

Limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products

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The Commission presents its second report providing an overview of the implementation of Directive 2004/42/EC on the limitation of emissions of volatile organic compounds (VOC) due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products by Member States ('the Paints Directive'). The first report was adopted in 2011.

This report, summarising the main findings of the assessment of information received from Member States, focuses on two facets of implementation of the Paints Directive; namely:

- (1) what monitoring programmes have been established to check the requirements of the Paints Directive i.e. actions principally undertaken by Member State competent authorities;
- (2) how well Member States comply with the technical requirements of the Paints Directive i.e. the implementing actions taken by the manufacturers, importers, wholesalers and retailers of paints and varnishes.

Monitoring programmes: the information for 2010, as provided by Member States, demonstrates that the monitoring of compliance with VOC content limits and labelling requirements has progressed, or remained at least at the same level, as in 2007.

Member States have a **variety of approaches** to monitoring compliance. Although individual Member States showed big variations, the total **number of inspections** of premises carried out in 2010 across the EU-27 was significant, with some 4 700 inspections for checking the VOC content of products and/or their labelling. Again with big variations at a Member State level, a large number of paint and varnish samples were **analysed for VOC content** with over 19 000 analyses in the EU-27 in 2010. The number of **checks on product labels**, either by visual inspection or by other methods, was in the order of 121 000 across the EU-27 in 2010.

Those Member States which reported zero, or very low levels, of monitoring in 2010 cited a **number of reasons**. Many Member States were hampered by a lack of resources, particularly financial. There were also issues with a shortage of certified laboratory capacity for the analysis of product samples.

VOC limits: the Paints Directive defines two sets of limit values for the maximum content of VOCs in paint products and varnishes (in gram per litre of product that is 'ready for use'). The 'Phase I limit values' applied from 1 January 2007. Stricter, 'Phase II VOC limit values, came into force on 1 January 2010.

- For the Phase I VOC limits the overall compliance rate was relatively high at 98.7%.
- For the stricter Phase II VOC limits the overall compliance rate was, again, relatively high at 97.46%.

Labelling and non-compliant products: out of some 121 000 samples checked for labels in 2010, 94.2% were found to be compliant. The highest rate of non-compliance was amongst **importers**.

Most non-compliance with both the VOC content limits and, at the same time the labelling requirements, related to category 1.1d products (**'Interior/exterior trim and cladding paints for wood, metal or plastic'**).

The most common sanction taken by Member States in the case of non-compliance with the VOC content limits was withdrawal of products from the market, as required by the Paints Directive.

The report concludes that there appears to be a need for **better enforcement of the labelling requirements**. Moreover, Member States that are lagging behind are urged to rapidly take the necessary measures to fully implement the obligations regarding monitoring programmes.

The Commission will closely monitor progress on these issues and will continue to assist Member States in further improving their level of performance. Member States are therefore recommended to continue their efforts in targeting monitoring and enforcement where it is most effective and efficient in reducing the placing on the market of non-compliant paint and varnish products.