

This is a translation of the document in Swedish.
In any case of dispute, the original document should be taken as authoritative.

REGULATIONS FOR NORDIC ECOLABELLING Nordic Ecolabelling Board, 12 December 2001

Regulations for Nordic Ecolabelling of products

Introduction

These regulations apply both to applicants for, and to holders of, licences and registrations, and regulate the application and use of the Nordic Ecolabel (The Swan Label). These regulations were adopted on 10 December 1997. Section 11 and Appendix 3 on the subject of use of the Label were amended on 12 December 2001.

The Nordic Council of Ministers adopted a decision in 1989 to introduce a positive, voluntary ecolabelling scheme. An ecolabelling organization was set up in each country to manage this scheme. The organizations are:

| | |
|---------|--|
| Finland | SFS-Ecolabelling |
| Iceland | Environmental and Food Agency of Iceland |
| Norway | Ecolabelling Norway |
| Sweden | SIS Ecolabelling AB |
| Denmark | Ecolabelling Denmark, Danish Standard |

Criteria documents are prepared for each product group. The requirements imposed on the products are regulated in the documents, and are based on environmentally relevant aspects of the life cycle of a product. The product requirements may comprise, for example, raw materials, environmental impact of the manufacturing process, operation, use and final disposal. To obtain a licence to use the label, the applicant must meet the requirements of the relevant criteria document.

1 Application

Applications for an ecolabelling licence shall be made on the form shown in Appendix 1. An organization in a participating country applies to the ecolabelling organization in its own country. An organization outside the participating countries applies to the ecolabelling organization initially responsible for the relevant criteria document.

The applicant must sign the application. The application must also be signed by the end manufacturer, regardless of whether some other party in the retail chain is applying for the ecolabelling licence. By submitting the application to the national ecolabelling organization, the applicant undertakes to follow the relevant criteria document and the Regulations for Nordic Ecolabelling of products.

The document and appendixes in the Scandinavian language version that was used in the ratification function as the reference document. Translations must be clearly marked to show that they are not reference documents.

The relevant criteria document specifies the information that is to be included with the application. The applicant will bear the costs involved in producing the documentation.

The application must specify all product designations and trade names encompassed by the application. The ecolabelling organization in any other participating country has the right to access the information for an application.

2 Confidentiality

All documents included in the application are subject to confidentiality. If a licence is issued, the information concerning the licensee, the licensed product and the licence number are available to the general public, but not the application documentation. All participating ecolabelling organizations are covered by the above confidentiality requirements.¹

3 The ecolabelling licence

The ecolabelling licence represents permission to use the Nordic Ecolabel. The permission applies in all participating countries, subject to the limitations that follow from these regulations. Permission is given by the national ecolabelling organization that processed the application in accordance to these regulations. The right to use the Nordic Ecolabel applies to physical use of the ecolabel as well as reference to such use.

A licence is issued for products that comply with the stipulated requirements. One licence may cover several products within a given product group if the products embody similar properties from an environmental perspective. Unless otherwise determined in each individual case, a licence covers the products from one production site.

The transfer of a licence requires approval from the ecolabelling organization.

The Nordic ecolabelling organizations never assume the product liability of the licensee in relation to a third party. Moreover, the licensee is responsible for all costs incurred by the ecolabelling organization if it should emerge that the product does not conform to the requirements.

4 The validity of the ecolabelling licence

The validity of the licence is confined to the period of validity of the relevant criteria document. To obtain a licence under the terms in a revised criteria document, a new application must be submitted. Licensees must be notified of the new criteria requirements within the time specified in the criteria document. If the validity period of the criteria document is extended without change, no new application need be submitted, and it is the responsibility of the national ecolabelling organization to issue an extension to the validity of the licence.

In special circumstances, the ecolabelling organizations reserve the right to revoke all licences in a product group if the Nordic Ecolabelling Board decides, on the basis of new,

¹ In Denmark, appeals are excluded from the confidentiality requirement. However, commercially sensitive information may be subject to confidentiality.

important knowledge concerning impact on the environment or health, to withdraw or substantially amend the criteria during the predetermined validity period.

When processing a licence application and licence conditions, the requirements in the version of the criteria document and regulations in force on the date of application for the ecolabelling licence must be met.

5 Registration

In order to use the Nordic Ecolabel in another participating country, registration is required with the Nordic ecolabelling organization in the country in question. A licence serves as a basis for registration in another participating country. The applicant for registration must provide supporting evidence to show that the product is licensed. The application for registration must also include documentation of compliance with the special national requirements imposed by the relevant criteria. The registration application form is attached as Appendix 2. The registration application must also be signed by the licensee, regardless of whether the application was submitted by the licensee or by some other party. See also section 3.

Any party who is granted a registration bears the same responsibility in the relevant country as the licensee for the product and the use of the Nordic Ecolabel.

A registration is not transferable to a third party without the written consent of the ecolabelling organization and the licensee.

6 Changes

The licensee undertakes to notify the ecolabelling organization before any major changes are made to processes, product composition, design, materials, etc. that may affect the properties and environmental impact of the product in relation to the criteria document. The ecolabelling organization will decide whether the change is such that renewed testing/inspection is necessary in order to verify that the product still conforms to the criteria requirements, and will then notify the licensee of its conclusions.

7 Inspection

Choice of test laboratory

Sampling and analysis, inspection and/or examination or the like will be carried out as specified in the criteria document for the relevant product group. Unless otherwise specified in the criteria document, the laboratories must be independent.

The applicant is responsible for documentation.

Inspection visit following the application

Before a licence is issued, the ecolabelling organization will normally pay an inspection visit to the applicant and/or the manufacturer.

Quality and environmental assurance

The licensee must check, either on his own or by retaining a test institution approved by the ecolabelling organization, that the products covered by the ecolabelling licence and the manufacturing process, etc. conform to the provisions of the criteria document. Existing inspection procedures for environmental inspection, etc. should be utilized.

Unless otherwise specified in the criteria document, a journal will be recorded of the inspection, covering all test results and must be kept on file during the validity period of the criteria document and licence. A manufacturer with a licence is responsible for safeguarding, by means of documented procedures and instructions, that the requirements of the ecolabelling criteria are met by all ecolabelled products, and that the documentation from the tests, measurements, etc. specified in the relevant criteria document are systematically kept on file.

The licensee is responsible for recording all claims and corrective measures in respect of ecolabelled products.

Periodic inspection

The ecolabelling organization that has granted the ecolabelling licence/registration must ensure, by means of the necessary periodic inspection, that licensed products conform to the stipulated requirements. Such inspection may be carried out at the premises of the licensee, manufacturer, sub-contractor, importer, wholesaler and retailer without prior notice.

The inspection may include: the manufacturer's stores, raw materials, production, products, analysis equipment and records, etc.

If the inspection reveals non-compliance, the ecolabelling organization that issued the licence may undertake additional inspection or may require the licensee to carry out modifications to the product, process or quality system.

If inspection reveals that the provisions of the criteria document have not been met, the ecolabelling organization that issued the licence may instruct the licensee to cease using the label forthwith, also at later stages in the retail chain. The ecolabelling organization may also require the holder of the licence/registration to adopt other corrective measures if such measures are considered to be more effective.

8 Notice of termination

The ecolabelling licence or registration may be terminated in writing subject to three months' notice of termination.

9 Revocation of licence and registration

The ecolabelling licence/registration may be revoked if the holder of the licence/registration or the product fails to meet the requirements in these regulations, in the relevant criteria document or in laws and ordinances relating to the product.

Failure to pay the stipulated fees will always constitute grounds for revocation.

If the licence is revoked, the right to use the Nordic ecolabel will cease with immediate effect. If a licence is revoked, the associated registrations will always become invalid.

The ecolabelling organization may determine that revocation will be permanent or temporary, or that it will apply until the circumstances that gave rise to revocation have been remedied. Instead of immediate revocation, the ecolabelling organization may allow a period for the conditions that gave rise to the withdrawal to be rectified. If these are not corrected within the time allowed, the licence/registration will cease to apply.

Before a withdrawal decision is taken, the relevant holder of the licence/registration will be notified and given a period of time to present his case. If the circumstances are serious and, in the opinion of the ecolabelling organization, continued use of the label could damage the reputation of the system, revocation may take place with immediate effect.

The ecolabelling organization will announce in a suitable manner its decision to revoke the licence and/or registration.

The Nordic ecolabel is a registered trademark. Unauthorized use of the Nordic ecolabel or unauthorized reference to the label will be regarded as contravention of the trademark regulations and will always result in legal action.

Holders of a licence/registration, who contravene the right to the trademark, must pay 30% of the latest notified annual fee for the product. The compensation payable will not be less than ecu 3000 (three thousand) per year of contravention. Compensation may be reduced if the contravention is not serious or if the company is having financial difficulties.

The above liability for compensation will continue to apply even after the licence/registration has ceased.

10 Fees

The application fee and the expansion/amendment fee are payable by the applicant in conjunction with the application. These fees are not refundable.

A fee for the right to use the label, based on estimated annual turnover, is payable. The ecolabelling organization has the right to demand documentation in support of the information concerning the turnover of the ecolabelled product.

The licensee will pay the annual fee to the ecolabelling organization in the country in which the licence for the product has been issued. Holders of registrations will pay the relevant fee in the country in which the registration certificate has been issued.

The amounts of the various fees are determined nationally in accordance with the principles provided for in the guidelines for the scheme issued by the Nordic Council of Ministers.

Inspection costs

The applicant is responsible for meeting all costs of tests, trials, examinations and other similar costs during the application phase, up to the time at which a decision is taken concerning the application.

Follow-up tests and inspections stipulated in the criteria document are always paid for by the holder of the licence/registration. The cost of other follow-up tests and inspections are payable by the holder of the licence/registration only if objections are raised.

11 Use of the Nordic ecolabel

A product for which a licence has been granted may bear the Nordic Ecolabel. The Label may also be shown on the packaging of the product and used in marketing material.

Appendix 3 to these regulations describes the rules governing use of the Label. The criteria document applicable to the individual product group may contain rules on the use of the Label that deviate from these general rules.

It is the responsibility of the licence-holder to ensure that these rules on the use of the Label are observed.

12 Insight rights

In the event of disputes concerning the right to use the label or the rejection of an application for a licence, the ecolabelling organization will justify its decision and give the other party the right of insight into the case. This will take place without jeopardizing the confidentiality rights of the third party.

13 Appeals

An appeal against a decision to reject an application or revoke a licence or registration may be lodged with the ecolabelling organization that adopted the decision. The grounds for the appeal must be presented in writing no later than four (4) weeks after the appellant has been notified of the decision. Such a request may be lodged only by those encompassed by the decision. The appeal must specify the decision that is to be re-assessed, the required change to the decision, and the objective grounds for the appeal.

Appeals against decisions concerning licences or registrations are processed in accordance with nationally documented procedures.

14 Registers

The ecolabelling organizations will keep a continually updated register of licensed and registered products. When an amendment is made to the register, a new licence/registration or an updated version of the licence/registration will be sent to the other ecolabelling organizations. Particulars that are not covered by the confidentiality provisions (see above) will be transmitted. The particulars are available to the general public.

15 Amendment to these regulations

The Nordic Ecolabelling Board may amend these regulations.

Appendix

- 1) Licence application form
- 2) Registration application form
- 3) Regulations for the use of the Nordic ecolabel, with a check list for marketing ecolabelled products



Application for Ecolabel licence

Send application to

Date:

xxxx

xxx

xxx

Information on the applicant

| | |
|--------------------------------------|--|
| Applicant's name and address: | VAT/Organisation No: |
| | Telephone (incl. country code): |
| | Telefax: |
| Contact person: | |
| Licence applied for by the | <input type="checkbox"/> manufacturer <input type="checkbox"/> dealer/importer |

Information on the application

| | | |
|---|---|---|
| <input type="checkbox"/> First application for a licence | <input type="checkbox"/> Application for re-assessment of existing licence | <input type="checkbox"/> Application for expansion of existing licence |
|---|---|---|

Information on the product(s)

A product is defined as one or more versions of a product with the same properties from the point of view of, for example, function, quality and the environment, even if it has (they have) different colours etc. All trade names included in the licence application must be stated.

| | |
|---|----------------------------|
| Productgroup: | |
| All trade names, designation and specification of the product(s) | |
| Estimated annual turnover of the product(s) in the country in question | NOK/SEK/DKK/EUR/ISK |

Application fee

The application will be handled as soon as the application fee is paid.

Applicant's undertaking

We have read the "Regulations for Nordic Ecolabelling of products". If our application for an ecolabel licence is granted, we agree to follow its rules as well as the ecolabelling criteria and other regulations of which the ecolabelling organization may inform us.

We thus undertake to follow the above-named regulations and:

- to satisfy the relevant authority's requirements for the exterior and interior environment in all production and handling of the product
- to use the ecolabel only on products that satisfy the requirements in the current ecolabelling criteria in all respects
- only use the ecolabel on products included in our licence
- to use the Swan label in accordance with, point 11 in "Regulations for Nordic Ecolabelling of Products"
- to provide factual information on the significance of ecolabelling when marketing ecolabelled products in advertisements and other forms of marketing
- to pay the required fee to the ecolabelling organization and other costs in connection with our application for an ecolabel licence and the inspection and testing on ecolabelled products which are demanded by the ecolabelling criteria document in question or other regulations
- to apply for registration and pay the annual fees and other costs to the ecolabelling organizations in the Nordic countries in which ecolabelled products are sold
- to hold the ecolabelling organization not responsible in the event of claims or other financial expenses which may be feed to the ecolabelling organization as a result of damage caused by the product manufactured and/or sold by the licensee, including faults and defects in the product itself.

The agreement on using and marketing the Swan label is concluded when a licence is issued by the ecolabelling organization.

Applicant's signature/Authorized signatory

-

-

in capital letters

Information on the manufacturer

| | |
|--|-----------------------------|
| Manufacturer's name and address | Telephone |
| Contact person | Telefax |
| | Place of manufacture |

Manufacturer's undertaking

We have read the "Regulations for Nordic Ecolabelling of Products", to which this application refers. As manufacturer of the products for which the applicant is requesting an ecolabel licence, we hereby agree to manufacture our products in agreement with the ecolabelling criteria in question. We also agree to satisfy the relevant authorities requirements for the exterior and interior environment and handling of the product.

Date:

Manufacturer's signature

in capital letters

Appendix 2

Application for registration of an Ecolabelled product



Send application to

XXX

XXX

XXX

Date:

Information on the applicant

| | |
|--|--|
| Applicant's name and address: | VAT/Organisation No: |
| | Telephone (incl. country code): |
| | Telefax: |
| Contact person: | |
| Registration applied for by the | <input type="checkbox"/> licensee <input type="checkbox"/> dealer/importer |

Information on the application

| | | |
|---|---|-----------------------------|
| <input type="checkbox"/> First application for registration of a product | <input type="checkbox"/> Application for re-assessment or expansion of existing registration | Original licence No: |
|---|---|-----------------------------|

Information on the product(s)

Registration is restricted to products for which a Nordic Ecolabelling licence has been granted

| | |
|---|----------------------------|
| Product group: | |
| Designation and specification of the product(s) | |
| Estimated annual turnover of the product(s) in the country in question | NOK/SEK/DDK/EUR/ISK |
| Retailer/Importer in (country in question) | |

Applicant's undertaking

We have read the "Regulations for Nordic Ecolabelling of Products". If our application for a registration is granted, we agree to follow its rules as well as the ecolabelling criteria and other regulations of which the ecolabelling organization may inform us.

We thus undertake to follow the above-named regulations and:

- to satisfy the relevant authority's requirements for the exterior and interior environment in all production and handling of the product
- to use the ecolabel only on products that satisfy the requirements in the current ecolabelling criteria in all respect
- only use the ecolabel on products included in our registration
- to use the Swan label in accordance with point 11 in "Regulations for Nordic Ecolabelling of Products"
- to provide factual information on the significance of ecolabelling when marketing ecolabelled products in advertisements and other forms of marketing
- to pay the required fee to the ecolabelling organization and other costs in connection with our application for registration of an ecolabelled product and the inspection and testing on ecolabelled products which are demanded by the ecolabelling criteria document in question or other regulations
- to hold the ecolabelling organization not responsible in the event of claims or other financial expenses which may be feed to the ecolabelling organization as a result of damage caused by the product manufactured and/or sold by the registration holder, including faults and defects in the product itself.

The agreement on using and marketing the Swan label is concluded when a Registration Certificate is issued by the ecolabelling organization.

Applicant's signature/Authorized signatory

in capital letters

Information on the licensee

Copy of the licence shall be enclosed

| | |
|------------------------------------|-----------------------------|
| Licensee's name and address | Telephone |
| Contact person | Telefax |
| | Place of manufacture |

Licensee's undertaking

We hereby give the applicant permission to use our Nordic Swan label licence in the country in question. Furthermore, we confirm that the products listed in this application for registration are included in our valid licence and fulfil the requirements in the criteria document in question.

Date

Licensee's signature

in capital letter

REGULATIONS FOR NORDIC ECOLABELLING

Nordic Ecolabelling Board for Environmental Labelling, 12 December 2001

This is a translation of the criteria document in Swedish.

In any case of dispute, the original document should be taken as authoritative.

Appendix 3

REGULATIONS ON THE USE OF THE NORDIC ECOLABEL

This appendix to "Reegulations on the Ecolabelling of products" supplements Section 11 of the regulations. The criteria document for the individual product group may contain further rules on the use of the Label.

1. General rules

The Nordic Swan Ecolabel is the logotype of Nordic Ecolabelling and is a registered trademark, protected internationally through WIPO. The right to the Label is held by the Nordic Ecolabelling secretariats, and these in turn grant undertakings the right to use the Label on and in respect of products, which have been granted an Ecolabelling licence in response to an application, for a limited licence period.

As well as following these rules, licence-holders must also respect the logotype as such. This means not distorting, incorporating other images, printing text over or in other ways interfering with the appearance of the Label. Nor may the Ecolabel be used in or form part of the logotype of the product or the undertaking itself.

The Ecolabel may be used only on products (goods and services) that are encompassed by a valid Nordic Ecolabelling licence and in connection with the marketing of these. The Ecolabel must not be used in such a way that it might come to be associated with the undertaking itself or to other, non-ecolabelled products of the undertaking.

Products that are to be processed and/or form part of other products must not be labelled if this might subsequently have a misleading effect. Such products may only be marketed as ecolabelled on covers, packaging, product catalogues or the like, and in marketing material.

The trade name(s) of the ecolabelled product must be reported to Nordic Ecolabelling. Any changes of name or parallel trade names must be reported as they occur.

It is the responsibility of the licence-holder to ensure that all labelling, marketing and advertising of the ecolabelled product complies with the rules on the use of the Ecolabel and to ensure that these rules are distributed to the undertaking's marketing department, advertising agency, retailers or other persons/undertakings that have an influence on the use of the Label.

All marketing of ecolabelled products must be conducted within the framework provided by the Marketing Act or other relevant statutes in the country in question. In addition, the International Chamber of Commerce International Code of Environmental advertising must be observed. Furthermore, guidelines on the use of environmental claims in marketing have been compiled by the ombudsmen for consumer affairs in the Nordic countries (TemaNord 1994:562).

2. The licence number

Each Ecolabelling licence is allotted a six-digit identity number (equivalent to the licence number) which allows the product to be identified. This number must be displayed in conjunction with the Label.

Advertising and marketing material for the ecolabelled product need not show the licence number in conjunction with the Label, provided that it is possible to find this information elsewhere in the marketing material or that identification is possible by other means.

3. The name of the product group and information texts

The criteria document for the individual product group may stipulate that the name of the product group or some other specified text must always appear in conjunction with the label. Even if this is not mandatory according to the criteria document, the licence-holder may specify the product group below the Label in order to clarify the meaning of the Ecolabel.

The criteria document may also specify that an explanatory information text must appear below the Label. Use of this text is voluntary and provides information on the contents of the criteria.

These supplementary texts must be written in the same language as the language used in the Ecolabel itself.

4. Position

The Label must be located in such a way that no doubt arises about what it refers to and in such a way that customers purchasing the product are able to see that the product is Ecolabelled.

Ensuring that the Label is employed correctly is the responsibility of the licence-holder. The Ecolabelling secretariat may ask to examine the design and position of the Nordic Ecolabel on the product during the licensing process.

In the case of ecolabelled services, the Label may be positioned in conjunction with the name of the undertaking providing the service and on material used in the marketing of the Ecolabelled service.

5. Checks on the use of the ecolabel

Nordic Ecolabelling may check that the label is used in accordance with these rules and may require the licence-holder to take corrective measures. In the event of a gross failure to follow the rules the Ecolabelling licence may be revoked.

6. The design of the label

The design of the ecolabel is as follows:



000

000

Product group name or wording
specified in the criteria document.

The word "ECOLABELLED" or an equivalent wording in some other language follows the curved outline of the top of the label. If the licence-holder wishes to use more than one approved language version, the text must be written around the label.

The word "ECOLABELLED" is upper case Helvetica typeface, upright, semibold. Spacing and font size should be adapted to the size of the label.

The licence number must be positioned horizontally below the label or follow the curved underside of the label or be divided into two parts written on either side of the label.

The name of the product group or the voluntary explanatory text below the label provided for in the individual criteria document must be adapted in terms of size to the label and written horizontally or follow the curved underside of the label. Type face Helvetica, upright.

The size of the ecolabel must as a minimum be sufficient for the word "ECOLABELLED", the licence number, and where applicable, the product group name to be easily legible. A smaller ecolabel may also be permitted if the word "ecolabelled" "name of product group" and the licence number are written in a legible size next to the Label.

Examples:



Ecolabelled printed matter, 123 456



Ecolabelled hotel
123 456

The wording "ECOLABELLED" in various languages:

| | |
|-------------|--|
| Denmark: | NORDISK MILJØMÆRKNING |
| Finland: | YMPÄRISTÖMERKKI - MILJÖMÄRKIT |
| Iceland: | UMHVERFISMERKI |
| Norway: | MILJØMERKET |
| Sweden: | MILJÖMÄRKIT |
| English: | NORDIC ECOLABEL |
| French: | ECOLABEL NORDIQUE |
| Dutch: | HET SCANDINAVISCH MILIEUKEUR |
| Italian: | ETICHETTA ECOLOGICA NORDICA |
| Spanish: | MARCADO AMBIENTAL NORDICO |
| German: | NORDISCHES UMWELTZEICHEN |
| Polish: | SKANDYNAWSKI ZNAK EKOLOGICZNY |
| Russian: | ZNAK EKOLOGITSHEKOEI SERTIFIKATSII SEVERNYYX STRAN |
| Estonian: | POHJAMAADE ÖKOMÄRGIS |
| Lithuanian: | SIAURES SALIU EKO-ZENKLAS |
| Latvian: | ZIEMELU EKOZIME |

Colours

The Nordic Ecolabel must be shown in green and white. The colour code PMS 347 is for the green colour, or during a transitional period (31 December 2003 at the latest), PMS 354.

PMS 347c (glossy paper) *PMS 347u (matt paper)*

| | | |
|-------------------|--------------------|--------------------|
| Four-colour code: | SMYK 70C 0M 56Y 6K | SMYK 70C 0M 56Y 6K |
| NCS s: | 1565-G | 2060-G |

PMS 354c (glossy paper) *PMS 354u (matt paper)*

| | | |
|-------------------|----------------------|--------------------|
| Four-colour code: | (SMYK 91C 0M 83Y 0K) | SMYK 91C 0M 83Y 0K |
| NCS s: | 1070-G10Y | 1565-G |

If the green colour is not used, the Label may be presented in black and white.

The Label may be printed in black or green on a light, uncoloured or unbleached background with the Swan taking the same colour as the background.

The wording of the Label must be in black or green, or alternatively white against a dark background.

Print originals for various media are available free of charge from the national ecolabelling organizations and may be downloaded from their websites.