releasers (those derogated for use above 0,010% and those that are non-derogated but allowed in levels < 0,010%): up to 0,040 % in final product formulations. - Diamine (CAS No 2372-82-9): up to 0,050 %.
Dry-film preservatives (PT7):	H311, H317, H330, H331, H372, H373 H400, H410, H411, H412 and H413	*See horizontal derogation condition at foot of table Only applies to outdoor products and indoor products for use in high humidity areas. The sum total of all PT7 dry-film preservatives (those derogated for use above 0,010% and those that are non-derogated but allowed in levels < 0,010%) must be within the relevant limits defined in the note above. In the case of slow release, encapsulated forms of dry-film preservatives, the specific classification of the final product, or read-across formulations, should consider the absolute concentration of the hazardous components (i.e. without capsules). The final product or read-across formulation cannot be classified with any of the hazards listed in Table 3.

		Any dry-film preservatives classified as H400 or H410 must be non-bioaccumulative, demonstrated by having an octanol-water coefficient (Log Kow) of ≤ 3.2 or a bioconcentration factor (BCF) of ≤ 100.
Preservative stabiliser: Zinc oxide (CAS No 1314-13-2)	H400, H410	*See horizontal derogation condition at foot of table Permitted to be used as a preservative stabiliser, up to 0,040 % weight by weight of the final product, when used to stabilise in-can or dry-film preservative combinations that require 1,2-Benzisothiazol-3(2H)-one (BIT).
Drying and anti-skinning agents		
Anti-skinning agents	H317, H411, H412, H413	*See horizontal derogation condition at foot of table The sum total anti-skinning agent content shall not exceed 0,40 % weight by weight in the final product.
Driers (siccatives)	H301, H317, H373, H400†, H410†, H411, H412, H413	*See horizontal derogation condition at foot of table The sum total drier content shall not exceed 0,10 % weight by weight in the final product. † The derogation for H400, H410 and H411 only applies to cobalt-based drier compounds or neodecanoic acids and such compounds can only be used up to 0,050 % weight by weight in the final product.
Pigments and anti-corrosion additives		
Anti-corrosion pigments/ additives	H400, H410	*See horizontal derogation condition at foot of table Only permitted up to 0,050 % weight by weight in the final product and only for tri-zinc bis(orthophosphate (CAS No 7779-90-0).
Trimethylolpropane	H361fd	*See horizontal derogation condition at foot of table

		Only when used as an additive in supplied pigments and only up to 0,50 % weight by weight in the supplied pigment.
Binders and polymer dispersions		
Binders and crosslinking agents: Adipic acid dihydrazide (CAS No 1071-93-8)	H317, H411	*See horizontal derogation condition at foot of table Only allowed up to 1,0 % weight by weight in the binder or polymer dispersion ingredient and when used as an adhesion promoter or as a crosslinking agent.
Unreacted monomers (in binders)	H301, H304, H311, H317, H331, H334, H372, H400, H410, H411, H412	*See horizontal derogation condition at foot of table The sum total concentration of unreacted monomers needing this derogation shall not exceed 0,050 % weight by weight in the final product.
Other, miscellaneous		
Methanol (CAS No 67-56-1)	H301, H311, H331, H370	*See horizontal derogation condition at foot of table Only permitted as a residual reaction product of other substances in the product formulation. Allowable residual concentration increases as a function of binder content in the following manner: - Binder content of 10-20%: allowable residual methanol is 0,020 % weight by weight in the final product. - Binder content of 20-40%: allowable residual methanol is 0,030 % weight by weight in the final product. - Binder content of >40%: allowable residual methanol is 0,050 % weight by weight in the final product.
Mineral raw materials, including fillers, anti-sagging	H372, H373	*See horizontal derogation condition at foot of table

agents and matting agents		Only applies to mineral raw materials and leucophyllite minerals that naturally contain crystalline silica. Only permitted in contents up to 1.0% weight by weight in the final product formulation for H372 materials or up to 10% for H373 materials. In cases where the material is supplied in dry powder form, the applicant shall demonstrate that they have systems in place to minimise worker exposure to dry powder in the workplace (for example closed dosing systems, ventilated dosing and mixing areas and personal protective equipment).
Neutralising agents	H301, H311, H331, H400, H410, H411, H412, H413	*See horizontal derogation condition at foot of table Only allowed up to 1,0 % weight by weight in varnish formulations, and up to 0,50 % in all other products.
Optical brighteners	H413	*See horizontal derogation condition at foot of table Only allowed up to 0,10 % weight by weight in the final product formulation.
Silicon resin	H412, H413	*See horizontal derogation condition at foot of table Only allowed up to 2,0 % weight by weight in the final product formulation.
Solvents	H304	*See horizontal derogation condition at foot of table Only allowed up to 2,0 % weight by weight in the final product formulation.
Surfactants	H304, H400, H411, H412, H413	*See horizontal derogation condition at foot of table Only allowed up to 1,0 % weight by weight in transparent, semi-transparent, white or light-

		coloured product formulations or up to 3,0 % weight by weight in all other colours
UV stabilisers	H317, H411, H412, H413	*See horizontal derogation condition at foot of table Only applicable to outdoor products and only up to 0,60 % weight by weight in the final product formulation.
*Horizontal derogation condition: none of the derogations above, either individually or in combination, shall be permitted if they result in the final product being classified with any of the hazards defined in Table 3, with the notable exception of H412 and H413 for outdoor products due to the presence of dry-film preservatives.		

Assessment and verification:

The applicant shall provide a signed declaration of compliance with sub-criterion 4.2, including compliance with any relevant derogation conditions, supported by declarations from suppliers and any other relevant documentation.

A list of all ingoing substances with one or more of the restricted CLP hazards calculated to be present in the final product formulation in concentrations greater than 0,010 % weight by weight shall be presented, together with their CAS numbers, CLP classification status (i.e. harmonised, joint entry or self-entries only) the relevant function of the ingoing substance (for example in-can preservative, drier, pigment, neutralising agents, surfactants, UV stabiliser etc.)., Calculations for ingoing substance concentrations in the final product formulation shall be based on:

— a list of all ingredients, chemicals or raw materials used to make the final product formulation,

— the screening of ingredients, chemicals or raw materials for those ingoing substances and known impurities with any of the EU Ecolabel-restricted CLP hazards,

— the concentrations of any screened ingoing substances and known impurities with EU Ecolabel-restricted CLP hazards in the ingredients, chemicals or raw materials used, in the format supplied.

— the weight of each of the ingredients, chemicals or raw materials added to make a known weight of final product formulation.

Known impurities shall be treated as ingoing substances only if the screening exercise reveals that their content in the final product formulation shall exceed 0,010% weight by weight or their content in an ingredient shall exceed 0,100% weight by weight. Known impurities below these thresholds shall not be counted in calculations.

Any screened ingoing substances shall be assumed by default to be 100 % retained in the final product. Justifications for any deviation from a retention factor of 100 % during processing (for example solvent evaporation) or for chemical modification of a screened ingoing substance shall be provided. Substances known to be released or to degrade from ingoing substances are considered ingoing substances and not impurities.

For any screened ingoing substances remaining in the final product formulation in concentrations greater than 0,010 % weight by weight, but which are exempted from sub-criterion 4.2 (see Annexes IV and V to Regulation (EC) No 1907/2006), a declaration to this effect by the applicant shall suffice for those substances.

Since multiple products or potential products (for example customised shades from a tinting system) using the same ingredients, chemicals or raw materials may be covered by one EU Ecolabel license, a worst-case calculation may be acceptable for each screened ingoing substance within a common family of products covered by the same license.

Regarding information requested from suppliers that may be commercially sensitive, evidence from suppliers can also be provided directly to competent bodies without necessarily providing certain details to the applicant.

4.3. Specific hazardous substance restrictions for ingoing substances.

Unless derogated in sub-criterion 4.2, the substances indicated below shall not be included as ingoing substances in the final product formulation or as ingoing substances to the ingredients used to make the final product formulation:

(a) Preservatives or driers classified as carcinogenic, mutagenic or toxic for reproduction.

(b) Substances classified as category 1 or category 2 endocrine disruption for human health or the environment in accordance with CLP Regulation (EC) 1272/2008, substances included in the candidate list referred to in Article 59(1) of REACH Regulation (EC) 1907/2006 as having endocrine-disrupting properties for human health or the environment, substances identified as having endocrine-disrupting properties in accordance with Regulation (EU) No 528/2012 or Regulation (EC) No 1107/2009, except for DBNPA (CAS No 10222-01-2) when used as an in-can preservative.

(c) Substances classified as Persistent, Bioaccumulative and Toxic (PBT) or very Persistent and very Bioaccumulative (vPvB) for the environment and living organisms including in humans in accordance with CLP Regulation (EC) 1272/2008, substances included in the candidate list referred to in Article 59(1) of REACH Regulation (EC) 1907/2006 as having PBT or vPvB properties for the environment and living organisms including in humans, substances identified as having PBT or vPvB properties for the environment and living organisms including in humans in accordance with Regulation (EU) No 528/2012 or Regulation (EC) No 1107/2009.

(d) Substances classified as Persistent, Mobile and Toxic (PMT) or very Persistent and very Mobile (vPvM) in accordance with CLP Regulation (EC) 1272/2008, substances included in the candidate list referred to in Article 59(1) of REACH Regulation (EC) 1907/2006 as having PMT or vPvM properties.

(e) Alkylphenols, alkylphenol ethoxylates (APEOs) and their derivatives, as referred to in entry 43 to Annex XIV or entry 46 to Annex XVII of the Regulation (EC) 1907/2006.

(f) Perfluorinated and polyfluorinated compounds (PFAS), as defined in Article 4(42).

(g) Phthalates.

(h) Organotin compounds.

(i) Fragrance substances which are prohibited or restricted in cosmetic products and listed in Annexes II or III to Regulation (EC) No 1223/2009.

(j) Bisphenols that have been identified by ECHA in their 2021 'Assessment of Regulatory Needs report on Bisphenols' for further EU regulatory risk management that are known or potential endocrine disruptors for the environment or for human health, or that can be identified as toxic for reproduction.

(k) Pigments used shall not be based on Cadmium, Lead, Chromium (VI), Mercury, Arsenic, Selenium, Antimony or Cobalt. The following impurities from any pigments used shall not be present in the final product formulation in quantities exceeding 0,010 % weight by weight (per metal): Cadmium, Lead, Chromium (VI), Mercury, Arsenic, Selenium, Antimony and Cobalt. The only exceptions to pigment use and to the 0,010 % limit for impurities shall be:

- Cobalt: due to the use of Cobalt aluminate blue spinel (CAS No 1345-16-0) and Cobalt chromite blue-green spinel (CAS No 68187-11-1) pigments.
- Antimony: due to the use of pigments based on Antimony Nickel within an insoluble TiO_2 lattice.

(l) Free formaldehyde shall not be intentionally added to the final product formulation. The final product shall be tested in order to determine its free formaldehyde content. Worst-case samples for testing shall be selected for each family of products based on which product is predicted to have the highest theoretical amount of formaldehyde content. Under the conditions defined below, the following sum total limits of free formaldehyde shall be permitted:

- Up to 0,0010 % weight by weight permitted when bronopol or preservatives that are formaldehyde donors are required as an in-can preservative to protect a specific type of paint or varnish
- Up to 0,010 % weight by weight permitted when polymer dispersions (binders) provide, through residual levels of formaldehyde, the function of formaldehyde donors instead of in-can preservatives.
- Up to 0,010 % when both conditions listed above apply in the same product.

(m) Synthetic polymer microparticles (SPMs, commonly known as microplastics) as defined in entry 78 of Annex XVII to Regulation (EC) No 1907/2006 (REACH), shall not be used for non-film forming purposes in any product formulation unless their use and purpose is explicitly declared, together with a justification of why their use improves the overall environmental performance of the paint or varnish product.

(n) TiO_2 nanoform, as defined in Article 4(52), shall not be used as an ingredient for any purpose in aerosol products.

Assessment and verification:

(a to j) The applicant shall declare the non-use of the relevant substances indicated in this sub-criterion, namely CMR preservatives, CMR driers, endocrine disruptors (except DBNPA), PBT and vPVB substances, PMT and vPvM substances, alkylphenols and APEOs, PFAS, phthalates, organotin compounds, fragrances and bisphenols as ingoing substances in their formulation, supported by declarations from their suppliers about the non-use of the same hazardous substance groups as ingoing substances in the ingredients supplied and that are used in formulations covered by the EU Ecolabel license application procedure.

(k) In the case of the heavy metal restrictions from pigments, the applicant or pigment supplier shall provide a declaration stating that neither the pigment itself nor any ingoing substances that may be incorporated into the pigment product are based on the listed heavy metals. The

applicant or pigment supplier shall also provide a test report with the heavy metal impurity levels of representative samples of the pigment supplied. The applicant shall then use these results, together with the % of pigment(s) used in the final product, to calculate the concentration of heavy metals from pigments remaining in the final product. In the case of exempted pigments, the pigment supplier shall declare which pigment(s) have the exemption (i.e. cobalt aluminate blue spinel, cobalt chromite blue-green spinel or antimony nickel in an insoluble TiO_2 lattice).

(l) The applicant shall declare which of their products should have the highest theoretical free formaldehyde content within each family of products' formulation. This declaration shall be based on the choice of the paint formulator to use formaldehyde donors as in-can preservatives and declarations from suppliers regarding the amounts of formaldehyde donors used to preserve supplied ingredients (especially binders). The addition of these substances (and any other ingredients that release formaldehyde) to the worst-case formulations shall not result in the content of free formaldehyde in the final product exceeding the relevant concentration limit, as measured with relevant European or international standards.

(m) The applicant shall provide either a declaration of the non-use of SPMs for non-film forming purposes or a declaration of their use in the product formulation. In cases where the use of SPMs for non-film forming purposes is declared, the type, quantity (% weight by weight) and purpose shall be stated in the declaration, together with a justification of how the use of SPMs for non-film forming purposes improves the overall environmental performance of the product. Such justifications should normally compare the environmental performance of the same product with and without the SPMs for non-film forming purposes.

(n) The applicant shall provide a declaration of the non-use of TiO_2 nanoform pigments, supported by declarations from their pigment supplier(s).

Criterion 5. Consumer information

5(a) The following information shall appear on or be attached to the packaging:

— Recommendation to minimise paint wastage by estimating how much paint is needed before purchase,

— How to estimate the amount of paint needed prior to purchase in order to minimise paint wastage and a recommended amount as a guideline (for example for 1 m^2 of wall, X litres of paint is needed),

— Safety measures for the user including basic recommendation on personal protective equipment that should be worn and additional measures that should be taken when using the product,

— Recommendation to use the product outdoors or in a ventilated environment,

— Information requested in sub-criterion 5(b) or explanation of how to access such information.

5(b) The following information shall appear on or be attached to the packaging or be available via a web-link or QR code:

— Appropriate storage conditions of the product (before and after opening), including, where appropriate, safety advice,

— Appropriate waste management of the ‘leftover paint’ and packaging (in order to limit water and soil pollution). For example, text advising that unused paint requires specialist handling for safe environmental disposal and therefore it should not be thrown away with household or commercial waste.

Assessment and verification:

The applicant shall declare that the product complies with the requirement and provide the competent body with the artwork or samples of the user information and/or a link or QR code to a manufacturer's website containing this information as part of the application. The recommended amount of paint given as a guideline shall be provided.

Criterion 6. Information appearing on the EU Ecolabel

The optional label with text box shall contain three of the following statements, according to their relevance:

— Minimised content of hazardous substances,

— Reduced content of volatile organic compounds (VOCs): x g/l,

— Good performance for indoor use (for indoor products), or

— Good performance for outdoor use (for outdoor products), or

— Good performance for both indoor and outdoor use (for products suitable for indoor and outdoor use).

The guidelines for the use of the optional label with text box can be found in the ‘Guidelines for use of the Ecolabel logo’ on the website:

http://ec.europa.eu/environment/ecolabel/documents/logo_guidelines.pdf

Assessment and verification:

The applicant shall provide a sample of the product label or an artwork of the packaging where the EU Ecolabel is placed, together with a declaration of compliance with this criterion.