

Official Journal of the European Union

L 214



English edition

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Volume 59

9 August 2016

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1346

of 8 August 2016

extending the definitive anti-dumping duty imposed by Council Implementing Regulation (EU) No 1008/2011, as amended by Council Implementing Regulation (EU) No 372/2013, on imports of hand pallet trucks and their essential parts originating in the People's Republic of China to imports of slightly modified hand pallet trucks originating in the People's Republic of China

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (the 'basic Regulation'), and in particular to Articles 13(3) and 14(5)) thereof,

Whereas:

1. PROCEDURE

1.1. Previous investigations and existing measures

- (1) In July 2005, by Regulation (EC) No 1174/2005 ⁽²⁾ the Council imposed a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China ('the PRC'). The measures consisted of an *ad valorem* anti-dumping duty ranging between 7,6 % and 46,7 % ('the original anti-dumping measures').
- (2) In July 2008, following an *ex officio* partial interim review under Article 11(3) of the basic Regulation, the Council clarified the scope of the measures and excluded certain products, high lifters, stackers, scissor lifts and weighing trucks, that were found to be distinct from hand pallet trucks due to their characteristics and specific functions and end-uses, from the original anti-dumping measures ⁽³⁾.

⁽¹⁾ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21.)

⁽²⁾ Council Regulation (EC) No 1174/2005 of 18 July 2005 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of hand pallet trucks and their essential parts originating in the People's Republic of China (OJ L 189, 21.7.2005, p. 1.)

⁽³⁾ Council Regulation (EC) No 684/2008 of 17 July 2008 clarifying the scope of the anti-dumping measures imposed by Regulation (EC) No 1174/2005 on imports of hand pallet trucks and their essential parts originating in the People's Republic of China (OJ L 192, 19.7.2008, p. 1.)

- (3) In June 2009, by Regulation (EC) No 499/2009 ⁽¹⁾ the Council, following an anti-circumvention investigation under Article 13 of the basic Regulation, extended the definitive anti-dumping duty applicable to 'all other companies' imposed by Regulation (EC) No 1174/2005 to hand pallet trucks consigned from Thailand whether declared as originating in Thailand or not.
- (4) In October 2011, by Council Implementing Regulation (EU) No 1008/2011 ⁽²⁾, the Council imposed a definitive anti-dumping duty on imports of hand pallet trucks originating in the PRC following an expiry review pursuant to Article 11(2) of the basic Regulation.
- (5) In April 2013, Council Implementing Regulation (EU) No 372/2013 ⁽³⁾ amended Council Implementing Regulation (EU) No 1008/2011, following an interim review pursuant to Article 11(3) of the basic Regulation and imposed a duty rate of 70,8 % applicable to all imports into the Union of hand pallet trucks originating in the PRC.
- (6) In September 2014, the Commission amended Implementing Regulation (EU) No 1008/2011 by Commission Implementing Regulation (EU) No 946/2014 ⁽⁴⁾. following a new exporter review pursuant to Article 11(4) of the basic Regulation, imposing an individual duty rate of 54,1 % on imports of hand pallet trucks from Ningbo Logitrans Handling Equipment Co.
- (7) The measures in force are definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the PRC as described in recitals 5 and 6 above.

1.2. Request

- (8) On 4 November 2015, the Commission received a request under Articles 13(3) and 14(5) of the basic Regulation to investigate the possible circumvention of the measures in force and to make imports of the product under investigation subject to registration.
- (9) The request was lodged by BT Products AS, Lifter SRL and PR Industrial SRL, Union producers of hand pallet trucks.

1.3. The product concerned and the product under investigation

1.3.1. Product concerned

- (10) The product concerned by the possible circumvention is hand pallet trucks and their essential parts, i.e. chassis and hydraulics, originating in the PRC, currently falling within CN codes ex 8427 90 00 and ex 8431 20 00 (TARIC codes 8427 90 00 19 and 8431 20 00 19). Hand pallet trucks are trucks with wheels supporting lifting fork arms for handling pallets, designed to be manually pushed, pulled and steered, on smooth, level, hard surfaces, by a pedestrian operator using an articulated tiller. The hand pallet trucks are only designed to raise a load, by pumping the tiller, to a height sufficient for transporting and do not have any other additional

⁽¹⁾ Council Regulation (EC) No 499/2009 of 11 June 2009 extending the definitive anti-dumping duty imposed by Regulation (EC) No 1174/2005 on imports of hand pallet trucks and their essential parts originating in the People's Republic of China to imports of the same product consigned from Thailand, whether declared as originating in Thailand or not (OJ L 151, 16.6.2009, p. 1.)

⁽²⁾ Council Implementing Regulation (EU) No 1008/2011 of 10 October 2011 imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China as extended to imports of hand pallet trucks and their essential parts consigned from Thailand, whether declared as originating in Thailand or not, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 (OJ L 268, 13.10.2011, p. 1).

⁽³⁾ Council Implementing Regulation (EU) No 372/2013 of 22 April 2013 amending Implementing Regulation (EU) No 1008/2011 imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China following a partial interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009 (OJ L 112, 24.4.2013, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 946/2014 of 4 September 2014 amending Council Implementing Regulation (EU) No 1008/2011 imposing a definitive anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China following a 'new exporter' review pursuant to Article 11(4) of Council Regulation (EC) No 1225/2009 (OJ L 265, 5.9.2014, p. 7).

functions or uses such as for example (i) to move and to lift the loads in order to place them higher or assist in storage of loads (high lifters); (ii) to stack one pallet above the other (stackers); (iii) to lift the load to a working level (scissor lifts); or (iv) to lift and to weigh the loads (weighing trucks).

1.3.2. *Product under investigation*

- (11) The product under investigation is the same as that defined in the previous recital, but presented at import with a so-called 'weight indication system' consisting of a weighing mechanism not integrated in the chassis, currently falling within the same CN codes as the product concerned but falling within different TARIC codes (8427 90 00 30 and 8431 20 00 50) and originating in the PRC.
- (12) At initiation stage a margin of error of the weighing indication system was defined as equal to or exceeding 1 % of the load. However, the investigation established that the accuracy of the weighing indication system is not an essential characteristic to distinguish the product under investigation from hand pallet trucks. More specifically, as analysed in recitals 54 to 59 below the weighing mechanism of the product under investigation does not change the essential characteristics of the product under investigation, such as structure and use, in order to make it different from the product concerned.

1.4. **The initiation**

- (13) Having determined, after having informed the Member States, that sufficient prima facie evidence existed for the initiation of an investigation pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission decided to investigate the possible circumvention of the measures in force and to make imports of the product under investigation subject to registration.
- (14) The investigation was initiated by Commission Implementing Regulation (EU) 2015/2346 of 15 December 2015 ⁽¹⁾ ('the initiating Regulation').

1.5. **The investigation**

- (15) The Commission officially advised the authorities of the PRC, the exporting producers in this country, the importers in the Union known to be concerned and the Union industry of the initiation of the investigation.
- (16) Questionnaires were sent to the exporting producers in the PRC and to the known importers in the Union.
- (17) Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the initiating Regulation. All parties were informed that non-cooperation might lead to the application of Article 18 of the basic Regulation and to findings being based on facts available.
- (18) One exporting producer in the PRC came forward and provided comments but did not submit a reply to the questionnaire intended for exporting producers. It was subsequently found non-cooperating (recital 26 below).
- (19) Three importers submitted a reply to the questionnaire to the Commission.
- (20) One supplier of weighing indication systems established in the Union made a written submission of its view on the investigation.

⁽¹⁾ Commission Implementing Regulation (EU) 2015/2346 of 15 December 2015 initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No 1008/2011, as amended by Council Implementing Regulation (EU) No 372/2013, on imports of hand pallet trucks and their essential parts originating in the People's Republic of China by imports of slightly modified hand pallet trucks originating in the People's Republic of China, and making such imports subject to registration (OJ L 330, 16.12.2015, p. 43.)

(21) The Commission carried out the verification visits at the premises of the following companies:

- Union producer: P.R. Industrial s.r.l., 53031 Casole d'Elsa, Siena, Italy,
- Importer in the Union: Hyster-Yale Nederland BV, 6541 CN Nijmegen, The Netherlands.

1.6. Investigation period and reporting period

- (22) The investigation period covered the period from 1 January 2011 to 30 September 2015. Data were collected for the investigation period to investigate, inter alia, the alleged change in the pattern of trade.
- (23) More detailed data were collected for the reporting period from 1 October 2014 to 30 September 2015 in order to examine if imports were undermining the remedial effect of the anti-dumping measures in force and existence of dumping as alleged.

2. RESULTS OF THE INVESTIGATION

2.1. General consideration

- (24) In accordance with Article 13(1) of the basic Regulation, the assessment of possible circumvention was made by analysing successively:
- whether there was a change in the pattern of trade between the PRC and the Union,
 - if this change stemmed from a practice, process or work for which there was insufficient due cause or economic justification other than the imposition of the anti-dumping measures in force,
 - if there was evidence of injury or the remedial effects of the anti-dumping measures in force were being undermined in terms of the prices and/or quantities of the product under investigation, and
 - whether there was evidence of dumping in relation to the normal values previously established for the product concerned.

2.2. Cooperation

- (25) None of the known exporting producers established in the PRC cooperated in the investigation and requested exemption from any possible extension of the measures in force by replying to the questionnaire sent.
- (26) However, as explained in recital 18, Noblelift submitted comments following initiation but did not reply to the questionnaire and was found non-cooperating on the basis of Article 18 of the basic Regulation.
- (27) Therefore, the Commission was not in a position to verify directly at the source the nature of the possible circumvention.
- (28) Accordingly, findings in respect of the assessment of possible circumvention as detailed in recital 24 had to be made on the basis of the facts available in accordance with Article 18 of the basic Regulation.
- (29) In that perspective, findings were made on the basis of information collected from cooperating importers, Eurostat statistics and the request. The comments submitted by the exporting producer that came forward were also considered, where appropriate.

2.3. Change in the pattern of trade

- (30) Due to the non-cooperation of the exporting producers, import volumes were established on the basis of Eurostat statistics and information provided by the three cooperating importers and the applicants.
- (31) Furthermore, data used for analysing the change in pattern of trade are based on imports of the complete trucks. The anti-dumping measures in force cover both hand pallet trucks and their essential parts (i.e. chassis and hydraulics). According to Eurostat, there are negligible or no imports of the so-called essential parts from the PRC to the Union.
- (32) Last, the TARIC code, under which the product under investigation was imported, included also imports of other types of trucks, i.e. weighing trucks, high lifters, stackers and scissor lifts that are different than the product concerned.
- (33) The table below shows import volumes of hand pallet trucks and 'other trucks', including the product under investigation, based on Eurostat during the investigation period.

Table 1

Imports to EU (Pcs)	2011	2012	2013	2014	Reporting period
Hand pallet trucks	573 400	575 607	236 340	113 753	96 115
<i>Index</i>	100	100	41	20	17
Other trucks	231 949	217 045	161 542	275 632	355 844
<i>Index</i>	100	94	70	119	153

Source: Eurostat

- (34) On this basis, imports of hand pallet trucks have dropped by more than 80 % during the investigation period. The most significant decrease occurred between 2012 and 2013 (by 60 %). This trend continued in the following years, however at a less pronounced extent.
- (35) The drop in 2013 occurred after the conclusion of the interim review in April 2013 referred to recital 5 above and which resulted in an increase of the anti-dumping duty on hand pallet trucks from the PRC to a single countrywide duty of 70,8 %.
- (36) In contrast, imports of 'other trucks' including the product under investigation increased in 2014 and in the reporting period by more than 50 % as compared to the beginning of the investigation period. This change in the pattern of trade occurred largely in parallel to the significant decrease in imports of hand pallet trucks.
- (37) Although it was not possible to identify the imports of the product under investigation on the basis of Eurostat, the information collected during the investigation showed strong indications that this increase of imports of 'other trucks' could in fact be attributed to an increase of imports of the product under investigation.
- (38) Firstly, the considerable decrease of imports of hand pallet trucks and the substantial increase of imports of 'other trucks' including the product under investigation coincided with the significant increase of the anti-dumping duty in 2013.

- (39) Secondly, the applicants provided information that shortly after the increase of the anti-dumping duty, a number of importers submitted applications to the customs authorities in Germany and in Czech Republic for binding tariff information requesting that the product under investigation falls within the TARIC code for 'other trucks' not subject to the anti-dumping duty. The submission of such requests immediately after the increase of the anti-dumping duties suggests that they were made merely in order to avoid the higher anti-dumping duties.
- (40) Thirdly, since Eurostat statistics do not separate imports of the product under investigation, the analysis on the change in the pattern of trade was also based on the information provided by the three cooperating importers.
- (41) The three cooperating importers represented between 2 % and 7 % of the imports of the product under investigation and other trucks compared to the total 'other trucks' recorded in Eurostat and between 1 % and 6 % of the total imports of hand pallet trucks and 'other trucks' during the reporting period.
- (42) Imports of these importers developed as follows during the investigation period:

Table 2

Imports of cooperating importers from the PRC (<i>index</i>)	2011	2012	2013	2014	Reporting period
<i>Product concerned</i>	100	111	31	2	4
<i>Product under investigation</i>	100	350	2 800	97 133	100 500
<i>Other trucks</i>	100	82	71	93	103

Source: importers' questionnaire reply

- (43) The information provided by the cooperating importers confirmed that importers increased the purchases of the product under investigation from the PRC during the investigation period, while imports of hand pallet trucks decreased in parallel. While imports of the product under investigation were already taking place in 2011 and 2012 following the extension of the measures based on the findings of the expiry review referred to in recital 4 above they increased more significantly in 2013, after the increase of the anti-dumping duty rate. The most considerable increase occurred in 2014 where imports reached levels going far beyond the level in 2011 and increased even further in the reporting period. In parallel, imports of hand pallet trucks nearly disappeared in 2014 and in the investigation period. This same trend could be observed in Eurostat where the most significant increase in imports of 'other trucks' occurred also in 2014.
- (44) In contrast, import volumes of 'other trucks' excluding the product under investigation barely changed (by 3 % during the investigation period) and their overall level in units remained very low in comparison to imports of the product under investigation (recital 33 above).
- (45) Fourth, as established under recitals 52 to 59 below, the product under investigation has the same basic characteristics and end-uses as hand pallet trucks and are interchangeable, while all other trucks are used for different purposes and are not interchangeable with hand pallet trucks.
- (46) On this basis, it was concluded that the increase of imports of 'other trucks' as observed in Eurostat was due to the increase of imports of the product under investigation. In that perspective, the increase in units of product under investigation imported were estimated on the basis of the imports data to have increased by around 110 000 units between 2013 and 2014, namely an increase of around 70 %, further increasing between 2014 and the reporting period by more than 80 000 units, namely by around 30 %. In the previous years of the investigation period the import trend was even decreasing.
- (47) Therefore, in the absence of any cooperation from the Chinese exporting producers, it was concluded that a change in pattern of trade within the meaning of Article 13(1) of the basic Regulation took place.

2.4. The nature of the circumvention practice

- (48) The applicants alleged that the circumvention practice consists of the importation of slightly modified products by simply incorporating a 'weight indication system' not integrated in the chassis having a margin of error equal to or exceeding 1 % of the load. These products are wrongly declared as weighing trucks at importation.
- (49) The applicants argued that the product under investigation is different from weighing trucks, as the weighing mechanism of the product under investigation is much less sophisticated than the weighing mechanism of weighing trucks and does not give accurate results. They further argued that the structure of both products is significantly different.

2.4.1. Weighing trucks

- (50) In line with the clarification of the scope of the measures which excluded certain products amongst which the weighing trucks referred to in recital 2 above, the investigation revealed that weighing trucks have a weighing scale incorporated in the chassis, that is to say in the forks. Thus, the weighing device of a weighing truck consists of high precision load sensors (or cells) which are placed in the forks. The forks are therefore made of two parts. The sensors are mounted and positioned in the lower part. The upper part is lying on the sensors. This mechanism allows for an accurate and precise measurement of the weight put on the forks.
- (51) The equipment is fragile and requires periodical calibration. In contrast to the product concerned and the product under investigation, the system is not designed for intensive lifting and moving loads because the weighing scale device would be damaged. In addition, unlike the product concerned and the product under investigation, the use of weighing trucks requires specific training.

2.4.2. Product under investigation

- (52) The investigation established that the product under investigation has essentially the same structure and use as hand pallet trucks which are trucks with wheels supporting lifting fork arms for handling pallets, designed to be manually pushed, pulled and steered, on smooth, level, hard surfaces, by a pedestrian operator using an articulated tiller. These trucks are designed to raise a load, by pumping the tiller, to a height sufficient for transporting.
- (53) The product under investigation is additionally equipped with a weighing device (either mechanical or electronic). However, this device is not incorporated in the chassis and the forks consist of only one part exactly as the product concerned. Instead, the weighing device is mounted directly on the hand pallet truck structure and can be subsequently removed without changing the structure and the use of the hand pallet trucks. Without the weighing device the product under investigation is not distinguishable from hand pallet trucks and is used for the exact same purposes as a hand pallet trucks.
- (54) On the other hand, the weighing device of the product under investigation provides only an approximate indication of the weight with a substantial margin of error in some cases. The investigation revealed that contrary to what was alleged at initiation stage, the accuracy of the weighing device does not constitute an essential characteristic of the product under investigation in comparison with the product concerned. Even with an accurate weighing indication system the product under investigation shares the same characteristics as a hand pallet trucks, that is to say the structure and the use.
- (55) This is in contrast to the main characteristics of weighing trucks which, as explained above, have sophisticated and costly weighing devices integrated in the chassis (namely the forks) which also requires a different fork structure. The weighing devices of the weighing trucks are not removable and provide accurate and exact values. Technology and production processes of weighing trucks are fundamentally different from those of the product under investigation.

- (56) During the investigation two different weighing devices were identified, mechanical and electronic. The electronic weighing device appears to be more accurate in the indication of the weight than the mechanical weighing device.
- (57) The exporting producer that submitted comments following initiation argued that the hand pallet trucks exported by it was fitted with a patented electronic weighing mechanism integrated in the chassis. The weighing mechanism had an allegedly 'good weigh accuracy' and met the requirements of the customers. Secondly, this exporting producer argued that the definition of the weight accuracy at initiation stage, namely 'a margin of error equal or exceeding 1 % of the load', is not appropriate as it merely refers to 'load' while weight accuracy can only be achieved by loads of at least 100 kg.
- (58) On this basis the exporting producer argued that the definition of the product under investigation should be amended by only referring to 'mechanical weighing mechanisms' and to remove the 1 % threshold from the definition.
- (59) However, in contrast to what was claimed, the weighing mechanism was merely mounted on the hand pallet truck structure and thus not integrated in the chassis, namely the forks. The weighing mechanism could be marketed separately. While the device gave indeed a more precise indication of the weight than mechanical weighing devices, it remains that the structure of the trucks exported by this company is the same than the one of the hand pallet trucks. Therefore, it was considered that this device does not change the main characteristics of the hand pallet trucks and falls within the definition of the product under investigation.

2.4.3. Conclusion on the existence of circumvention practice

- (60) The investigation established that the product under investigation is clearly distinguishable from weighing trucks as it does not have the same basic characteristics or end-uses. They are not interchangeable.
- (61) In contrast, the product under investigation has the same basic characteristics and end-uses as hand pallet trucks. The weighing device attached to it does not alter its characteristics and is removable in some cases. Both products are essentially used for the same purpose, namely lifting loads for transportation and the function of indicating weight was not found to be an essential characteristic.
- (62) It can therefore be concluded that the circumvention practice consists of the imports of the product under investigation.

2.5. Insufficient due cause or economic justification

- (63) As mentioned above in recitals 34 to 46, the practice significantly increased after the imposition of the higher duty rate in 2013. Since the product under investigation and hand pallet trucks are considered interchangeable, this practice has no other apparent economic justification than the circumvention of the anti-dumping duty.
- (64) The applicants provided indications that the sole intent of the imports of the product under investigation was to avoid the duties. These indications referred to the fact that one exporter offered the product under investigation in a brochure as 'ADD free' or another exporting producer recommended removing the weighing device after importation.
- (65) The exporting producer that requested to change the definition of the product under investigation as explained in recital 58 also argued that the product type exported by it was developed and exported prior to the increase of the anti-dumping duty and it had no incentive to circumvent the duty. The exporting producer also claimed that exports of the product type exported by it only represents a small part of total exports the product under investigation but did not support these claims by any evidence, as it did not provide any reply to the questionnaire and therefore it was not possible to establish and verify export quantities and dates for these exports.

- (66) On the basis of the information available from the cooperating importers, it can indeed be seen that imports of the product under investigation started before 2013. However, a significant increase only occurred after the increase of the anti-dumping duty in 2013. Therefore, it can be considered that the change in the pattern of trade only occurred after 2013. For this change in the pattern of trade there has not been any apparent economic justification other than the imposition of the duty.
- (67) One importer of hand pallet trucks and the product under investigation and one supplier of weight indicating systems used in the product under investigation claimed that there is a market for trucks equipped with this type of weight indication system of lower accuracy as for certain specific applications (e.g. checking the load of waste materials, preventing overloading of freight trucks, whole sellers in certain sectors of activities) and mere estimation of the total load would be sufficient.
- (68) However, the fact that imports of the product under investigation only started after the increase of the anti-dumping duty and that, at the same time, imports of hand pallet trucks considerably decreased and almost disappeared in the reporting period, shows that the imports of product under investigation do not serve a new market, but in fact largely replaced imports of hand pallet trucks. The coincidence in time with the increase of the anti-dumping duty shows that the purpose of the increased imports of the product under investigation was in fact the avoidance of the anti-dumping duty. This argument had therefore to be rejected.

2.6. Undermining the remedial effect of the duty in terms of the price and/or the quantities of the like product

- (69) As explained in recital 46, the imports of the product under investigation were estimated to have increased by around 110 000 units between 2013 and 2014, i.e. an increase of around 70 %; they further increased between 2014 and the reporting period by more than 80 000 units, i.e. by around 30 %. These increases were considered significant. They represented in total around 42 % of the total trucks imported during the reporting period. In addition, 'other trucks' represented in 2011, around 30 % of the total trucks imported from the PRC while this ratio increased to around 79 % during the reporting period.
- (70) In order to determine whether the remedial effects of the duty were undermined in terms of prices, in accordance with Article 13(1) of the basic Regulation it was established whether import prices of the product under investigation were underselling the Union industry non-injurious price as established in previous investigations. In the framework of the last expiry review concluded in 2011 referred to in recital 4 above the non-injurious price was recalculated as compared to the original investigation. This target price was used in the comparison with the weighted average export price from the PRC during the reporting period, the latter determined on the basis of the information submitted by the cooperating importers. This comparison showed significant underselling during the reporting period.
- (71) Given the above, and considering the significant import volumes of the product under investigation estimated during the reporting period, it was concluded that the remedial effects of the measures in force are being undermined both in terms of quantities and prices.

2.7. Evidence of dumping in relation to the normal value previously established

- (72) The normal value of the product concerned has been last established in the interim review concluded in 2013 referred to in recital 5 above.
- (73) In order to establish whether dumping existed during the reporting period, the average import prices of the product under investigation from the cooperating importers were compared to the normal value of the product concerned established in the interim review.
- (74) Import prices were adjusted to ex-works level based on information received from the cooperating importers. The import prices were also adjusted for differences in the physical characteristics, that is to say the weighing device incorporated in the hand pallet trucks.

- (75) The comparison showed significant dumping. It clearly demonstrates the existence of dumping when comparing the current prices of imports from the PRC of the product under investigation with the normal value previously established as required under Article 13(1) of the basic Regulation.

3. MEASURES

- (76) In view of the findings above, it was concluded that the definitive anti-dumping duty imposed on hand pallet trucks originating in the PRC are circumvented by imports of slightly modified hand pallet trucks incorporating a weight indication system not integrated in the chassis (the forks) originating in the PRC.
- (77) In accordance with Article 13(1) of the basic Regulation, the anti-dumping measures in force on imports of hand pallet trucks originating in the PRC should therefore be extended to imports of hand pallet trucks equipped with 'weight indication system' consisting of a weighing mechanism not integrated in the chassis, originating in the PRC.
- (78) Under Articles 13(3) and 14(5) of the basic Regulation, which provide that any extended measures should apply to imports which entered the Union under registration imposed by initiating Regulation, the anti-dumping duty should be collected on those imports into the Union of hand pallet trucks equipped with 'weight indication system' consisting of a weighing mechanism not integrated in the chassis originating in the PRC.

4. REQUESTS FOR EXEMPTION

- (79) In the absence of requests by Chinese exporting producers, no exemption was granted.

5. DISCLOSURE

- (80) All interested parties were informed of the essential facts and considerations leading to the above conclusions and were invited to comment. No comments were submitted.
- (81) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The definitive anti-dumping duty imposed by Implementing Regulation (EU) No 372/2013 on imports of hand pallet trucks and their essential parts, i.e. chassis and hydraulics, currently falling within CN codes ex 8427 90 00 (TARIC codes 8427 90 00 11 and 8427 90 00 19) and ex 8431 20 00 (TARIC codes 8431 20 00 11 and 8431 20 00 19), originating in the People's Republic of China is extended to the same product but presented at import with a so-called 'weight indication system' consisting of a weighing mechanism not integrated in the chassis, currently falling within TARIC codes 8427 90 00 30 and 8431 20 00 50.

2. The duty extended by paragraph 1 of this Article shall be collected on imports into the Union of hand pallet trucks and their essential parts, i.e. chassis and hydraulics, registered in accordance with Article 2 of Implementing Regulation (EU) 2015/2346 and Articles 13(3) and 14(5) of Regulation (EU) 2016/1036.

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

1. Requests for exemption from the duty extended by Article 1 shall be made in writing in one of the official languages of the European Union and must be signed by a person authorised to represent the entity requesting the exemption. The request must be sent to the following address:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

2. In accordance with Article 13(4) of Regulation (EU) 2016/1036 the Commission, may authorise, by decision, the exemption of imports from companies which do not circumvent the anti-dumping measures imposed by Council Implementing Regulation (EU) No 372/2013 from the duty extended by Article 1 of this Regulation.

Article 3

Customs authorities are directed to discontinue the registration of imports established in accordance with Article 2 of Regulation (EU) 2015/2346.

Article 4

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 August 2016.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1347**of 8 August 2016****amending for the 250th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 3 August 2016, the Sanctions Committee of the United Nations Security Council decided to add two natural persons to the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 August 2016.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139 29.5.2002, p. 9.

ANNEX

In Annex I to Regulation (EC) No 881/2002 the following entries shall be added under the heading 'Natural persons':

- (a) 'Aslan Avgazarovich Byutukaev (alias (a) Аслан Авгазарович Бютукаев, (b) Amir Khazmat, (c) Амир Хазмат, (d) Abubakar, (e) Абубакар. Date of birth: 22.10.1974. Place of birth: Kitaevka, Novoselitskiy District, Stavropol Region, Russian Federation. Nationality: Russian Federation. Address: Akharkho Street, 11, Katyr-Yurt, Achkhoy-Martanovskiy District, Republic of Chechnya, Russian Federation. Date of designation referred to in Article 7d(2)(i): 3.8.2016.'
 - (b) 'Ayrat Nasimovich Vakhitov (alias (a) Айрат Насимович Вахитов, (b) Salman Bulgarskiy, (c) Салман Булгарский. Date of birth: 27.3.1977. Place of birth: Naberezhnye Chelny, Republic of Tatarstan, Russian Federation. Nationality: Russian Federation. Other information: May use a fake passport of a Syrian or Iraqi citizen. Photo available for inclusion in the INTERPOL-UN Security Council Special Notice. Date of designation referred to in Article 7d(2)(i): 3.8.2016.'
-

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1348**of 8 August 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 August 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	168,4
	ZZ	168,4
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	129,4
	ZZ	129,4
0805 50 10	AR	148,8
	CL	157,7
	MA	101,7
	TR	157,0
	UY	166,9
	ZA	170,5
	ZZ	150,4
	EG	222,6
	MA	179,3
	TR	167,5
0806 10 10	ZZ	189,8
	AR	110,9
	BR	100,3
	CL	126,6
	CN	62,4
	NZ	119,9
	US	143,6
	ZA	104,5
	ZZ	109,7
0808 10 80	AR	100,2
	CL	138,7
	NZ	141,8
	TR	148,8
	ZA	101,2
	ZZ	126,1
0808 30 90	CA	331,3
	TR	221,2
	US	747,3
	ZZ	433,3
0809 29 00	TR	141,7
	ZZ	141,7
0809 30 10, 0809 30 90	TR	141,7
	ZZ	141,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION DECISION (EU) 2016/1349

of 5 August 2016

establishing the ecological criteria for the award of the EU Ecolabel for footwear

(notified under document C(2016) 5028)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel ⁽¹⁾, and in particular Articles 6(7) and 8(2) thereof,

After consulting the European Union Eco-labelling Board,

Whereas:

- (1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to products which have a reduced environmental impact during their entire life cycle.
- (2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.
- (3) Commission Decision 2009/563/EC ⁽²⁾ established the ecological criteria and the related assessment and verification requirements for footwear. In order to better reflect the state of the art of the market for this product group and take into account the innovation that has taken place during the intervening period, it is appropriate to establish a revised set of ecological criteria.
- (4) The revised ecological criteria aim, in particular, at promoting products that have a lower environmental impact mainly in terms of depletion of natural resources, emissions to water, air and soil from manufacturing processes and which contribute to the environmental dimension of sustainable development along their life cycle, are durable, and restrict the presence of hazardous substances.
- (5) The revised criteria also promote the social dimension of sustainable development by introducing requirements regarding labour conditions at the final assembly site, with reference to the International Labour Organisation's (ILO) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Global Compact, the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multi-National Enterprises.
- (6) The revised ecological criteria, along with the related assessment and verification requirements, should be valid for six years from the date of adoption of this Decision, taking into account the innovation cycle for this product group.
- (7) Decision 2009/563/EC should therefore be replaced.

⁽¹⁾ OJ L 27, 30.1.2010, p. 1.

⁽²⁾ Commission Decision 2009/563/EC of 9 July 2009 on establishing the ecological criteria for the award of the Community eco-label for footwear (OJ L 196, 28.7.2009, p. 27).

- (8) It is appropriate to allow a transitional period for producers whose products have been awarded the EU Ecolabel for footwear on the basis of the ecological criteria set out in Decision 2009/563/EC, to ensure that they have sufficient time to adapt their products to comply with the revised ecological criteria and requirements. Producers should also be allowed to submit applications based on the ecological criteria set out in Decision 2009/563/EC or on the revised ecological criteria set out in this Decision for a sufficient period of time.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

HAS ADOPTED THIS DECISION:

Article 1

1. The product group 'footwear' shall comprise all articles designed to protect or cover the foot, with an applied sole which comes into contact with the ground. Subject to the exemptions set out in paragraph 3, footwear covered by Annex II to Directive 94/11/EC of the European Parliament and of the Council ⁽¹⁾ and protective footwear covered by Council Directive 89/686/EEC ⁽²⁾ are included in the scope.
2. Footwear may be composed of various natural and/or synthetic materials in line with Directive 94/11/EC.
3. The product group shall not comprise following products:
 - (a) footwear containing any electric or electronic components;
 - (b) footwear that is disposed of after a single use;
 - (c) socks with an applied sole;
 - (d) toy footwear.

Article 2

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

- (1) 'Shoe upper' means the upper structural element, composed of one or more materials, which is attached to the shoe outer sole. The shoe upper includes lining and socks.
- (2) 'Lining and socks' mean the lining of the shoe upper and the insole, constituting the inside of the footwear article.
- (3) 'Shoe outer sole' means the bottom part of the footwear article which is attached to the shoe upper.
- (4) 'Footwear assembly' means a series of operations that aim at joining together the shoe upper and shoe sole to form a final product. Final product packaging is included.
- (5) 'Footwear assembly site' means the site where the final stages of the production (from material cutting or forming (for injection moulding production) to product packaging) that pertain to the licensed product and remain under management control of the applicant take place.
- (6) 'Volatile organic compounds (VOCs)' are organic compounds that have, at 293,15 K, a vapour pressure of 0,01 KPa or more, or that have a corresponding volatility under the particular conditions of use, as defined in EN 14602.

⁽¹⁾ Directive 94/11/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer (OJ L 100, 19.4.1994, p. 37).

⁽²⁾ Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ L 399, 30.12.1989, p. 18).

- (7) 'Inherently biodegradable substance' means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: ISO 14593, OECD 302 A, ISO 9887, OECD 302 B, ISO 9888, OECD 302 C.
- (8) 'Readily biodegradable substance' means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: OECD 301 A, ISO 7827, OECD 301 B, ISO 9439, OECD 301 C, OECD 301 D, ISO 10708, OECD 301 E, OECD 301 F, ISO 9408.

Article 3

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a product shall fall within the product group 'footwear' as defined in Article 1 of this Decision and shall comply with the ecological criteria and the related assessment and verification requirements set out in the Annex to this Decision.

Article 4

The ecological criteria for the product group 'footwear' and the related assessment and verification requirements shall be valid for six years from the date of adoption of this Decision.

Article 5

For administrative purposes, the code number assigned to the product group 'footwear' shall be '017'.

Article 6

Decision 2009/563/EC is repealed.

Article 7

1. By derogation from Article 6, applications for the EU Ecolabel for products falling within the product group 'footwear' submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2009/563/EC.
2. Applications for the EU Ecolabel for products falling within the product group 'footwear' submitted within two months of the date of adoption of this Decision may be based either on the criteria set out in Decision 2009/563/EC or on the criteria set out in this Decision. Applications shall be evaluated in accordance with the criteria on which they are based.
3. EU Ecolabel licences awarded in accordance with the criteria set out in Decision 2009/563/EC may be used for 12 months from the date of adoption of this Decision.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 5 August 2016.

For the Commission
Karmenu VELLA
Member of the Commission

ANNEX

EU ECOLABEL CRITERIA AND ASSESSMENT AND VERIFICATION REQUIREMENTS

Criteria for awarding the EU Ecolabel to 'footwear':

1. Origin of hides and skins, cotton, wood and cork, and man-made cellulose fibres;
2. Reduction of water consumption and restriction on the tanning of hides and skins;
3. Emissions to water from the production of leather, textiles and rubber;
4. Volatile organic compounds (VOCs);
5. Hazardous substances in the product and shoe components;
6. Restricted Substances List (RSL);
7. Parameters contributing to durability;
8. Corporate Social Responsibility with regard to labour aspects
9. Packaging;
10. Information on the packaging.

Assessment and verification: The detailed assessment and verification requirements are indicated for 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 or his or her supplier(s) or their suppliers, as appropriate.

Competent bodies shall preferentially recognise attestations which are issued by bodies accredited according to the relevant harmonised standard for testing and calibration laboratories and verifications by bodies that are accredited according to 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 visits.

The final product is one pair of shoes. Requirements are based on shoe size: 42 Paris point for men, 38 Paris point for women, 40 Paris point for unisex models, 32 Paris point for children (or the largest size in the case of sizes smaller than 32 Paris point), and 26 Paris point for children under three years of age.

Unless separately specified, the criteria apply to the final product which is composed of shoe uppers and outer soles that are made of homogeneous materials and articles that form the final product.

The applicant shall provide the bill of materials of the product, listing all homogeneous materials and articles used. The weight of each constituent material shall be expressed in grams and as a percentage of the shoe uppers and the shoe outer soles. The total final product unit weight shall be stated.

Criterion 6 refers to a Restricted Substances List which is provided in the Appendix. The list sets out the scope of restrictions and respective verification methods.

EU ECOLABEL CRITERIA

Criterion 1 — Origin of hides and skins, cotton, wood and cork, and man-made cellulose fibres, and plastics**1.1. Requirements on hides and skins**

Raw hides and skins destined to be used in a final product shall be subject to the restrictions specified in criteria 1.1(a) and 1.1(b).

1.1(a) Hides and skins

Criterion 1.1(a) shall apply when the leather content in shoe uppers or shoe outer soles is greater than 10,0 % weight by weight of either component.

Only raw hides and skins from animals raised for milk or meat production are allowed to be used for the production of leather that is destined for use in the final product.

Assessment and verification: the applicant shall submit a declaration of compliance from the leather manufacturer or the hides or skins supplier. The declaration shall state that the leather manufacturing company conducts compliance verification checks on the raw materials used, and that the raw hides and skins destined to be used in the final product originate from animals raised for milk or meat production.

1.1(b) Prohibited hides and skins

Raw hides and skins originating from extinct, extinct in the wild, critically endangered, endangered, vulnerable, and near threatened species, according to the categories established by the International Union for Conservation of Nature (IUCN) Red List of Threatened Species ⁽¹⁾, shall not be used in the final product.

Assessment and verification: the applicant shall provide a declaration of compliance from the leather manufacturer or leather supplier. The declaration shall identify the animal of origin and state that raw hides and skins destined to be used in a final product do not originate from extinct, extinct in the wild, critically endangered, endangered, vulnerable, or near threatened species according to the IUCN classification.

1.2. Cotton and other natural cellulosic seed fibres

Criterion 1.2 shall apply when the cotton content in shoe uppers or shoe outer soles is greater than 10,0 % weight by weight of either component.

Cotton that contains 70,0 % weight by weight or more of recycled content is exempted from the requirement of criterion 1.2.

Cotton and other natural cellulosic seed fibres (hereinafter referred to as cotton) that are not recycled fibres shall contain a minimum content of either organic cotton (see criterion 1.2(a) or integrated pest management (IPM) cotton (see criterion 1.2(b)).

Textiles that have been awarded the EU Ecolabel based on the ecological criteria of Commission Decision 2014/350/EU ⁽²⁾ are considered to comply with criterion 1.2.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance.

Where EU Ecolabel textiles are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU.

Where applicable, recycled content shall be traceable back to the reprocessing of the feedstock. This shall be verified by independent third-party certification of the chain of custody or by documentation provided by feedstock suppliers and reproducers.

⁽¹⁾ <http://www.iucnredlist.org/>

⁽²⁾ Commission Decision 2014/350/EU of 5 June 2014 establishing the ecological criteria for the award of the EU Ecolabel for textile products (OJ L 174, 13.6.2014, p. 45).

1.2(a) Organic production standard

With the exception of footwear intended for children under three years of age, a minimum of 10 % weight by weight of the non-recycled cotton fibre used in the product shall be grown according to the requirements laid down in Council Regulation (EC) No 834/2007 ⁽¹⁾, the US National Organic Programme (NOP) or equivalent legal obligations set by trading partners of the EU. The organic cotton content may include organically grown cotton and transitional organic cotton.

At least 95 % w/w of the non-recycled cotton fibre used in footwear intended for children under three years of age shall be organic cotton.

Where the organic cotton is to be blended with conventional or IPM cotton, cotton shall be from non-genetically modified varieties.

Organic content claims may only be made when the organic content is a minimum of 95 %.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance for the organic content supported by evidence certified by an independent control body to have been produced in conformity with the production and inspection requirements laid down in Regulation (EC) No 834/2007, the US National Organic Programme (NOP) or those set by other trading partners. Verification shall be provided for each country of origin.

The applicant or material supplier, as appropriate, shall demonstrate compliance with the minimum organic cotton content requirement based on the annual volume of cotton purchased to manufacture the final product(s) and according to each product line. Transaction records and/or invoices shall be provided that document the quantity of certified cotton purchased.

For conventional or IPM cotton that is used in blends with organic cotton, a screening test for common genetic modifications shall be accepted as a proof of compliance of the cotton variety.

1.2(b) Cotton production according to Integrated Pest Management (IPM) principles and restriction on pesticides

With the exception of footwear intended for children under three years of age, a minimum of 20 % weight by weight of the non-recycled cotton fibre used in the product shall be grown according to IPM principles as defined by the UN Food and Agricultural Organisation (FAO) IPM programme or Integrated Crop Management (ICM) systems incorporating IPM principles.

At least 60 % of the non-recycled cotton fibre used in footwear intended for children under three years of age shall be grown according to IPM principles.

IPM cotton destined for use in the final product shall be grown without the use of any of the following substances: aldicarb, aldrin, camphechlor (toxaphene), captafol, chlordane, 2,4,5-T, chlordimeform, cypermethrin, DDT, dieldrin, dinoseb and its salts, endosulfan, endrin, heptachlor, hexachlorobenzene, hexachlorocyclohexane (total isomers), methamidophos, methylparathion, monocrotophos, neonicotinoids (clothianidine, imidacloprid, thiametoxam), parathion, pentachlorophenol.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance with criterion 1.2(b), supported by evidence that at least 20 % weight by weight of the non-recycled cotton fibre contained in the product, or 60 % weight by weight in the case of footwear intended for children under three years of age, has been grown by farmers that have participated in formal training programmes of the UN FAO or Government IPM or ICM programmes and/or that have been audited as part of third-party-certified IPM schemes. Verification shall either be provided on an annual basis for each country of origin or on the basis of certifications for all IPM cotton purchased to manufacture the product.

⁽¹⁾ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

The applicant or material supplier, as appropriate, shall also declare that the IPM cotton was not grown using any of the substances listed in criterion 1.2(b). IPM certification schemes that exclude the use of listed substances shall be accepted as proof of compliance.

1.3. *Sustainable wood and cork*

Criterion 1.3 shall apply when the wood or cork content used in shoe uppers or shoe outer soles is greater than 10,0 % weight by weight of either component.

All wood and cork shall be covered by chain of custody certificates issued by an independent third-party certification scheme such as the Forest Stewardship Council (FSC), the Programme for the Endorsement of Forest Certification (PEFC) or equivalent.

All virgin wood and cork shall not originate from GMO species and shall be covered by valid sustainable forest management and chain of custody certificates issued by an independent third-party certification scheme such as FSC, PEFC or equivalent.

Where a certification scheme allows the mixing of uncertified material with certified and/or recycled materials in a product or production line, a minimum of 70 % of the wood or cork material, as appropriate, shall be sustainable certified virgin material and/or recycled material.

Uncertified material shall be covered by a verification system which ensures that it is legally sourced and meets any other requirements of the certification scheme with respect to uncertified material.

The certification bodies issuing forest and/or chain of custody certificates shall be accredited or recognised by that certification scheme.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance supported by valid, independently certified chain of custody certificate(s) for all wood and cork material used in the product or production line and demonstrate that at least 70 % of the wood or cork material originates from forests or areas managed according to sustainable forest management principles and/or from recycled sources that meet the requirements set out by the relevant independent chain of custody certification scheme. FSC, PEFC or equivalent schemes shall be accepted as independent third-party certification. In case the scheme does not specifically require that all virgin material is sourced from non-GMO species, additional evidence shall be provided to demonstrate this.

If the product or production line includes uncertified virgin material, proof shall be provided that the content of uncertified virgin material does not exceed 30 % and is covered by a verification system which ensures that it is legally sourced and meets any other requirements of the certification scheme with respect to uncertified material.

1.4. *Man-made cellulose fibres (including viscose, modal and lyocell)*

Criterion 1.4 shall apply when the man-made cellulose fibre content used in shoe uppers or shoe outer soles is greater than 10,0 % weight by weight of either component.

Man-made cellulose fibres that contain 70,0 % weight by weight or more of recycled content are exempted from the requirement of criterion 1.4.

A minimum of 25,0 % of the non-recycled pulp fibres shall be manufactured from wood that has been grown according to the principles of sustainable forest management as defined by the UN FAO. The remaining proportion of the non-recycled pulp fibres shall be from pulp that is sourced from legal forestry and plantations.

Textile products that have been awarded the EU Ecolabel based on the ecological criteria of Decision 2014/350/EU are considered to comply with criterion 1.4.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance.

Where EU Ecolabel textile products are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU. Otherwise, the applicant shall obtain from the fibre manufacturer(s) valid, third-party certified chain of custody certificates demonstrating that the wood fibres have been grown according to sustainable forest management principles and/or are from legal sources. FSC, PEFC or equivalent schemes shall be accepted as independent certification.

The fibre manufacturer shall demonstrate that due diligence processes have been followed as specified in Regulation (EU) No 995/2010 of the European Parliament and of the Council ⁽¹⁾ in order to ensure that timber has been legally harvested. Valid EU Forest Law Enforcement, Governance and Trade (FLEGT) or UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) licences and/or third-party certification shall be accepted as evidence of legal sourcing.

Where applicable, recycled content shall be traceable back to the reprocessing of the feedstock. That shall be verified by independent third-party certification of the chain of custody or by documentation provided by feedstock suppliers and reprocessors.

1.5. *Plastics*

PVC plastic shall not be used in any part of the product.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance.

Criterion 2 — Reduction of water consumption and restriction on the tanning of hides and skins

Raw hides and skins that are destined to be used in the final product shall be subject to the limit on water consumption in the tanning process as specified under criterion 2.1.

Leather used in products intended for children under three years of age shall be subject to the restriction on chromium-based tanning as specified under criterion 2.2.

2.1. *Water consumption*

The criterion shall apply when the leather content used in shoe uppers or shoe outer soles is greater than 10,0 % weight by weight of either component.

Water consumption expressed as the annual average volume of water consumed per tonne of raw hides and skins shall not exceed the limits given in Table 1.

Table 1

Maximum permitted water consumption in tanning processes

Hides	28 m ³ /t
Skins	45 m ³ /t
Vegetable tanned leather	35 m ³ /t
Pigskin	80 m ³ /t
Sheepskins	180 l/skin

⁽¹⁾ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJ L 295, 12.11.2010, p. 23).

Assessment and verification: the applicant shall provide a declaration of compliance from the leather supplier or leather manufacturing company, as appropriate. The declaration shall specify the annual amount of leather production and related water consumption based on the monthly average values of the last 12 months preceding the application, measured by the quantity of waste water discharged.

If the leather production process is conducted in different geographical locations, the applicant or supplier of semi-finished leather shall provide documentation that specifies the quantity of water discharged (m³) for the quantity of semi-finished leather processed in tonnes (t) or number of skins for sheepskin, as appropriate, based on the monthly average values during the 12 months preceding the application.

2.2. *Restriction on the tanning of hides and skins*

For footwear intended for children under three years of age, raw hides and skins destined to be used in linings and socks, as defined in Article 2(2), shall be processed using chromium-free tanning technology.

Assessment and verification: for footwear intended for children under three years of age, the applicant shall submit a declaration of compliance from the leather manufacturer or leather supplier, as appropriate, with the information that the leather used in the interior parts of the footwear (lining and/or socks) is chromium-free tanned. The declaration shall specify the tanning agent used in the processing of raw hides and skins.

Criterion 3 — Emissions to water from the production of leather, textiles and rubber

Textiles, leather and rubber that are destined to be used in the final product shall be subject to the limit on emissions to water.

The criterion shall apply whenever the leather, textile or rubber content, as appropriate, is used in shoe uppers or shoe outer soles and is greater than 10,0 % weight by weight of either component.

3.1. *Chemical Oxygen Demand (COD) in waste water from leather tanning sites*

The COD value in waste water from leather tanning sites, when discharged to surface waters after treatment (whether on site or off site), shall not exceed 200,0 mg/l.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance supported by detailed documentation and test reports in accordance with ISO 6060 showing compliance with this criterion on the basis of monthly averages for the six months preceding the application. The data shall demonstrate the compliance of the production site or, if the effluent is treated off site, of the waste water treatment operator.

3.2. *Chemical Oxygen Demand (COD) in waste water from textile finishing processes*

The COD value in waste water discharges from textile finishing processes shall not exceed 20,0 g/kg of textiles processed.

Finishing processes shall include the thermosetting, thermosoling, coating and impregnating of textiles. This requirement shall apply to wet processes used in the finishing of the textile fabric. The requirement shall be measured downstream of an on-site waste water treatment plant or a municipal waste water treatment plant receiving waste water from these processing sites.

Textile products that have been awarded the EU Ecolabel based on the ecological criteria of Decision 2014/350/EU are considered compliant with criterion 3.2.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance.

Where EU Ecolabel textile products are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU.

Otherwise, the applicant or material supplier, as appropriate, shall provide detailed documentation and test reports in accordance with ISO 6060, showing compliance with this criterion on the basis of monthly averages for the six months preceding the application. The data shall demonstrate the compliance by the production site or, if the effluent is treated off site, by the waste water treatment operator.

3.3. Chemical Oxygen Demand (COD) in waste water from the processing of natural and synthetic rubber

The COD value in waste water from the processing of natural or synthetic rubber, as applicable, when discharged to surface waters after treatment (whether on site or off site), shall not exceed 150,0 mg/l. This requirement shall apply to wet processes used to manufacture the rubber.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance supported by detailed documentation and test reports, based on ISO 6060 showing compliance with this criterion on the basis of monthly averages for the six months preceding the application. The data shall demonstrate compliance by the production site or, if the effluent is treated off site, by the waste water treatment operator.

3.4. Chromium in tannery waste water after treatment

The total chromium concentration in tannery waste water after treatment shall not exceed 1,0 mg/l as specified in Commission Implementing Decision 2013/84/EU ⁽¹⁾.

Assessment and verification: the applicant or material supplier, as appropriate, shall provide a declaration of compliance supported by a test report using one of the following test methods: ISO 9174, EN 1233 or EN ISO 11885 for chromium and showing compliance with this criterion on the basis of monthly averages for the six months preceding the application. The applicant shall provide a declaration of compliance with BAT 10 and either BAT 11 or 12, as appropriate, of Implementing Decision 2013/84/EU for the reduction of the chromium content of waste water discharges.

Criterion 4 — Volatile organic compounds (VOCs)

Unless otherwise specified, the total use of VOCs in the final footwear production shall not exceed, on average, 18,0 g VOC/pair.

For footwear classified as personal protective equipment in accordance with Directive 89/686/EEC, the total use of VOCs during final footwear production shall not exceed, on average, 20,0 g VOC/pair.

Assessment and verification: the applicant shall provide a declaration of compliance supported by a calculation of the total use of VOCs during final shoe production in accordance with EN 14602. The calculation shall be supported by test results and documentation (registration of purchased leather, adhesives, finishes and production of footwear) as appropriate.

Where applicable, a copy of certification issued by a certification body notified under Directive 89/686/EEC that proves that the product is classified as personal protective equipment shall be provided.

⁽¹⁾ Commission Implementing Decision 2013/84/EU of 11 February 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the tanning of hides and skins (OJ L 45, 16.2.2013, p. 13).

Criterion 5 — Hazardous substances in the product and shoe components

The presence in the final product, and any homogeneous materials or articles thereof, of substances and mixtures that meet the criteria for classification according to Article 57 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽¹⁾ as substances of very high concern (SVHCs) or substances or mixtures that meet the criteria for classification, labelling and packaging (CLP) according to Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽²⁾ for the hazards listed in Table 2 shall be restricted in accordance with criteria 5.1 and 5.2.

For the purposes of this criterion, the Candidate List of substances of very high concern (SVHCs) and CLP hazard classifications are grouped in Table 2 according to their hazardous properties.

The criterion does not apply to substances or mixtures which change their properties upon processing (in other words, substances which become no longer bioavailable or undergo chemical modification) such that the identified hazard no longer applies. This shall include chemical reactions where substances have been modified such as polymerisation where monomers or additives become covalently bonded.

Textile products that have been awarded the EU Ecolabel based on the ecological criteria of Decision 2014/350/EU are considered to comply with criterion 5.

Table 2

Grouping of restricted hazards

Group 1 hazards — Substances of very high concern (SVHC)

Hazards that identify a substance or mixture as being within Group 1:

- Substances that appear on the Candidate List for substances of very high concern (SVHC) by the European Chemical Agency (ECHA) ⁽¹⁾
 - Carcinogenic, Mutagenic and/or Toxic for Reproduction (CMR) Category 1A or 1B: H340, H350, H350i, H360, H360F, H360D, H360FD, H360Fd, H360Df
-

Group 2 hazards — CLP hazards

Hazards that identify a substance or mixture as being within Group 2:

- Category 2 CMR: H341, H351, H361f, H361d, H361fd, H362
 - Category 1 aquatic toxicity: H400, H410
 - Category 1 and 2 acute toxicity: H300, H310, H330,
 - Category 1 aspiration toxicity: H304
 - Category 1 Specific Target Organ Toxicity (STOT): H370, H372
 - Category 1 Skin Sensitiser: H317
-

Group 3 hazards — CLP hazards

Hazards that identify a substance or mixture as being within Group 3:

- Category 2, 3 and 4 aquatic toxicity: H411, H412, H413
 - Category 3 acute toxicity: H301, H311, H331, EUH070
 - Category 2 STOT (*): H371, H373
-

⁽¹⁾ European Chemical Agency (ECHA), Candidate List of substances of very high concern for Authorisation, <http://www.echa.europa.eu/candidate-list-table>.

^(*) STOT = Specific target organ toxicity.

⁽¹⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency (OJ L 336, 29.5.2007, p. 3).

⁽²⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

5.1. *Restriction of substances of very high concern*

The final product, and any homogeneous materials or articles thereof, shall not contain substances that have been identified according to the procedure described in Article 59(1) of Regulation (EC) No 1907/2006 and included in the Candidate List for SVHCs in concentrations higher than 0,10 % weight by weight.

No derogation shall be given to Candidate List SVHCs if they are present in the final product, or to any homogeneous materials or articles that form part of the final product in concentrations higher than 0,10 % weight by weight.

The screening shall be based on the identification of the potential for presence of such substances in the product.

Assessment and verification: the applicant shall provide a declaration of compliance supported, where appropriate, by declarations from the material supplier regarding the absence of SVHCs at concentrations greater than 0,10 % (weight by weight) for the final product, and any homogeneous materials or articles that form part of the product. Declarations shall be referenced to the latest version of the Candidate List published by ECHA ⁽¹⁾.

Where EU Ecolabel textile products are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU.

5.2. *Restriction based on CLP classified substances and mixtures*

With the exception of linings and socks, as defined in Article 2(2) of this Decision, the criterion shall apply when the content of any homogeneous material or article in shoe uppers or shoe outer soles is greater than 3,0 % (weight by weight) of either component. For linings and socks, any homogeneous material or article that is used for linings and socks shall be subject to the restriction as specified in the next paragraph.

Substances and mixtures falling within the groups identified in Table 3 that meet the criteria for classification with the CLP hazards in Table 2 shall not be present in any homogeneous materials or articles that form part of the final product in concentrations higher than 0,10 % (weight by weight).

Table 3

Substances and mixtures groups to which criterion 5.2 shall apply

-
- Active substances of biocidal products;
 - Dyestuffs (including inks, pigments and varnishes);
 - Auxiliary carriers, levelling, blowing and dispersing agents, surfactants;
 - Fatliquoring agents;
 - Solvents;
 - Print thickeners, binders, stabilisers, and plasticisers;
 - Flame retardants;
 - Cross-linking agents, adhesives;
 - Water, dirt, and stain repellents.
-

The use of certain substances and mixtures referred to in Table 3 is exempted from the requirements of criterion 5.2 subject to the conditions specified in Table 4.

⁽¹⁾ ECHA, Candidate List of substances of very high concern for Authorisation, <http://www.echa.europa.eu/candidate-list-table>

Table 4

Derogation conditions that shall apply to the use of functional substances and mixtures

Substances and mixtures	Scope of derogation	Derogation conditions	Applicability to footwear
Nickel	H317, H351, H372	Nickel can only be contained in stainless steel. A nickel release rate from the stainless steel shall be less than or equal to 0,5 µg/cm ² /week as specified in criterion 6 (RSL).	Metal toecaps and footwear accessories
Dyestuffs for dyeing and non-pigment printing	H301, H311, H331, H317	Dust-free dye formulations or automatic dosing and dispensing of dyes shall be used by dye houses and printers to minimise worker exposure.	Dyestuffs
Dyestuffs for dyeing and non-pigment printing	H411, H412, H413	Dyeing processes using reactive, direct, vat, or sulphur dyes with these classifications shall meet a minimum of one of the following conditions: 1. Use of high affinity dyes; 2. Achievement of a reject rate of less than 3,0 %; 3. Use of colour matching instrumentation; 4. Implementation of standard operating procedures for the dyeing process; 5. Use of colour removal to treat waste water. The use of solution dyeing and/or digital printing is exempted from these conditions.	Dyestuffs
Water, dirt and stain repellents	H413	The repellent and its degradation products shall be readily and/or inherently biodegradable and non-bioaccumulative substances in the aquatic environment, including aquatic sediment.	Water repellence

Residual auxiliaries found in any homogeneous materials or articles that form part of the final product

Auxiliaries comprising: carriers, levelling agents, dispersing agents, surfactants, thickeners, binders	H301, H311, H331, H371, H373, H317 (1B), H411, H412, H413, EUH070,	Recipes shall be formulated using automatic dosing systems and processes shall follow standard operating procedures. Substances classified with H311, H331, H317 (1B) shall not be present at concentrations greater than 1,0 % w/w in any homogeneous material or article that forms part of the final product.	Auxiliaries
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Assessment and verification: the applicant shall provide a declaration of compliance with criterion 5.2 supported, where appropriate, by declarations from the material supplier(s). The declaration shall be supported by a list of the substances and/or substances in mixtures as specified in Table 3 that are present in any homogeneous material or article that forms part of the final product, together with information about their hazard classification or non-classification.

The following information shall be provided to support declarations of the hazard classification or non-classification for each substance or mixture:

- the substance's CAS, EC or list number (where available for mixtures);
- the physical form and state in which the substance or mixture is used;
- harmonised CLP hazard classifications;
- self-classification entries in ECHA's REACH registered substance database if no harmonised classification is available ⁽¹⁾;
- mixture classifications according to the criteria laid down in the CLP Regulation.

When considering self-classification entries in the REACH registered substance database, priority shall be given to entries from joint submissions.

Where a classification is recorded as 'data lacking' or 'inconclusive' according to the REACH registered substance database, or where a substance has not yet been registered under the REACH regulation, toxicological data meeting the requirements in Annex VII to Regulation (EC) No 1907/2006 shall be provided that are sufficient to support conclusive self-classification in accordance with Annex I to Regulation (EC) No 1272/2008 and ECHA's supporting guidance. In the case of 'data lacking' or 'inconclusive' database entries, self-classifications shall be verified, with the following information sources being accepted:

- Toxicological studies and hazard assessments by ECHA peer regulatory agencies ⁽²⁾, Member State regulatory bodies or intergovernmental bodies.
- A Safety Data Sheet (SDS) fully completed in accordance with Annex II to Regulation (EC) No 1907/2006.
- A documented expert judgement provided by a professional toxicologist. This shall be based on a review of scientific literature and existing testing data, where necessary supported by results from new testing carried out by independent laboratories using methods recognised by ECHA.
- An attestation, where appropriate based on expert judgement, issued by an accredited conformity assessment body that carries out hazard assessments according to the Globally Harmonised System (GHS) of the classification and labelling of chemicals or CLP hazard classification systems.

Information on the hazardous properties of substances or mixtures may, in accordance with Annex XI to Regulation (EC) No 1907/2006, be generated by means other than tests, for instance through the use of alternative methods such as in vitro methods, by quantitative structure activity models or by the use of grouping or read-across.

For the derogated substances and mixtures listed in Table 4, the applicant shall provide proof that all the derogation conditions are met.

Where EU Ecolabel textile products are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU.

Criterion 6 — Restricted Substances List (RSL)

The criterion shall apply when any homogeneous material or article used in shoe uppers or shoe outer soles is greater than 3,0 % weight by weight of either component.

⁽¹⁾ ECHA, REACH registered substances database, <http://www.echa.europa.eu/information-on-chemicals/registered-substances>

⁽²⁾ ECHA, Cooperation with peer regulatory agencies, <http://echa.europa.eu/en/about-us/partners-and-networks/international-cooperation/cooperation-with-peer-regulatory-agencies>

The final product, homogeneous materials or articles that form part of the final product, or production recipes used, as applicable, shall not contain substances specified under the Restricted Substances List (RSL). The applicability, scope of restrictions, verification and testing requirements are provided in the RSL for each substance or group of substances. The RSL can be found in the Appendix to this Decision.

The RSL shall be communicated by the applicant to all the suppliers of materials or articles that will be used as components of the EU Ecolabel product.

Textile products that have been awarded the EU Ecolabel based on the ecological criteria of Decision 2014/350/EU are considered to comply with criterion 6.

Assessment and verification: the applicant and their material supplier(s), as appropriate, shall provide a declaration of compliance with the RSL supported by evidence that is applicable to the substances and mixtures used to manufacture the final product or its materials. Verification shall be provided for each relevant requirement as indicated in the RSL, which may include:

- declarations obtained from those responsible for related production stages;
- declarations from chemical suppliers; or
- test results from laboratory analysis of samples of the final product.

Where required, Safety Data Sheets shall be completed in accordance with the guidance in Sections 10, 11 and 12 of Annex II to Regulation (EC) No 1907/2006 (Requirements for the Compilation of Safety Data Sheets). Incomplete Safety Data Sheets (SDS) will require supplemental declarations from chemical suppliers.

Where laboratory analysis of the final product is required, it shall be performed for specific product lines and based on random sampling. Where specified, it shall be carried out annually during the licence period in order to demonstrate ongoing compliance with the RSL criterion with results then communicated to the relevant competent body.

Test data obtained for the purposes of compliance with industry RSLs and other footwear certification schemes shall be accepted where the test methods are equivalent.

Where EU Ecolabel textile products are used, the applicant shall provide a copy of the EU Ecolabel certificate showing that it was awarded in accordance with Decision 2014/350/EU.

Criterion 7 — Parameters contributing to durability

Occupational and safety footwear shall carry the CE mark and shall meet the durability requirements specified in accordance with Directive 89/686/EEC. All other footwear shall meet the requirements indicated in Table 5.

Table 5

Durability parameters

Parameter/Standard test method		General sports	School footwear	Casual	Men's town	Cold weather footwear	Women's town	Fashion	Infants	Indoor
Uppers' flex resistant: (kc without visible damage)/EN 13512		Dry = 100 Wet = 20	Dry = 100 Wet = 20	Dry = 80 Wet = 20	Dry = 80 Wet = 20	Dry = 100 Wet = 20 – 20° = 30	Dry = 50 Wet = 10	Dry = 15	Dry = 15	Dry = 15
Uppers' tear strength (Average tear force, N)/EN 13571	Leather Other materials	≥ 80 ≥ 40	≥ 60 ≥ 40	≥ 60 ≥ 40	≥ 60 ≥ 40	≥ 60 ≥ 40	≥ 40 ≥ 40	≥ 30 ≥ 30	≥ 30 ≥ 30	≥ 30 ≥ 30
Outsoles' flex resistance: EN 17707	Cut growth (mm) Nsc = no spontaneous crack	≤ 4 Nsc	≤ 4 Nsc	≤ 4 Nsc	≤ 4 Nsc	≤ 4 Nsc at – 10 °C	≤ 4 Nsc			
Outsoles' abrasion resistance/EN 12770	D ≥ 0,9 g/cm ³ (mm ³)	≤ 200	≤ 200	≤ 250	≤ 350	≤ 200	≤ 400			≤ 450
	D < 0,9 g/cm ³ (mg)	≤ 150	≤ 150	≤ 170	≤ 200	≤ 150	≤ 250			≤ 300
Upper-sole adhesion (N/mm)/EN 17708		≥ 4,0	≥ 4,0	≥ 3,0	≥ 3,5	≥ 3,5	≥ 3,0	≥ 2,5	≥ 3,0	≥ 2,5
Outsoles' tear strength (Average strength, N/mm)/EN 12771	D ≥ 0,9 g/cm ³	8	8	8	6	8	6	5	6	5
	D < 0,9 g/cm ³	6	6	6	4	6	4	4	5	4
Colour fastness of the inside of the footwear (lining or inner face of the upper). Grey scale on the felt after 50 cycles wet/EN ISO 17700		≥ 2/3	≥ 2/3	≥ 2/3	≥ 2/3	≥ 2/3	≥ 2/3		≥ 2/3	≥ 2/3
Linings' and socks' abrasion cycles/EN 17704		> 25 600 dry > 12 800 wet	> 25 600 dry > 12 800 wet	> 25 600 dry > 12 800 wet	> 25 600 dry > 6 400 wet	> 25 600 dry > 12 800 wet	> 25 600 dry > 6 400 wet	> 25 600 dry > 3 200 wet	>= 25 600 dry >= 12 800 wet	> 8 400 dry > 1 600 wet

Assessment and verification: the applicant shall provide a declaration of compliance supported by test reports as specified in Table 5.

Where applicable, a copy of the certification issued by a certification body notified under Directive 89/686/EEC that proves that the product is classified as personal protective equipment shall be provided.

Criterion 8 — Corporate Social Responsibility with regard to labour aspects

Requirements in this criterion shall apply to the final footwear assembly site.

Having regard to the International Labour Organisation's (ILO) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Global Compact (Pillar 2), the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, the applicant shall obtain third-party verification supported by site audit(s) that the applicable principles included in the ILO's fundamental conventions and the supplementary provisions below have been respected at the final footwear assembly site for the product.

Fundamental conventions of the ILO:

(i) Child Labour:

- Minimum Age Convention, 1973 (No 138);
- Worst Forms of Child Labour Convention, 1999 (No 182).

(ii) Forced and Compulsory Labour:

- Forced Labour Convention, 1930 (No 29) and 2014 Protocol to the Forced Labour Convention;
- Abolition of Forced Labour Convention, 1957 (No 105).

(iii) Freedom of Association and Right to Collective Bargaining:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No 87);
- Right to Organise and Collective Bargaining Convention, 1949 (No 98).

(iv) Discrimination:

- Equal Remuneration Convention, 1951 (No 100);
- Discrimination (Employment and Occupation) Convention, 1958 (No 111).

Supplementary provisions:

(v) Working Hours:

- ILO Hours of Work (Industry) Convention, 1919 (No 1).

(vi) Remuneration:

- ILO Minimum Wage Fixing Convention, 1970 (No 131);
- Living wage: The applicant shall ensure that wages paid for a normal working week shall always meet at least legal or industry minimum standards, are sufficient to meet the basic needs of personnel and provide some discretionary income. Implementation shall be audited with reference to the SA8000 ⁽¹⁾ guidance on 'Remuneration'.

(vii) Health & Safety:

- ILO Safety in the use of chemicals at work Convention, 1981 (No 170);
- ILO Occupational Safety and Health Convention, 1990 (No 155).

In locations where the right to freedom of association and collective bargaining are restricted under law, the company shall recognise legitimate employee associations with whom it can enter into dialogue about workplace issues.

⁽¹⁾ Social Accountability International, Social Accountability 8000 International Standard, <http://www.sa-intl.org>

The audit process shall include consultation with external stakeholders in local areas around sites, including trade unions, community organisations, NGOs and labour experts. The applicant shall publish the aggregated results and key findings from the audit online in order to provide evidence of their supplier's performance to interested consumers.

Assessment and verification: the applicant shall provide a declaration of compliance together with copies of certificates and a supporting audit reports for each final product assembly plant for the model(s) to be ecolabelled.

The third-party site audit shall be carried out by private auditors qualified to assess the compliance of the footwear industry supply chain with social standards or codes of conduct or, in countries where the ILO Labour Inspection Convention, 1947 (No 81) has been ratified and ILO supervision indicates that the national labour inspection system is effective ⁽¹⁾ and where the scope of the inspection systems covers the areas listed above, by labour inspector(s) appointed by a national authority.

Certificate(s), not dated more than 12 months prior to the application, from schemes or processes that audit compliance with the applicable principles of the listed fundamental ILO conventions, together with the supplementary provisions on working hours, remuneration and health and safety, shall be accepted.

Criterion 9 — Packaging

This criterion applies only to primary packaging, as defined in European Parliament and Council Directive 94/62/EC ⁽²⁾.

9.1. Cardboard and paper

Cardboard and paper used for the final packaging of footwear shall be made of 100 % recycled material.

9.2. Plastic

Plastic used for the final packaging of footwear shall be made of at least 80 % recycled material.

Assessment and verification: the applicant or packaging supplier, as appropriate, shall provide a declaration of compliance specifying the material composition of the packaging and the shares of recycled and virgin material.

Criterion 10 — Information on the packaging

10.1. User Instructions

The following information shall be supplied with the product:

- Cleaning and care instructions specified for each product.
- 'Repair your footwear rather than throw it away. This is less damaging to the environment.'
- 'Please dispose of your footwear in the appropriate local collection point.'

Assessment and verification: the applicant shall provide a packaging sample or the proposed artwork of the packaging showing the user instructions that will be supplied with the product.

10.2. Information appearing on the EU Ecolabel

If the optional label with a text box is used, it shall contain, where relevant, three of the following statements:

- (i) natural origin raw materials sustainably managed (in case criterion 1 applies);
- (ii) reduced pollution in production processes;
- (iii) minimised use of hazardous substances;
- (iv) tested for durability;
- (v) xx % organic cotton used (this claim may be made only if, based on criterion 1.2(a), more than 95 % of the total cotton is organic).

⁽¹⁾ See ILO NORMLEX (<http://www.ilo.org/dyn/normlex/en>) and supporting guidance.

⁽²⁾ European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).

The guidelines for the use of the optional label with a 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 declaration of compliance together with a sample of the product label or the proposed artwork showing where the EU Ecolabel is placed.

APPENDIX

RESTRICTED SUBSTANCES LIST (RSL)

The list applies to substances that may be used during the production process or may be present in the final product. The EU Ecolabel RSL for Footwear compiles substances or groups of substances whose presence in the final product, materials or articles thereof, or production recipes, as applicable, shall be specifically restricted or verified. The restrictions apply to:

- production stages (for instance dyeing);
- recipes used in the footwear production stages (for instance auxiliaries);
- homogeneous materials or articles (for instance synthetic or natural rubber);
- final products.

The applicability, material(s) and/or production stage(s) where relevant, scope of restriction, verification and/or testing requirements are specified for each requirement.

The RSL shall be communicated by the applicant to all material suppliers.

Textile products that have been awarded the EU Ecolabel based on the ecological criteria of Decision 2014/350/EU are considered to comply with criterion 6.

Table 1

The following restrictions apply to specified production stages.

Applicability	Scope of restriction	Limit values	Verification
(a) Auxiliaries			
Any mixture or formulation used in the production stages of leather, textiles, and coated leather and textiles	The following substances shall not be used in any mixtures or formulations used in production stages and are subject to the limit values for the presence of substances in the final product: — Nonylphenol, mixed isomers CAS No 25154-52-3 — 4-Nonylphenol CAS No 104-40-5 — 4-Nonylphenol, branched CAS No 84852-15-3 — Octylphenol CAS No 27193-28-8 — 4-Octylphenol CAS No 1806-26-4 — 4-tert-Octylphenol CAS No 140-66-9 The following alkylphenolethoxylates (APEOs): — Polyoxyethylated octyl phenol CAS No 9002-93-1 — Polyoxyethylated nonyl phenol CAS No 9016-45-9 — Polyoxyethylated p-nonyl phenol CAS No 26027-38-3	25 mg/kg sum total for textiles 100 mg/kg sum total for leather	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide either a declaration that these substances have not been used, supported by a Safety Data Sheet or test results of the final product or of the leather, textiles, coated leather or textiles that make up the final product. Test method: leather: EN ISO 18218-2 (indirect method); textiles and coated textiles: EN ISO 18254 for alkylphenolethoxylates; for alkylphenols final product testing is to be carried out by solvent extraction followed by LC-MS or GC-MS.
Dyeing and finishing operations for leather, textiles, and coated leather and textiles	The following substances shall not be used in any mixtures or formulations for dyeing and finishing of leather, coated leather, and textiles: — Bis(hydrogenated tallow alkyl) dimethyl ammonium chloride (DTCMAC) — Distearyl dimethyl ammonium chloride (DSDMAC) — Di(hardened tallow) dimethyl ammonium chloride (DHTDMAC) — Ethylene diamine tetra acetate (EDTA), — Diethylene triamine pentaacetate (DTPA) — 4-(1,1,3,3-tetramethylbutyl)phenol — Nitrilotriacetic acid (NTA)	n/a	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of non-use.

Applicability	Scope of restriction	Limit values	Verification
(b) Colophony			
Printing, varnishing and gluing	Colophony shall not be used as an ingredient in printing inks, varnishes or adhesives.	n/a	<i>Assessment and verification:</i> the applicant or supplier (s) shall provide a declaration of non-use.
(c) Solvents			
Auxiliaries used in mixtures, formulations and adhesives for leather, textiles coated leather and textiles, plastics and final products	The following substances shall not be used in any mixtures or formulations for the processing of component materials and in adhesives used during the final product assembly: — 2-Methoxyethanol — N,N-dimethylformamide — 1-Methyl-2-pyrrolidone — Bis(2-methoxyethyl) ether — 4,4' - Diaminodiphenylmethane — 1,2,3-trichloropropane — 1,2-Dichloroethane; ethylene dichloride — 2-Ethoxyethanol — Benzene-1,4-diamine dihydrochloride — Bis(2-methoxyethyl) ether — Formamide — N-methyl-2-pyrrolidone — Trichloroethylene	n/a	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of non-use.
(d) Chlorinated paraffins			
All production stages for leather, synthetic rubber, plastics, textiles and coatings	Short Chain Chlorinated Paraffins (SCCPs), C10-C13, shall not be used in the production and finishing of leather, synthetic rubber, plastics, textiles or coatings.	Not detectable	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration that Short Chain Chlorinated Paraffins C10-C13 have not been used, supported by a Safety Data Sheet. Otherwise the applicant and/or material supplier(s) shall provide a declaration of compliance supported by the results of a test report according to EN ISO 18219.

Applicability	Scope of restriction	Limit values	Verification
Material processing for leather, synthetic rubber, plastics, textiles and coatings	Medium Chain Chlorinated Paraffins (MCCPs), C14-C17, shall be restricted in the production and finishing of leather, synthetic rubber, plastics, textiles or coatings.	1 000 mg/kg	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration that Medium Chain Chlorinated Paraffins C14-C17 have not been used, supported by a Safety Data Sheet. Otherwise, the applicant and/or material supplier(s) shall provide a declaration of compliance supported by the results of a test report according to EN ISO 18219.

(e) Biocidal products (within the meaning of Article 3(1)(a) of Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽¹⁾)

Used during transportation or storage of raw and semi-finished materials, final products or final product packaging	(i) Only the following active substances (within the meaning of Article 3(1)(c) Regulation (EU) No 528/2012 shall be allowed: — active substances included in the list drawn up in accordance with Article 9(2) of Regulation (EU) No 528/2012, for the relevant product type (i.e. fibre, leather, rubber and polymerised materials), provided the conditions or restrictions specified therein are met; — active substances included in Annex I of that Regulation provided the conditions or restrictions specified therein are met; — active substances under examination for the relevant product type in the work programme referred to in Article 89(1) of Regulation (EU) No 528/2012.	n/a	<i>Assessment and verification:</i> the applicant and material supplier shall provide either declarations of non-use prior to transportation and storage, or evidence that the use of the biocidal active substance is allowed under Regulation (EU) No 528/2012. If used, a list of active substances added during transportation or storage of raw, semi-finished materials or to final product packaging shall be provided, including the related H statements.
	(ii) Biocidal products shall not be incorporated into final products or any part thereof during footwear assembly in order to impart biocidal properties to the final product.	n/a	<i>Assessment and verification:</i> the applicant and material supplier shall provide declarations of non-use in the final product or any part thereof.
	(iii) Chlorophenols (their salts and esters), organotin compounds (including TBT, TPhT, DBT and DOT), dimethyl fumarate (DMFu), triclosan and nanosilver shall not be used during the transportation or storage of the product, any article of it and any homogeneous part of it and shall not be incorporated into the final product or product packaging.	Not detectable	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of non-use. The declaration shall be supported by the results of final product testing for the presence of the following substances: <i>Chlorophenols:</i> leather, EN ISO 17070; textiles, XP G 08-015 (detection limits: leather: 0,1 ppm; textiles: 0,05 ppm); <i>Dimethyl fumarate:</i> ISO/TS 16186.

Applicability	Scope of restriction	Limit values	Verification
(f) Other specific substances			
Production recipes and adhesives used in the final product or any part thereof	The following substances shall not be intentionally added to any mixtures and formulations or to adhesives used during footwear assembly: — Chlorinated or brominated dioxins or furans — Chlorinated hydrocarbons (1,1,2,2-Tetrachloroethane, Pentachloroethane, 1,1,2-Trichloroethane, 1,1-Dichloroethylene) — Hexachlorocyclohexane — Monomethyldibromo-Diphenylmethane — Monomethyldichloro-Diphenylmethane — Nitrites — Polybrominated Biphenyls (PBB) — Pentabromodiphenyl Ether (PeBDE)) — Octabromodiphenyl Ether (OBDE) — Polychlorinated Biphenyls (PCB) — Polychlorinated Terphenyls (PCT)) — Tri-(2,3-dibromo-propyl)-phosphate (TRIS) — Trimethylphosphate — Tris-(aziridiny)-phosphin oxide (TEPA) — Tris(2-chloroethyl)-phosphate (TCEP)) — Dimethyl methylphosphonate (DMMP))	n/a	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of non-use.

(¹) Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

Table 2

The following restrictions apply to processes taking place in the dye house.

Applicability	Scope of restriction	Limit values	Verification
(a) Carriers			
Carriers used in dyeing processes where disperse dyes are used	Halogenated dyeing accelerants (carriers) shall not be used (examples of carriers include: 1,2-dichlorobenzene, 1,2,4-trichlorobenzene, chloro-phenoxyethanol).	n/a	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
Carriers used as blowing agents for plastics and foams	Halogenated organic compounds shall not be used as blowing agents or as auxiliary blowing agents.	n/a	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
(b) Restricted dyes			
Azo dyes and azo colourants Application in dyeing process	The following carcinogenic aromatic amines shall not be present in the final product.		30 mg/kg for each arylamine in the final product <i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by the results of specific testing according to EN 14362-1:2012 and 3:2012 for textiles, and CEN ISO/TS 17234-1 and 2 for leather. (Note: false positives may be possible with respect to the presence of 4-aminoazobenzene, and therefore shall be reported.)
	Arylamine	CAS number	
	4-aminodiphenyl	92-67-1	
	Benzidine	92-87-5	
	4-chloro-o-toluidine	95-69-2	
	2-naphtylamine	91-59-8	
	o-amino-azotoluene	97-56-3	
	2-amino-4-nitrotoluene	99-55-8	
	p-chloroaniline	106-47-8	
	2,4-diaminoanisol	615-05-4	

Applicability	Scope of restriction		Limit values	Verification
	Arylamine	CAS number		
	4,4'-diaminodiphenylmethane	101-77-9		
	3,3'-dichlorobenzidine	91-94-1		
	3,3'-dimethoxybenzidine	119-90-4		
	3,3'-dimethylbenzidine	119-93-7		
	3,3'-dimethyl-4,4'-diaminodiphenylmethane	838-88-0		
	p-cresidine	120-71-8		
	4,4'-methylene-bis-(2-chloroaniline)	101-14-4		
	4,4'-oxydianiline	101-80-4		
	4,4'-thiodianiline	139-65-1		
	o-toluidine	95-53-4		
	2,4-diaminotoluene	95-80-7		
	2,4,5-trimethylaniline	137-17-7		
	o-anisidine (2-Methoxyanilin)	90-04-0		
	2,4-xylydine	95-68-1		
	2,6-xylydine	87-62-7		
	4-aminoazobenzene	60-09-3		
CMR dyes	The following dyes that are carcinogenic, mutagenic or toxic to reproduction shall not be used.		n/a	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
	Dyes that are carcinogenic, mutagenic or toxic to reproduction	CAS number		
	C.I. Acid Red 26	3761-53-3		
	C.I. Basic Red 9	569-61-9		

Applicability	Scope of restriction		Limit values	Verification
	Dyes that are carcinogenic, mutagenic or toxic to reproduction	CAS number		
	C.I. Basic Violet 14	632-99-5		
	C.I. Direct Black 38	1937-37-7		
	C.I. Direct Blue 6	2602-46-2		
	C.I. Direct Red 28	573-58-0		
	C.I. Disperse Blue 1	2475-45-8		
	C.I. Disperse Orange 11	82-28-0		
	C.I. Disperse Yellow 3	2832-40-8		
Potentially sensitising dyes	The following dyes that are potentially sensitising shall not be used.		n/a	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
	Disperse dyes that are potentially sensitising	CAS number		
	C.I. Disperse Blue 1	2475-45-8		
	C.I. Disperse Blue 3	2475-46-9		
	C.I. Disperse Blue 7	3179-90-6		
	C.I. Disperse Blue 26	3860-63-7		
	C.I. Disperse Blue 35	12222-75-2		
	C.I. Disperse Blue 102	12222-97-8		
	C.I. Disperse Blue 106	12223-01-7		
	C.I. Disperse Blue 124	61951-51-7		
	C.I. Disperse Brown 1	23355-64-8		
	C.I. Disperse Orange 1	2581-69-3		
	C.I. Disperse Orange 3	730-40-5		

Applicability	Scope of restriction		Limit values	Verification
	Disperse dyes that are potentially sensitising	CAS number		
	C.I. Disperse Orange 37	12223-33-5		
	C.I. Disperse Orange 76	13301-61-6		
	C.I. Disperse Red 1	2872-52-8		
	C.I. Disperse Red 11	2872-48-2		
	C.I. Disperse Red 17	3179-89-3		
	C.I. Disperse Yellow 1	119-15-3		
	C.I. Disperse Yellow 3	2832-40-8		
	C.I. Disperse Yellow 9	6373-73-5		
	C.I. Disperse Yellow 39	12236-29-2		
	C.I. Disperse Yellow 49	54824-37-2		
Chrome mordant dyes	Chrome mordant dyes shall not be used.		n/a	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
Metal complex dyes	Metal complex dyes based on copper, chromium and nickel shall only be permitted for leather, dyeing wool, polyamide or blends of these fibres with man-made cellulose fibres (for instance viscose).		n/a	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.
Pigments	Pigments based on cadmium, lead, chromium (VI), mercury and/or antimony shall not be used.		n/a	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by a Safety Data Sheet.

Table 3

The following restrictions apply to the finishing process of the final product.

Applicability	Scope of restriction	Limit values	Verification
(a) Per- and polyfluorinated chemicals (PFCs)			
Final product	(i) Fluorinated water, stain and oil repellent treatments shall not be used for footwear impregnation. These shall include perfluorinated and polyfluorinated treatments. Non-fluorinated treatments shall use substances that are readily biodegradable and non-bioaccumulative substances in the aquatic environment including aquatic sediment.	n/a	<i>Assessment and verification:</i> the applicant or material supplier shall provide a declaration of compliance supported by a Safety Data Sheet.
Footwear with declared integrated water repellence function	(ii) Fluoropolymer membranes and laminates may be used for footwear only if the required water penetration of the material is lower than 0,2 g and the water absorption is lower than 30 % according to ISO Standard 20347. Fluoropolymer membranes shall not be manufactured using PFOA or any of its higher homologues as defined by the OECD.	n/a	<i>Assessment and verification:</i> the applicant shall provide a declaration of compliance from the membrane or laminate manufacturer with respect to the polymer production. The declaration shall be supported by technical test results for material water penetration according to ISO 20347.
(b) Flame retardants			
Footwear with incorporated flame-retardant function	The use of flame retardants is allowed only for footwear classified and CE marked as Category III personal protective equipment with an incorporated flame-retardant function to ensure safety at work in line with the specifications laid down by Directive 89/686/EEC. The substance(s) used to achieve flame retardancy shall comply with criterion 5.	n/a	<i>Assessment and verification:</i> the applicant shall provide either a declaration of non-use of flame retardants or a declaration of compliance with criterion 5. In both cases the declaration shall be supported by a Safety Data Sheet. When applicable, a list of flame retardants used in the product shall be provided together with the related H statements/R phrases. A copy of the certification issued by a certification body notified under Directive 89/686/EEC that proves the product is marketed as flameproof Category III personal protective equipment shall be provided.

Table 4

The following restrictions apply to the final product or specified parts thereof.

Applicability	Scope of restriction	Limit values	Verification																		
(a) PAHs																					
Plastics and synthetic rubber, textiles or leather coatings	The polycyclic aromatic hydrocarbons (PAHs) listed below shall not be present above the specified limits in the plastics, synthetic rubber, textiles or leather coatings. The PAHs classified with Groups 1 and 2 hazards shall not be present at concentrations greater than or equal to individual and sum total concentration limits in plastics, synthetic rubber, textiles or leather coatings. The presence and concentration of the following PAHs shall be verified. PAHs restricted by Regulation (EC) No 1907/2006: <table><tr><th>Name</th><th>CAS</th></tr><tr><td>Chrysen</td><td>218-01-9</td></tr><tr><td>Benzo[a]anthracene</td><td>56-55-3</td></tr><tr><td>Benzo[k]fluoranthene</td><td>207-08-9</td></tr><tr><td>Benzo[a]pyrene</td><td>50-32-8</td></tr><tr><td>Dibenzo[a,h]anthracene</td><td>53-70-3</td></tr><tr><td>Benzo[j]fluoranthene</td><td>205-82-3</td></tr><tr><td>Benzo[b]fluoranthene</td><td>205-99-2</td></tr><tr><td>Benzo[e]pyrene</td><td>192-97-2</td></tr></table>	Name	CAS	Chrysen	218-01-9	Benzo[a]anthracene	56-55-3	Benzo[k]fluoranthene	207-08-9	Benzo[a]pyrene	50-32-8	Dibenzo[a,h]anthracene	53-70-3	Benzo[j]fluoranthene	205-82-3	Benzo[b]fluoranthene	205-99-2	Benzo[e]pyrene	192-97-2	For all footwear: 1. The individual concentration limits for PAHs restricted under Regulation (EC) No 1907/2006 shall be lower than 1 mg/kg. 2. The sum total concentration limit for the 18 PAHs listed shall be lower than 10 mg/kg. For footwear intended for children under three years of age: 1. The individual concentration limits for PAHs restricted under Regulation (EC) No 1907/2006 shall be lower than 0,5 mg/kg. 2. The sum total concentration limit for the 18 PAHs listed shall be lower than 1 mg/kg.	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by the test report, using test method AfPS GS 2014:01 PAK.
		Name	CAS																		
		Chrysen	218-01-9																		
		Benzo[a]anthracene	56-55-3																		
		Benzo[k]fluoranthene	207-08-9																		
		Benzo[a]pyrene	50-32-8																		
		Dibenzo[a,h]anthracene	53-70-3																		
		Benzo[j]fluoranthene	205-82-3																		
		Benzo[b]fluoranthene	205-99-2																		
		Benzo[e]pyrene	192-97-2																		

Applicability	Scope of restriction		Limit values	Verification
	Additional PAHs subject to restriction:			
	Name	CAS		
	Naphthalene	91-20-3		
	Acenaphthylene	208-96-8		
	Acenaphthene	83-32-9		
	Fluorene	86-73-7		
	Phenanthrene	85-1-8		
	Anthracene	120-12-7		
	Fluoranthene	206-44-0		
	Pyrene	129-00-0		
	Indeno[1,2,3-c,d]pyrene	193-39-5		
	Benzo[g,h,i]perylene)	191-24-2		

(b) N-Nitrosamines

Natural and synthetic rubber	The following N-nitrosamines shall not be detected in synthetic and natural rubber.		Not detectable	Assessment and verification: the applicant or rubber supplier shall provide a declaration of compliance supported by the test report, using test method EN 12868 or EN 14602.
	N-nitrosamine	CAS		
	N-nitrosodiethanolamine (NDELA)	1116-54-7		
	N-nitrosodimethylamine (NDMA)	62-75-9		
	N-nitrosodipropylamine (NDPA)	621-64-7		

Applicability	Scope of restriction		Limit values	Verification
	N-nitrosamine	CAS		
	N-nitrosodiethylamine (NDEA)	55-18-5		
	N-nitrosodiisopropylamine (NDiPA)	601-77-4		
	N-nitrosodibutylamine (NDBA)	924-16-3		
	N-nitrosopiperidine (NPIP)	100-75-4		
	N-nitrosodiisobutylamine (NdiBA)	997-95-5		
	N-nitrosodiisononylamine (NdiNA)	1207995-62-7		
	N-nitrosomorpholine (NMOR)	59-89-2		
	N-nitroso N-methyl N-phenylamine (NMPPhA)	614-00-6		
	N-nitroso N-ethyl N-phenylamine (NE-PhA)	612-64-6		
	N-Nitrosopyrrolidine	930-55-2		

(c) Organotin substances

Final product	The organotin compounds listed below shall not be present in the final product above the specified limit concentrations.		Limit values specified for each organotin compound	Assessment and verification: the applicant shall provide a declaration of compliance supported by test results in accordance with test method ISO/TS 16179.
	Tributyltin compounds (TBT)	0,025 mg/kg		
	Dibutyltin compounds (DBT)	1 mg/kg		
	Monobutyltin compounds (MBT)	1 mg/kg		
	Dioctyltin compounds (DOT)	1 mg/kg		
	Triphenyltin (TPT)	1 mg/kg		

Applicability	Scope of restriction	Limit values	Verification
(d) Phthalates			
Plastics, rubber, synthetic materials, coatings and printings of materials	(i) Only phthalates that at the time of application have been risk-assessed and fulfil the requirements of criterion 5 may be used in the product.	n/a	<i>Assessment and verification:</i> the applicant shall provide a declaration of compliance supported by a Safety Data Sheet
	(ii) The following plasticisers shall not be used in the product, any article of it or in any homogeneous part of it: — 1,2-Benzenedicarboxylic acid, di-C6-8-branched alkyl esters, C7-rich (DIHP) CAS: 71888-89-6 — 1,2-Benzenedicarboxylic acid, di-C7-11-branched and linear alkyl esters ((DHNUP) CAS: 68515-42-4 — Bis(2-methoxyethyl) phthalate (DMEP) CAS: 117-82-8 — Diisobutyl phthalate (DIPB) CAS: 84-69-5 — Bis (2-ethylhexyl) phthalate (DEHP) CAS: 117-81-7 — Dibutyl phthalate (DBP) CAS: 84-74-2 — Benzyl butyl phthalate (BBP) CAS: 85-68-7 — Di-n-pentyl phthalate (DPP) CAS: 131-18-0 — 1,2-Benzenedicarboxylic acid, dipentylester, branched and linear CAS: 84777-06-0 — Diisopentylphthalate (DIPP) CAS: 605-50-5 — Dihexyl phthalate (DnHP) CAS: 84-75-3 — N-pentyl-isopentylphthalate CAS: 607-426-00-1 (iii) The following phthalates shall not be used in footwear for children under three years of age: — Di-iso-nonyl phthalate (DINP)* CAS: 28553-12-0; 68515-48-0 — Di-n-octylphthalate (DNOP)* CAS: 117-84-0 — Diisodecyl phthalate (DIDP)* CAS: 26761-40-0; 68515-49-1	The sum of the restricted plasticisers shall be lower than 0,10 % weight by weight; The sum of the restricted plasticisers for footwear intended for children under three years of age shall be lower than 0,05 % weight by weight;	<i>Assessment and verification:</i> the applicant shall provide either a declaration of non-use from the material manufacturer supported by a Safety Data Sheet for the plasticisers used in the formulation or the test results according to ISO/TS 16181.

Applicability	Scope of restriction	Limit values	Verification	
(e) Extractable metals				
Final product	For footwear intended for children under three years of age, the substances listed below shall not be present in the final product above the specified limit concentrations.		Limit values specified for each substance	Assessment and verification: the applicant or material supplier(s) shall provide a declaration of compliance supported by the test results in accordance with the following test methods: Extraction — EN ISO 105-E04-2013 (acid sweat solution). Detection: EN ISO 17072-1 for leather, ICP-MS, ICP-OES (for textiles and plastic). Testing shall be carried out annually during the licence period in order to demonstrate ongoing compliance with the criterion.
	Antimony (Sb)	30,0 mg/kg		
	Arsenic (As)	0,2 mg/kg		
	Cadmium (Cd)	0,1 mg/kg		
	Chromium (Cr)	1,0 mg/kg (for textiles)		
	Cobalt (Co)	1,0 mg/kg		
	Copper (Cu)	25,0 mg/kg		
	Lead (Pb)	0,2 mg/kg		
	Nickel (Ni)	1,0 mg/kg		
	Mercury (Hg)	0,02 mg/kg		
	The following limit values shall apply to footwear other than footwear intended for children under three years of age.			
	Antimony (Sb)	30,0 mg/kg		
	Arsenic (As)	1,0 mg/kg		
	Cadmium (Cd)	0,1 mg/kg		
	Chromium (Cr)	2,0 mg/kg (for textiles)		
	Cobalt (Co)	4,0 mg/kg		
	Copper (Cu)	50,0 mg/kg		

Applicability	Scope of restriction		Limit values	Verification
	Lead (Pb)	1,0 mg/kg		
	Nickel (Ni)	1,0 mg/kg		
	Mercury (Hg)	0,02 mg/kg		
Metal components	The migration of nickel from nickel-containing metal alloys which are in direct and prolonged contact with skin shall be lower than 0,5 µg/cm²/week.		0,5 µg/cm²/week	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of the absence of nickel in footwear components, supported by the certification from the manufacturer of the metal parts, or a declaration of compliance supported by the results of test method EN 1811.
Chromium-tanned leather	For shoes containing chromium-tanned leather, there shall be no chromium (VI) in the final product.		Not detectable	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by the results of a test report, using test method EN ISO 17075 (detection limit: 3 ppm). The sample preparation must follow the indications of EN ISO 4044. Testing shall be carried out annually during the licence period in order to demonstrate ongoing compliance with the criterion. Non-chromium-tanned leather is exempted from the requirement.
	For shoes containing chromium-tanned leather, the extractable chromium content in the final product shall be lower than 200 mg/kg.		200 mg/kg	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by the results of test report, using test method EN ISO 17072-1. Testing shall be carried out annually during the licence period in order to demonstrate ongoing compliance with the criterion. Non-chromium-tanned leather is exempt from the requirement.

Applicability	Scope of restriction	Limit values	Verification
(f) TDA and MDA			
PU	2,4-Toluenediamine (2,4-TDA, 95-80-7) 4,4'-Diaminodiphenylmethane (4,4'-MDA, 101-77-9)	Lower than 5 mg/kg each	<i>Assessment and verification:</i> the applicant shall provide a declaration of compliance supported by the results according to the following procedure: Extraction with 1 % aqueous acetic acid solution. The sample must be a composite of six pieces to be taken from beneath each sample's face (to a maximum of 2 cm from the surface). Four repeat extractions of the same foam sample must be performed, maintaining a sample weight to volume ratio of 1:5 in each case. The extracts are combined, made up to a known volume, filtered and analysed by HPLC-UV or HPLC-MS. If HPLC-UV is performed and interference is suspected, reanalysis with HPLC-MS shall be performed.
(g) Formaldehyde			
Final product/leather, textile	The amount of free and hydrolysed formaldehyde of the components of the footwear shall not exceed the following limits: — textiles: < 20 mg/kg, — leather: < 20 mg/kg (children's footwear); 75 mg/kg (linings and socks); 100 mg/kg for other parts of the product.	Specified limit values	<i>Assessment and verification:</i> the applicant or material supplier(s) shall provide a declaration of compliance supported by the results of a test report, using the following test methods: textiles: EN ISO 14184-1; leather: EN ISO 17226-1.
(h) Antimony			
Raw polyester fibres	The level of antimony present in the raw polyester fibres shall not exceed 260 ppm.	260 mg/kg	<i>Assessment and verification:</i> the applicant or fibre manufacturer shall either provide a declaration of non-use during the manufacturing process or a declaration of compliance supported by a test report using the following test methods: direct determination by Atomic Absorption Spectrometry or Inductively Coupled Plasma (ICP) Mass Spectrometry. The test shall be carried out on a composite sample of raw fibres prior to any wet processing.

