

Report  
regarding inspection  
activities in 2016



## Report regarding inspection activities in 2016

### Inspection of the Nordic Swan Ecolabel and the EU Ecolabel

**“Ecolabelling creates confidence. With our inspections, we ensure that ecolabelled products meet the requirements for carrying the Nordic Swan Ecolabel or the EU Ecolabel. We also ensure that the products are marketed correctly, so that private and professional consumers continue to have confidence in the ecolabels”**

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## Introduction

### Why do we carry out inspections?

The Nordic Swan Ecolabel and the EU Ecolabel are marketing tools that help consumers and businesses to choose the most environmentally friendly products and services. Therefore the ecolabelling criteria must be complied with, and the labels must not be abused. Companies which have been awarded an ecolabel licence must comply with the rules governing the use of the ecolabel, while companies which do not have a licence must not use the Nordic Swan Ecolabel or the EU Ecolabel in their marketing. It is for this reason that Ecolabelling Denmark surveys the market and conducts regular inspections.

### What is the inspection report?

Once a year, Ecolabelling Denmark publishes an inspection report that describes the ongoing inspections of ecolabelled products. More precisely, the work involves:

- inspecting the extent to which licensed products or services comply with the requirements in the criteria for the product group in question
- surveying how the ecolabels are used for marketing.

The latter type of inspection is carried out by Ecolabelling Denmark and comprises both surveillance of companies which have been given the right (i.e. obtained a licence) to use one of the ecolabels and of how retailers and other distributors use the ecolabels in their marketing materials etc.

This report describes the results of the inspection activities in 2016 compared to the results from previous years and compared to the development of ecolabelling in general.

## Summary of results in 2016

In recent years, Ecolabelling Denmark has experienced significant growth in sales of ecolabelled products, and there are now more ecolabelled products and services available than ever before. The number of products carrying the Nordic Swan Ecolabel or the EU Ecolabel has increased from approx. 3,500 products in 2007 to more than 14,000 products at the end of 2016.

Of the 354 companies that had a Danish ecolabel licence in 2016, 113 were inspected – which equates to 31%. Approx. 450 companies are listed at [www.ecolabel.dk](http://www.ecolabel.dk), this is because many of them have been issued with a licence in another country, and are inspected there.

### *Results of follow-up inspection activities*

Random checks were conducted for the preservative methylisothiazolinone (MI) in wet wipes. Nine randomly selected wet wipes on the Danish market were tested for MI and were all found not to contain the substance. This follow-up inspection activity was conducted because MI was found in 21 wet wipes in 2015.

A number of printers had failed to produce annual statements, i.e. updated figures on the consumption of chemicals and paper etc. in their database. The annual statements have been received, checked and found to be in order.

The follow-up inspection activities also identified a number of minor infringements of the rules. The most common infringements included:

- the quantity of a raw material was changed without the company having applied for the change to be approved.
- a raw material was used in production before it was approved.
- no annual statement of resource consumption (e.g. consumption of chemicals, paper and energy) for the previous year had been done.
- some companies within the service sector – e.g. cleaning companies and laundries – had used a few non-approved or non-permitted chemicals.

Subsequently, all these minor infringements have been addressed and the conditions approved by Ecolabelling Denmark. None of the infringements were serious enough to warrant the withdrawal of the companies' licences or reporting any of the companies in question to the police.

In 2016, one licence was withdrawn, as the licence-holder, in connection with a re-inspection, was unable to document that certain requirements were still met for the ecolabelled products. In 2015, two licences were revoked.

### *Results of market inspection*

In 2016, 62 infringements were identified in the market survey. None of the infringements warranted reporting the company in question to the police. In 2016 – as in 2015, 2014, 2013 and 2012 – there was particular focus on cleaning companies, and 14 infringements were identified where the Nordic Swan Ecolabel and/or the EU Ecolabel were used in general marketing of the company even though only a few of the cleaning agents used were ecolabelled. In 2016, focus was also on wood-burning stoves, and 20 infringements were identified where the majority concerned marketing in which the Nordic Swan Ecolabel was being used on the website of the wood-burning stove dealer after the licence had expired. The proportion of observed infringements related to service companies fell from more than 50% in 2015 to 29% in 2016.

## Inspection rules and procedures

### Which rules apply?

In Denmark, a government order describes the framework for the work with the ecolabels as well as the rules governing the use of the ecolabels and how infringements should be handled:

- Statutory order no. 447 on the EU and the Nordic Swan Ecolabels of 23 April 2010.

For the Nordic Swan Ecolabel, rules have been drawn up by the Nordic Council of Ministers which, among other things, describe the responsibilities of licence-holders when using the Nordic Swan Ecolabel:

- Regulations for the Nordic Ecolabelling of Products 2016

For the European Ecolabel, there is a scheme that describes the rules and the licence-holder's responsibilities when using the ecolabel:

- Regulation (EC) No. 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (with amendments)

### How are the Nordic Swan Ecolabel and the EU Ecolabel inspected and surveyed?

Ecolabelling Denmark's inspection tasks are based on the statutory order on the administration of the Nordic and EU ecolabels.

Section 6. The tasks of Ecolabelling Denmark are to:

- 8) verify the licence or registration-holder's fulfilment of the criteria in force, including withdrawal of a licence or registration for use of the European and the Nordic Ecolabel,
- 9) supervise and respond to illegal use of the EU Ecolabel and the Nordic Ecolabel, in accordance with statutory order no. 447/2010.

Ecolabelling Denmark performs various inspections:

- Inspections in connection with the granting of licences
- Ongoing inspections of companies' production, products or services
- Ongoing inspections of how the ecolabels are used in marketing.

#### *Inspections in connection with the granting of licences*

Ecolabelling Denmark always conducts a site visit (inspection visit) before a company is granted a licence. The purpose of this visit is to ensure that a quality assurance system is in place. The system helps to ensure that, in the course of its daily activities, the company complies with the requirements set out in the relevant criteria.

#### *Ongoing inspections of production, products or services*

As part of the ongoing annual follow-ups, random checks are made among the companies holding a licence – so-called follow-up inspections. The scope of this work ensures that all companies are inspected at least once within the period for which their licence is valid.

Follow-up inspection is carried out in several ways:

- Ecolabelling Denmark makes an inspection visit to the company.
- Ecolabelling Denmark reviews the product specifications which has been received from the company.
- Ecolabelling Denmark reviews statements of, for example, the company's resource consumption submitted by the company.
- Ecolabelling Denmark carries out another review of the company's production and quality assurance.
  
- Ecolabelling Denmark tests ecolabelled products that have been purchased for the purpose, for example, of checking for banned substances.

#### *Market surveillance: the use of ecolabels*

Ecolabelling Denmark also systematically surveys the use of the ecolabels on websites, in advertising material and in marketing in general. This is called market surveillance, and covers both licence-holders and distributors and random sampling in advertisements and other marketing materials etc. In a single year, the focus can be on a specific sector – or on former licence-holders (to check that these companies do not continue using the ecolabels).

In addition, Ecolabelling Denmark handles enquiries from businesses and private individuals who suspect that the ecolabels are being abused. (For example if there is a smell of perfume in an ecolabelled product where the criteria prohibit perfumes, or if the product is not listed at [www.ecolabel.dk](http://www.ecolabel.dk).)

### **Examples of infringements**

#### *Follow-up inspection*

This usually takes the form of a scheduled inspection, where an Ecolabelling Denmark employee looks at whether the company and its products/services comply with the requirements of the criteria. As mentioned above, this can happen in a number of different ways.

The most common infringements of the rules include:

- the producer has replaced raw materials and/or sub-suppliers without/before having the change approved by Ecolabelling Denmark. In many cases, the product still lives up to the ecolabelling criteria, but there are also examples of products which do NOT live up to the criteria. Such infringements can be discovered through on-site visits, checking the production specifications or by testing the product.
- the company has failed to prepare the continuous surveys of its consumption of chemicals and raw materials as required in the criteria for services.
- the company has neglected to test the wastewater for discharges of chemical substances.

### *Market surveillance*

As described above, this form of inspection involves surveying whether the two labels are being used correctly.

The most common infringements include:

- use of the ecolabel even though the company does not or does not wish to hold a licence.
- use of the ecolabel to promote a product which has not yet been licensed (but where a licence has been applied for).
- use of the ecolabel in connection with a company's other products which are not licensed, or on products for which it is impossible to obtain a licence.
- use of the ecolabel for general marketing of the company and not just the product.
- use of the ecolabel after the licence has expired and where the company does not wish to renew the licence.

Depending on the nature of the infringement, sanctions range from a demand that the problem be rectified, to submission of a written and signed statement or withdrawal of the licence. Ultimately, Ecolabelling Denmark may report the company to the police. In addition, companies that use the Nordic Swan Ecolabel after the licence has expired are ordered to pay financial compensation based on the fee the company should have paid. Companies which are reported to the police may also be required to pay a fine by the prosecutor.

## Inspection and surveillance in 2016 and before

### **Follow-up inspections in 2016 vs previous years**

As in previous years, follow-up inspection in 2016 focused, in particular, on companies' consumption of chemicals and energy.

Ecolabelling Denmark has focused, in particular, on inspecting manufacturers of chemical/technical products, wet wipes, textiles, printers, hotels, campsites and car washes. Specifically, on the following:

- Manufacturers of chemical/technical products: comparison of approved recipes with mixing recipes/production specifications and checking of labels
  - Wet wipes: random checks of Nordic Swan Ecolabelled wet wipes for methylisothiazolinone (MI)
  - Textiles: checks of wastewater, chemical products, fibre suppliers, pesticides in cotton
  - Printers: checks of annual statements, focusing on consumption of chemicals and paper
  - Hotels: checks of resource consumption (energy, water, waste and chemical products) as well as checks carried out by the hotels themselves of their environmental work
  - Campsites: checks of resource consumption (consumption figures for water, energy and cleaning agents) as well as waste volumes per guest
- Car washes: checks of wastewater for heavy metals

*Follow-up inspection at companies – and developments in relation to previous years*

In 2016, 113 companies were re-inspected.

The table below shows the results from 2016 vs those from previous years:

<b>Follow-up inspection</b>	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
No. of companies inspected	101	63	93	113	134	142	163	25**	125	113
Licences revoked	0	1	0	2	0	2	0	3	2	1
Trade names revoked*	-	-	-	-	-	-	-	-	15***	-
Reported to police	0	0	0	0	0	0	0	0	0	0

\*) I.e. the revocation of individual trade names/products under a licence where the requirements have not been met. The entire licence is not revoked, as some of the trade names meet the requirements. This was not measured before 2015.

\*\*\*) 2014 was a licence renewal year for a large group of Nordic Swan Ecolabelled service companies (printers, hotels and car washes). The annual statements with consumption figures etc. are included in the renewal applications, which is why these services are not included in the general work with re-inspections in 2014. The scope of inspections in 2014 was on a par with 2012-13 when including the inspection of renewed service licences.

\*\*\*) In 2015, a total of 15 trade names were revoked under three licences. The three licences covered other trade names where requirements were met, for which reason only the trade names that did not meet the criteria requirements were revoked.

As from and including 2007, the number of ecolabelled products has increased from approx. 3,450 to more than 14,000 in 2016. Approx. 450 companies hold licences for these products, of which 354 companies have been awarded their licence(s) in Denmark and are inspected here. Despite the significant increase in the number of products and licences, the number of licences withdrawn each year has remained at the same low level. In 2016, only a single licence-holder had its licence withdrawn. This was due to a lack of response in connection with follow-up inspection. The licence-holder did not send the required documentation despite repeated requests from Ecolabelling Denmark, and it was therefore not possible to document that the requirements for the company's products were still being met.

*MI test of Nordic Swan Ecolabelled wet wipes*

In spring 2015, the preservative methylisothiazolinone (MI) was found in 21 wet wipes on the Danish market. MI is allergenic, and must therefore not be used in cosmetic products carrying the Nordic Swan Ecolabel. As a result, all new trade names for wet wipes must be tested to ascertain that they do not contain MI before they can be sold in Denmark.

As a follow-up on these tests, checks were carried out in 2016 on nine randomly selected wet wipes, which all tested negative for MI.

## Market surveillance 2016 vs previous years

### *Surveillance of products/companies*

Category	No.
Wood-burning stoves	20
Cleaning services*	14
Cosmetic products	5
Detergents and cleaning	4
Products for construction and housing	4
Paper products (incl. greaseproof paper)	3
Laundries*	4
Car washes*	2
Hygiene products	2
Lawnmowers	1
Thawing agents	1
Furniture	1
Office and hobby articles	1
Textiles	1
No product group	1
<b>Total</b>	<b>62</b>
*Labelling of services	

Number of cases with incorrect use of ecolabels summarised per product group/type:

In 2016, a total of 62 infringements were registered, representing a slight decrease compared to 2015, when the figure was 72. Over the past five years (2011-2015), there have been an average of 54 registrations, i.e. 2016 is slightly above average. In 2016, as in previous years, focus was on cleaning services, and also on licences expiring for wood-burning stoves. Many wood-burning stove licences were not renewed, while the marketing of the products continued on the manufacturers' websites, and to an even greater extent on the websites of the wood-burning stove retailers – as many as 20 cases were registered. In 2016, 29% of all infringements were related to Nordic Swan Ecolabelled services (marked with \* in the table above), while in 2015 and 2014 the figure was just over 50%. The fall is due to the large number of cases involving wood-burning stoves, and no cases with printers (2016: 16 printers). The nature of the infringements in 2016 is very similar to the infringements seen over the past ten years. As in 2015, most cases involved the Nordic Swan Ecolabel and the EU Ecolabel being used for marketing products and services which were not licensed, for example cleaning firms which profile themselves as being Nordic Swan Ecolabelled, but which in fact just use very few ecolabelled cleaning products. In 2016, only 8% of the infringements related to valid licences, which is a drop in relation to 2015 and 2014 (when it was 24% and 14%, respectively). Of the 62 infringements, 57 relate to the Nordic Swan Ecolabel, three relate to both the Nordic Swan Ecolabel and the EU Ecolabel, while two relate only to the EU Ecolabel. The most frequent infringements are 1) a general profiling of the company as being ecolabelled when the company actually sells just a few ecolabelled products, 2) a general profiling as an ecolabelled service when only ecolabelled products are used in connection with the service, 3) the licence has expired yet the company continues to market its products/services using the Nordic Swan Ecolabel, or 4) products where a licence application or renewal has been submitted, but where the ecolabel has been used before the licence has been granted or renewed. The majority of these products have subsequently been awarded a licence. In the case of all infringements, the errors have been rectified so that the rules are now complied with.

The table below shows the results from 2016 vs those from previous years:

<b>Market surveillance</b>	2011	2012	2013	2014	2015	2016
Infringements	36	51	59	51	72	62
Reported to the police	1	0	1	0	0	0

## List of ecolabelled products

All Nordic Swan Ecolabel products and services which are approved for sale in Denmark as well as products and services that have been licensed to carry the EU Ecolabel in Denmark can be found at [www.ecolabel.dk/da/produkter](http://www.ecolabel.dk/da/produkter) or at [www.ecolabel.dk/da/virksomheder/licenser](http://www.ecolabel.dk/da/virksomheder/licenser). The list also includes EU Ecolabelled products which have been awarded a licence in other EU countries and which, according to Ecolabelling Denmark's information, are sold in Denmark. However, the list is not complete in terms of products which have been awarded a licence to carry the EU Ecolabel in countries outside the Nordic countries.

**Better for the environment. Better for you.**

The Nordic Swan Ecolabel and the EU Ecolabel are the official ecolabels in the Nordic countries. The labels make it easy to choose among the environmentally best products and services. The aim of the ecolabels is to reduce the overall environmental impact from our consumption. Accordingly, the Nordic Swan Ecolabel and the EU Ecolabel take account of the entire journey of the product or service and the environmental problems that arise along the way - for the benefit of humans, the environment and the earth's resources. In Denmark more than 14,000 products and services carry the Nordic Swan Ecolabel or the EU Ecolabel. Read more at [Nordic-ecolabel.org](http://Nordic-ecolabel.org) and [ec.europa.eu/environment/ecolabel](http://ec.europa.eu/environment/ecolabel)