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**ROAD MAP FOR ESTABLISHING A NATIONAL ECO-LABELLING SYSTEM by
transposing the Regulation (EC) No. 66./2010 of the EUROPEAN PARLIAMENT OF
THE COUNCIL of 25 November 2009**

Action implemented by:

Public Association EcoContact



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The views expressed herein are those of the authors only and can in no way be taken to reflect the official opinion of the European Union, its members, the Governments of the Eastern Partnership Countries, or the implementing partners.

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I. Introduction

The EU Eco-label system was established in 1992. The overall objective of the Eco-label system is promoting products with a low negative impact on the environment compared to similar products in the same category of products, thus contributing to the efficient use of resources and a high level of environmental protection. The details of the process of establishing and implementing the voluntary EU eco-labelling scheme are set out in the Regulation (EC) No. 66/2010 of the European Parliament and of the Council (EEC) of 25 November 2009 on the EU Eco-label.

By analysing the specific features of the European eco-label, we can highlight the following aspects:

- The EU eco-label can be awarded to all goods or services distributed, consumed or used on the EU market, if they meet the ecological criteria.
- Ecological criteria are developed as a result of broad consultations between all the stakeholders, including public authorities, representatives of consumer and environmental non-government organizations (NGOs), industry, small and medium enterprises (SMEs), distributors, etc.
- It is an environmental label, and not a health or quality label, although these aspects are also taken into consideration.
- The EU eco-label takes into consideration all the stages of the product lifecycle, which means it is not limited to the characteristics of the product itself.
- It uses the same label for a broad range of product groups, thus being easily recognizable by the consumer, who can be sure that the EU eco-labelled product is one of the best in terms of its environmental performance.
- It is not a self-claim of the producer, as the compliance with the criteria is certified, verified, and monitored by an independent third party (one of the competent bodies for eco-labelling).

The EU eco-labelling scheme is therefore, part of the Community policy on sustainable consumption and production, designed to reduce the negative impact of consumption and production on the environment, health, climate, and natural resources.

Generally, environmental labels can be either mandatory or voluntary. In the case of the existence of a mandatory Eco-Label, every product of the product group must meet the environmental criteria as they are required for the award of the Eco-Label. According to this, market access is not given to those products of producers, who are not willing or able to ensure that those criteria are met by their products. Mandatory eco-labels could be an impediment for foreign producers (i.e. imports may be rejected if they do not comply).¹ As for environmental protection, the environmental outcome of mandatory Eco-labels is more effective than the environmental outcome of a voluntary Eco-Label. Taking into account that products that are voluntarily ecologically labelled constitute a non-imposing percentage in relation to the number and diversity of products on the market, the protection of the environment is not covered by each product of this

¹ WTO. 1997. *Eco-labelling: Overview of Current Work in Various International Fora*, Note by the WTO Committee on Trade and Environment, WT/CTE/W/45, WTO: Geneva; OECD. 1997a. *Processes and Production Methods (PPMs): Conceptual Framework and Considerations on use of PPM-based Trade Measures*, OECD, Paris; OECD. 1997b. *Eco-labelling: Actual Effects of Selected Programmes*, OECD, Paris.

product group. However, mandatory Eco-labels are binding for each product of the product group and hence, by covering the entire product group the provisions of the environmental protection are fulfilled.² In case of voluntary labels, it is up to the manufacturer to decide whether or not to apply for certification of the product, and the consumer's choice whether to buy (or import) an eco-labelled product. Voluntary ecolabelling programmes may be funded and supervised by the private sector. Some, however, are government sponsored.

So, it should be acknowledged that the eco-label, both as a voluntary system and a selective system, does not have the strength and universality that imperative systems imposed by law can offer. However, good eco-labelling system will always remain attractive:

- for consumers – due to their informative, immediate, and simplistic character.
- for businesses – due to their direct contribution to improving the producer image and increasing consumer confidence and also, to cost reductions that can come from more resource efficient production processes.
- for government - due to their possibility of achieving sustainable development and promotion of green democratic policies.

According to *Commission Decision of 21 December 2001 establishing the Community eco-label working plan*³ the specific environmental benefits of eco-labels are difficult to calculate due to the difficulty of isolating and measuring these from environmental benefits achieved via other environmental measures. However, it is possible to estimate the maximum potential environmental benefit that could be achieved if all the products in a product group met the eco-label criteria. The direct environmental benefit of the eco-label is strongly correlated with its market penetration. This is done primarily by consolidating and increasing the sale of eco-labelled products which have a lower negative impact on the environment.

It should be mentioned that currently, there is still a widespread misconception that applying for the eco-label involves a complicated, bureaucratic, and costly process, while with the revision of the regulation *(EC) No 1980/2000 establishing Community Ecolabel award scheme, in 2009 the fee structure was revised and entered into force in February 2010*. The 2009 revision of the EU Ecolabel⁴ foreseen the following aspects:

- An ecolabel that can be attained by companies with limited costs and efforts for them while still maintaining a high ambition in order to ensure credibility of the label with consumers and environmental groups.
- Criteria for products and services where the EU Ecolabel can provide the most benefits, especially product groups with a substantial environmental impact and therefore, with high potential for improvement.
- More EU Ecolabel products on the shelves for consumers to choose from (with a 10% market share in product groups covered by the label);
- High awareness, understanding and respect in the EU-28 and around the world.

² https://www.peacepalacelibrary.nl/ebooks/files/AJEBA_Stein_Legal-Status-Ecolabels.pdf

³ https://ec.europa.eu/environment/archives/ecolabel/pdf/work_plan/decision2001/workingplan_en.pdf

⁴ https://ec.europa.eu/environment/ecolabel/about_ecolabel/pdf/work_plan.pdf

- The medium-term benchmark for success should be that the EU Ecolabel is widely recognized by consumers and by companies throughout the EEA countries.
- Criteria documents which can easily be used by public purchasers.
- An ecolabel better harmonized with other labels, globally and nationally.

Thus, the enforcement has become much simpler and cheaper than before. In addition, when setting the criteria for each product, special attention is paid to keeping the test costs to a minimum and accurately clarifying the documentation and test reports that an applicant must provide.

In the context of climate change and with the view to ensure sustainable development, the Republic of Moldova aims to transpose the legal provisions of Regulation (EC) No. 66/2010 of the European Parliament and of the Council (EEC) of 25 November 2009 on EU eco-label. Regulating an eco-labelling system similar to the European one at national level is also dictated by the political vector of European integration of our country, by the current requirements for aligning the national legislation to the provisions of European Union directives and ensuring a sustainable development of the country by promoting green economy.

The process of European integration is a challenge for the environmental framework and includes two large directions for action: harmonization of the national environmental legislation with the *acquis Communautaire* in this sector, and institutional reform, which involves developing an institutional mechanism capable to enforce the newly-adopted legislative framework. Thus, pursuant to the Action Plan for the implementation of the Republic of Moldova (RoM)- EU Association Agreement ratified by Law No. 112 of 02.07.2014 on Ratification of the Association Agreement Between the Republic of Moldova, on the one side, and the European Union and European Atomic Energy Community and Member States of the Latter, on the other side⁵, Chapter 13 – Trade and Sustainable Development, the Republic of Moldova undertakes to promote trading in goods that contributes to the creation of better social conditions and environment-friendly practices, including good subject to voluntary schemes to ensure the sustainability of trade, such as fair and ethical trade, eco-labels and certification schemes for products obtained from natural resources.”

In addition to the commitment assumed by signing the RoM – EU Association Agreement, the Action Plan for the implementation of the Environmental Strategy for 2014–2023 covers a few objectives, one of which also provides for integrating the environment protection, sustainable development and green economy development, and climate change adaptation principles in all sectors of the national economy.

State intervention in the field of environment protection is determined by the need to accomplish the objectives stated in the: Final document approved at the Rio de Janeiro Conference for Sustainable Development “The Future We Want”, the Astana Declaration of the Ministers of Environment; the 26 Principles of the Stockholm Declaration on the Human Environment; Millennium Development Goals (particularly Goal No. 7 “Ensuring Environment Sustainability”).

Additionally, we have the National Development Strategy “Moldova 2030” – a strategic document that indicates the development direction of the country and of the society to be pursued within the

⁵ https://www.legis.md/cautare/getResults?doc_id=83489&lang=ro

next ten years, which is based on the human lifecycle principle, rights and quality of life, including four sustainable development pillars, one of which is “the right to a healthy environment”.⁶

The transposition of legal provisions laid down in Regulation (EC) No. 66/2010 will condition the accomplishment of the following benefits:

1. eco-label that can be obtained by businesses with limited costs and efforts for them, while maintaining a high ambition to insure the credibility of the label among consumers and environmental groups.
2. criteria for products and services in which the eco-label can provide the most benefits, in particular product groups with a substantial impact on the environment, and therefore, with high potential for improvement.
3. increased number of eco-labelled products in accordance with the EU standards on the shelves for consumers to choose from.
4. Increase of awareness and understanding of the eco-labelling system.
5. documents on criteria that can be easily used by procurers.
6. eco-label better harmonized with other labels at national and global level.

II. Objectives and Expected Results

This road map has been developed with the view to determine the objectives and measures that are to be taken to facilitate the transposition at national level of the provisions laid down in the EU Regulation on Eco-Labeling (Regulation (EC) No. 66. /2010) in the Republic of Moldova. The road map is to a large extent an Action Plan that is necessary to implement in order to successfully establish a national voluntary eco-labelling system. This Action Plan is divided into four sections, as follows: 1) National Regulatory Framework; 2) Institutional Framework; 3) Promotion and Raising Awareness of the Public and Authorities Involved in the Process of Granting the Eco-Label. Objectives, actions for implementation, goals of actions to be implemented, responsible institutions, timeframe for implementation, and progress indicators are set for each of the four sections.

⁶ https://cancelaria.gov.md/sites/default/files/strategia_moldova_2030_redactata_parl.pdf

SECTION I – NATIONAL REGULATORY FRAMEWORK

Priority No. 1. Developing of the national regulatory framework on eco-labelling.

Output No. 1. Regulatory framework on eco-labelling developed and aligned to the EU acquis Communautaire.

Output No. 2. National eco-labelling system in place, efficient and easy to implement.

Output No. 3. The administrative and criminal legislative framework on eco-labelling developed.

SECTION II – INSTITUTIONAL FRAMEWORK

Priority No. 2. Improving the efficiency of the institutional framework in the field of eco-labelling

Output No. 1. Institutional framework in the field of eco-labelling established.

Output No. 2. Institutions in the field of eco-labelling efficiently perform their duties.

Output No. 3. Professionally trained specialists in the field of eco-labelling.

Output No. 4. State control of the award and use of eco-labels efficiently performed.

SECTION III – ECO-LABEL PROMOTION

Priority No: 3 Public and stakeholders awareness raising about the benefits of the eco-label.

Output No. 1. Informed general public and stakeholders (consumers, businesses and procurers) about the eco-label advantages.

Output No. 2. Webpages developed and operational, ensuring access to complete, accurate, and timely information about the eco-label.

Output No. 3. Eco-label criteria used efficiently in the public and private procurement procedure.

SECTION IV - CONCLUSIONS

III. Action Plan

No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
SECTION I – NATIONAL REGULATORY FRAMEWORK					
<p><i>Priority No. 1. Developing and improving the efficiency of the national regulatory framework on eco-labelling.</i></p> <p><i>Output No. 1.</i> Regulatory framework on eco-labelling developed and aligned to the EU acquis Communautaire;</p> <p><i>Output No. 2.</i> National eco-labelling system in place, efficient and easy to implement;</p> <p><i>Output No. 3.</i> Efficient fining and sanctioning system in place and applied for eco-labelling related infringements.</p>					
1.	Study of the policy documents with regard to promotion of the eco-labelling system, sustainable development, and green economy.	Ensuring a long-term strategic development and political adjustment of the eco-labelling system is only possible by integrating the eco-label in different national policy documents. A study in this regard will allow identifying the sustainable development priority at national level and establishing the necessary prerequisites for the creation of an eco-labelling system similar to the European one.	4th Quarter of 2020	Ministry of Agriculture, Regional Development and Environment	The study carried out
2.	Analysis of the current regulatory framework on eco-labelling system at national level	The analysis of the current regulatory framework on eco-labelling system allows identifying legislative deficiencies and flaws.	4th Quarter of 2020	Ministry of Agriculture, Regional Development and Environment	Analysis of the regulatory framework on eco-labelling performed
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators

3.	Developing the draft Government Decision on Approving the Regulation on Eco-Labeling System.	Legislative regulation at national level of the eco-labelling system will be done by transposing the provisions of Regulation (EC) No. 66/2010. Thus, a legal framework similar to the EU framework will be created, as needed for establishing the eco-labelling systems. The technical regulation sets out requirements for the award and use of the voluntary label in Moldova and regulates the procedure for the drafting and revision of environmental criteria	4th Quarter of 2022	Ministry of Agriculture, Regional Development and Environment	The Government Decision enacted
4.	Developing the criteria for the eco-label in accordance with international standard ISO 14024	To identify and determine the eco-label criteria. When developing eco-label criteria, the potential impact of certain stages of the product lifecycles will be studied and taken into consideration, in accordance with EN ISO 14025 :2006 on Environment Management. Evaluation of Lifecycle. Principles and Framework (ISO 14025:2006)	4th Quarter of 2022	Ministry of Agriculture, Regional Development and Environment + <ul style="list-style-type: none"> - technical standardization committees. - Environmental NGOs - MOLDAC - stakeholders Each stakeholder may initiate and/or participate in the drafting and/or revision of environmental criteria in the presence of	Environmental criteria developed and approved

				specialists who have relevant knowledge and experience in the production of a given category of products.	
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
5.	Drafting a guideline on the criteria applicable to eco-label.	<p>The procedure for assessing the conformity of products with the eco-label criteria implies a number of aspects, such as:</p> <ul style="list-style-type: none"> - requirements for assessing the conformity of products with the set out eco-labelling criteria; - validity of environmental criteria; <p>limits of changes in the products and their composition which are allowed during the validity term of eco-labelling criteria, etc.</p>	3 rd Quarter of 2022	Ministry of Agriculture, Regional Development and Environment	Guideline on the criteria applicable to eco-label developed
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
6.	Development and dissemination of a guideline on the procedure for granting the eco-label and the conditions for its use	<p>The goal of the guideline drafting is to establish detailed and clear conditions for the award and use of the eco-label.</p> <p>This guide will be disseminated to business community.</p>	4 th Quarter of 2022	Ministry of Agriculture, Regional Development and Environment	Guideline on the procedure for granting the eco-label and conditions of its use developed

7.	Adjusting the regulatory framework on the procedure of applying sanctions for the infringement of legal provisions on eco-labelling.	To develop a study of the national regulatory framework in terms of sanctions applicable in relation to environment protection (Misdemeanour Code, and Criminal Code of the RoM) and the need for including some applicable sanctions for the infringement of eco-labelling legislation. The sanctions provided for should be efficient, proportional, and discouraging.	4 th quarter of 2021	Ministry of Agriculture, Regional Development and Environment	The study carried out
SECTION II – INSTITUTIONAL FRAMEWORK <i>Priority No. 2. Improving the efficiency of the institutional framework in the field of eco-labelling</i> <i>Output No. 1.</i> Institutional framework in the field of eco-labelling established; <i>Output No. 2.</i> Institutions in the field of eco-labelling efficiently perform their duties; <i>Output No. 3.</i> Professionally trained specialists work within the authorities with duties in the field of eco-labelling; <i>Output No. 4.</i> State control of the award and use of eco-labels efficiently performed.					
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
8.	Designation of the competent body in the process of granting the eco-label.	With the view to apply the regulatory framework, it is necessary to create an efficient mechanism for implementation. The establishment of the institutional framework is a crucial step in the successful implementation of the process for granting the eco-label.	4 th quarter of 2022	Ministry of Agriculture, Regional Development and Environment	Authorities competent in the eco-label granting process designated

9.	Designation of the authority responsible for market surveillance and control of the use of the eco-label.	An efficient state control in the field of eco-labelling requires to mandatorily designate an authority/body with surveillance duties to monitor the market and control the eco-label use process	4 th quarter of 2022	Ministry of Agriculture, Regional Development and Environment	The authority responsible for market surveillance and control of the use of the eco-label designated.
10.	Training of officers employed within authorities with duties in the field of eco-labelling.	To develop a training and capacity building plan which will include activities for training/assisting the representatives of local/central public authorities on eco-label-related issues.	3rd Quarter of 2022	Ministry of Agriculture, Regional Development and Environment NGOs	Training and capacity building plan developed. Training certificates issued to trained officials.
SECTION III – ECO-LABEL PROMOTION <i>Priority No: 3 Public and stakeholders awareness raising about the benefits of the eco-label.</i> <i>Output No. 1.</i> Informed general public and stakeholder about the eco-label advantages. <i>Output No. 2.</i> Webpages developed and operational, ensuring access to complete, accurate, and timely information about the eco-label. <i>Output No. 3.</i> Eco-label criteria used efficiently in the public and private procurement procedure.					
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
12.	Development and implementation of measure for raising general public awareness of the advantages of using the eco-label.	The effectiveness of ecolabels depends on consumer awareness of the label, and consumer understanding of the label. Awareness is generally the result of a successful promotion. Acceptance depends on: a. public understanding of the relevant issues;	2021-2022	Environmental NGOs MARDE Environmental Agency	Materials (brochures, newsletters, articles on the website of central environmental authorities) developed and disseminated.

		<p>b. public understanding of the connection between relevant issues and product choices;</p> <p>c. an accurate and clearly understood presentation of the product attributes;</p> <p>an understanding of what specific actions (e.g. purchase decisions) individuals can take in response to the information provided by the labelling programme.⁷</p>			
No.	Action	Goal of the Action	Timeframe for implementation	Responsible institutions	Performance indicators
13.	Implementation of measures to train business community on the application of the ecolabel in accordance with the requirements of the ecolabel regulation.	Conducting relevant training courses, workshops, and seminars to train business community with the eco-labelling process and ensuring the participation of national experts in trainings.	2022	Environmental NGOs MoARDE Environmental Agency	Trainings, courses, seminars, workshops carried out.
14.	Contributing to the increase in sustainability of the production and consumption of “green” goods and services and stimulating the use of the eco-label.	Progressively develop qualitative and quantitative evaluations of the direct and indirect benefits of the eco-label.	2022	Ministry of Agriculture, Regional Development and Environment	Study for assessing the direct and indirect benefits of eco-labelling of the environment developed.
15	Promoting the use of the eco-label criteria in public and private procurements.	Raising awareness among entities responsible for public procurement of the possibilities for using the eco-labelling criteria in their calls for proposals. Developing information materials on green public procurement and eco-label criteria.	2022	Ministry of Agriculture, Regional Development and Environment Public Procurement Agency	Action Plan and information materials developed.

SECTION IV - CONCLUSIONS

This work plan aims at providing a mechanism to monitor the progress made from year to year. Also, the issues raised, and the objectives set in this work plan will serve a good indication and basis for the future work plans. Additionally, it is necessary to underline that successful completion of the actions reviewed in the roadmap will contribute to considerably increase of the number of labelled products, to make the eco-label visible on the market and to increase its environmental impact. At the same time, will be achieved the outlined objectives such as:

- 1) Developing of the national regulatory framework on eco-labelling.
- 2) Improving the efficiency of the institutional framework in the field of eco-labelling
- 3) Public and stakeholder's awareness raising about the benefits of the eco-label.

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⁷ <http://www.fao.org/3/y2789e/y2789e06.htm>