

**INTRODUCTION & GENERAL REMARKS**  
**EU GPP Criteria for Imaging Equipment**  
November 2018

The undersigned associations – DIGITALEUROPE, EuroVaprint and I&P Europe – welcome the efforts of the European Commission regarding Circular Economy in general and Green Public Procurement (GPP) more specifically. We agree on the tremendous potential sustainable public procurement can have for a shift towards resource-efficient, sustainable and innovative economies throughout Europe and we underline the importance of public authorities using their purchasing power for giving preference to sustainable products and services. We therefore also welcome the current revision of the Green Public Procurement criteria for Imaging Equipment and the respective study prepared by the Joint Research Center (JRC).

We deem it of high importance that the approach towards developing the GPP criteria is based on scientific grounds and does not leave any room for bias. We note that a number of criteria appear to be based on a basic assumption that third party remanufacturing is always to be prioritized over OEM business models including the take back and recycling of cartridges without properly taking into account existing and future life cycle assessments.<sup>1</sup> OEMs maintain a robust recycling program for its ink and toner cartridges. Currently OEM studies,<sup>2</sup> all independently peer-reviewed and ISO-compliant full LCAs, show that OEM laser cartridges have at least as low or lower environmental impact than remanufactured cartridges, so there is no environmental advantage to remanufacturing. This result is true for all regions studied - Europe/Middle-East/Africa, North America, and Latin America.

The Preliminary report of the Revision of EU Green Public Procurement (GPP) criteria for Imaging Equipment makes the wrong assumption that annual sales in the EU of Imaging Equipment products will continue to grow in the years to come (table 19 of the Preliminary report). An ever-increasing proportion of communications is now digital and not analogue. The digital revolution has a negative impact on the unit sales and printing volume of Imaging Equipment products. Average printing volume is going down. This trend has also an impact on LCA evaluations of Imaging Equipment products. The market shift toward digital needs to be taken into consideration for all proposed GPP criteria.

We call on the JRC to work from a balanced position, to equally consider the voices of all relevant stakeholders and to be open for scientific results regarding the whole life cycle impact of products and services and to set criteria that reflect this approach and that can be responsive to developments and information.

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<sup>1</sup> Award criteria 12 for example states 'Points must be awarded for the commitment to provide the highest percentage (share) of reused/remanufactured cartridges' which per se excludes some type of tenderers. See 'Revision of the EU Green Public Procurement (GPP) Criteria for Imaging Equipment. Technical Report. Draft criteria.', September 2018, JRC, p. 105. Available here: [http://susproc.jrc.ec.europa.eu/imaging-equipment/docs/TR\\_GPP\\_EUIE\\_1st\\_AHWG\\_September\\_2018.pdf](http://susproc.jrc.ec.europa.eu/imaging-equipment/docs/TR_GPP_EUIE_1st_AHWG_September_2018.pdf)

<sup>2</sup> [http://www.eurovaprint.eu/fileadmin/eurovaprint\\_files/pdfs/2017/LCA\\_infographic\\_-\\_FINAL\\_\\_1\\_.PDF](http://www.eurovaprint.eu/fileadmin/eurovaprint_files/pdfs/2017/LCA_infographic_-_FINAL__1_.PDF)  
[http://www.eurovaprint.eu/fileadmin/eurovaprint\\_files/pdfs/2017/LCA\\_position\\_paper.pdf](http://www.eurovaprint.eu/fileadmin/eurovaprint_files/pdfs/2017/LCA_position_paper.pdf)

We also call on the JRC and DG Env to base the criteria on existing regulatory requirements like REACH and to not go beyond these requirements. In particular, taking the information requirements of REACH article 33 and turning them into restrictions in public procurement criteria omits the detailed scientific assessment that would be required for REACH restrictions, is likely to result in requirements not based in science, would lead to confusion and will complicate uptake of the criteria by industry and procurers.

Furthermore, we cannot accept criteria that seek to undermine OEMs' ability to take legitimate steps to protect intellectual property rights, including taking technological measures to prevent infringement of IP rights, or to legitimately obtain patents for innovations. Criteria should not be designed to, or have the impact of, inhibiting OEMs' ability to make progress in technology or business models to the benefit of customers in the form of enhanced security, safety, reduced environmental impact, choice, welfare or otherwise and at the same time having the ability to compete fairly in the market. In addition, criteria that require the ability to roll back firmware updates are likely to have negative impacts on customers for which OEMs cannot be responsible such as impacting the performance of customer printers and exposing customers to IT security risks by rejection of functionality and security patches or enhancements.

According to the EU Public Procurement Directive, all of the following principles must be met, the principle of:

- non-discrimination
- equal treatment
- transparency
- proportionality
- mutual recognition

### **Scope considerations**

The scope, definitions and criteria should be aligned with Blue Angel (BA) and the Voluntary Agreement to improve the environmental performance of Imaging Equipment (VA). Products having the BA label should comply with GPP Comprehensive Criteria. We kindly request to keep the GPP scope exclusions. If LFPs and scanners shall be added to the scope, these products should be excluded from noise emission and substance emission requirements, as there is no measurement procedure.

#### Large format printers

Products designed for Wide Format Printing (A2 or larger) are typically not designed for office. They are not in the scope of Ecolabel criteria such as Nordic Swan, Blue Angel, and the EU Ecolabel. Large format printers are a special product category. Large format printers evolved from the standard format printer for professional use – mainly for industries with applications for 2D CAD line drawing – i.e. architectural, engineering, MCAD and construction industries. They utilize the same printing technology as professional inkjet printers. But due to the fact they have to handle very large drawing or photo files they require an embedded computing capability. They also have to transport and precisely position media of all kinds in extra-large sizes from A0 format to paper rolls. They are also capable to receive print jobs from all kinds of LAN or wireless connected terminals.

#### ENERGY STAR

References to ENERGY STAR are reasonable, as there is not really an alternative methodology for the measurement of energy consumption. Moreover, for existing products, industry has ENERGY STAR test results ready. Getting new data will be costly.

However, self-declaration by industry must be accepted as verification method. Registration in the EU ENERGY STAR Database is impossible since the termination of the EU-US agreement (February 2018) and must thus, not be requested.

Only after an assessment of the revised final ENERGY STAR criteria for imaging equipment a decision should be taken to comply with ESTAR v.3.0. A revised ENERGY STAR needs to be in line with the objectives of the EU GPP. i.e. to promote the best environment performing products in each category and print capacity range (ipm).

### **Verification considerations**

Verification is important so that criterion can be followed-up. However, a generic comment for many of the criterion is that it should be possible to point to a web-link with the documentation rather than sending documents as such along with tender documentation. It should also be clarified that self-declarations based on international standards should be possible to use wherever there's a need to put forward a supplier declaration.

We refer to our detailed comments, as submitted via the BATIS platform, for further information about our feedback and recommendations.