

Sustainable Public Procurement-fiche: advanced

1) Subject matter

Environmental friendly hand dishwashing detergents

“For <.....> (name of the public authority), the care for the environment and social aspects is important. It is stated in her <strategic policies>, <mission>, <vision>, <procurement policy>, ...”

2) Exclusion criteria

Non compliance with environmental and social legislation, which has been the subject of a final judgment or a decision having equivalent effect, may be considered an offence concerning the professional conduct of the economic operator concerned or grave misconduct, permitting to exclude the party concerned from competing for the contract

Ref:

Art. 53 and 54 of Directive 2004/17/EC and Art. 45 of Directive 2004/18/EC

3) Technical capacity (not exclusive)

/

4) Technical specifications

The final product:

The product shall not be classified as ‘Harmful’ (Xn) or ‘Corrosive’ (C) according to Directive 1999/45/EC. [EU toolkit comprehensive criteria]

Chemical substances:

- No ingredient (substance or preparation) shall be included in the product in a quantity that exceeds 0.01% by weight of the final product that is classified with any of the risk phrases, or combinations thereof, as outlined in the following table in accordance with Directive 67/548/EEC and its amendments or Directive 1999/45/EC and its amendments. (These criteria do not apply to biocides, which are dealt with separately below):



R40,R45, R49,R42 (exceeding 0,1% by weight of the final product), R43 (exceeding 0,1% by weight of the final product), R46, R60, R61, R62, R63, R64, R68 (see annex)

[EU toolkit core criteria]

The sum of substances that have to be classified with the risk phrases must not be present in the product in more than 0.20 mg/SRD:

[***The standardised recommended dosage (SRD) is the dosage stated on the product, converted to grams per 1 litre of water and rounded to the nearest decimal point.]

- R50/53
- R51/53
- R59 (see annex) [EU toolkit core criteria]

- The following ingredients shall not be included in the product, either as part of the formulation or as part of any preparation included in the formulation:

- Alkyl phenol ethoxylates (APEOs) and derivatives thereof
- EDTA (ethylene-diamine-tetra-acetic acid) and its salts
- NTA (nitrilo-tri-acetate)
- Nitromusks and polycyclic musks, including for example:
 - Musk xylene: 5-tert-butyl-2,4,6-trinitro-m-xylene
 - Musk ambrette: 4-tert-butyl-3-methoxy-2,6-dinitrotoluene
 - Moskene: 1,1,3,3,5-pentamethyl-4,6-dinitroindan
 - Musk tibetine: 1-tert-butyl-3,4,5-trimethyl-2,6-dinitrobenzene
 - Musk ketone: 4'-tert-butyl-2',6'-dimethyl-3',5'-dinitroacetaphenone
 - HHCB (1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta(g)-2-benzopyran)
 - AHTN (6-Acetyl-1,1,2,4,4,7-hexamethyltetralin)

[EU toolkit comprehensive criteria]

Biocides:

The concentration of biocides in the final product shall not exceed the maximum authorized concentration in Council Directive 76/768/EEC6 of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products and its subsequent amendments. [EU toolkit core criteria]

Surfactants:

All surfactants must be readily degradable
All surfactants must be anaerobically degradable,
[EU toolkit comprehensive criteria]



Fragrances:

- Fragrances must not be used in professional products.
- Any ingredients added to the product as a fragrance must have been manufactured and/or handled in accordance with the code of practice of the International Fragrance Association. / [EU toolkit comprehensive criteria]

Evidence:

The compliance with all the criteria mentioned above can be proved with the following label:



Nordic Swan
Labeling

Eu Ecolabel



Österreichischer Umweltzeichen



in case that the tendering company can present this label, any further proof is not necessary.

***** *Other possibilities of proof:******

1) For each product offered, all substances contained above 0.01% by weight of the final product must be listed, together with their CASNumber (where available) and any risk-phrases with which they are classified.

and

2) The name and function of all biocides must be listed. For all biocides classified as R50/53 or R51/53 the log Pow or BCF must be given.



5) Awarding the contract:

	Criterion	Weight
1	Price <i>Calculation (e.g.):</i> Lowest offered price/ stated price x 0,70	e.g. 70%
2	Environmental criteria (The public authority formulates the points it wants to assign to the below mentioned criteria) <i>Calculation (e.g.):</i> Total scored points / maximum number of points x 0,20	e.g. 20%
3	...	e.g. 5 %
4	...	e.g. ...

Environmental criteria

The final product

The product must not be classified as very toxic (Tx), toxic (T), environmentally harmful (N or without symbol), locally irritant with R41 (Xi), carcinogenic (T/Xn), mutagenic (T/Xn), sensitising (Xn/Xi), toxic for reproduction (T/Xn), explosive (E), fire-inducing (O), extremely flammable (Fx), highly flammable (F) or flammable (without symbol).

The classification applies in accordance with Directive 67/548/EEC on substances and Directive 1999/45/EC on preparations with subsequent amendments and revisions.

Products that must be classified in the hazard class locally irritant with R36, R37, R38 and R66 or combinations thereof are thus unaffected (R36 Irritating to eyes, R37 Irritating to respiratory system, R38 Irritating to skin and R66 Repeated exposure may cause skin dryness or cracking). (see also annex) [EU toolkit comprehensive criteria]

Substances:

- No ingredient (substance or preparation) shall be included in the product in a quantity that exceeds 0.01% by weight of the final product that is classified with any of the risk phrase R64 (see annex) [EU toolkit comprehensive criteria]

- The following ingredients shall not be included in the product, either as part of the formulation or as part of any preparation included in the formulation: Methyl dibromoglutaronitrile [EU toolkit comprehensive criteria]



Biocides:

1) The product may only include biocides in order to preserve the product, and in the appropriate dosage for this purpose alone. This does not refer to surfactants, which may also have biocidal properties.

2) Biocides, either as part of the formulation or as part of any preparation included in the formulation, that are used to preserve the product and that are classified with R50-53 or R51-53 risk phrases (see annex), in accordance with Directive 67/548/EEC4 and its amendments or Directive 1999/45/EC5, are permitted but only if they are not potentially bioaccumulative. In this context, a biocide is considered to be potentially bioaccumulative if the log Pow (log octanol/water partition coefficient) ≥ 3.0 (unless the experimentally determined BCF ≤ 100). [EU toolkit core criteria]

Colouring agents:

Added colouring agents must:

be permitted by Council Directive 76/768/EEC relating to cosmetic products and its subsequent amendments,

or

must be permitted by European Parliament and Council Directive 94/36/EEC of 30 June 1994 on colours for use in foodstuffs and its subsequent amendments,

or

have environmental properties which mean that they do not have to be classified with the risk phrases R50/53 or R51/53. [EU toolkit comprehensive criteria]

Fragrances in retail products, allergenic constituents:

Requirement A or B must be met for the following allergenic compounds:

Amyl cinnamal 122-40-7
Amylcinnamyl alcohol 101-85-9
Anisyl alcohol 105-13-5
Benzyl alcohol 100-51-6
Benzyl benzoate 120-51-4
Benzyl cinnamate 103-41-3
Benzyl salicylate 118-58-1
Cinnamal 104-55-2
Cinnamyl alcohol 104-54-1
Citral 5392-40-5
Citronellol 106-22-9
Coumarin 91-64-5
d-limonene 5989-27-5



Eugenol 97-53-0
Farnesol 4602-84-0
Gerianol 106-24-1
Hexyl cinnamaldehyde 101-86-0
Hydroxycitronella 107-75-5
Hydroxymethyl-phentyl cyclohexenecarboxaldehyde
(= Lyral) 31906-04-4
Isoeugenol 97-54-1
Liilal 80-54-6
Linalool 78-70-6
Methyl heptine carbonate 111-12-6
Gamma-methylionone 127-51-5
Egemos extract 90028-68-5
Træmos extract 90028-67-4

Requirement A:

None of the above substances may be present in the product in more than 0.010% by weight (100 ppm)

Requirement B:

The above substances must be declared on the labelling of the product if they are present in

[EU toolkit comprehensive criteria]

Packaging:

It is prohibited to claim or suggest on the packaging or by any other communication that the hand dishwashing product has an antimicrobial action. [EU toolkit comprehensive criteria]

6) Performance clauses:

(1) All products must be delivered with clear dosing instructions. [EU toolkit core]

(2) The primary packaging parts shall be easily separable into mono-material parts.. [EU toolkit core]

3) The contractor is committed, during the whole period of the contract to prove, when requested by the contracting authority, that the ingredients of all products supplied meet the biodegradability conditions outlined in the Detergents Regulation 648/2004. [EU toolkit core]



6bis) Specific performance clause

Declaration on animal testing

1) For the delivery of the products in this procurement, the tenderer declares to not (or no longer) conduct or commission animal testing and must apply a verifiable fixed cut-off date. This date is an unmoveable date after which none of its finished products, ingredients or formulations (delivered by itself or its suppliers) have been animal tested.

2) The tenderer must be open to an independent audit throughout its supply chain to ensure that they adhere to their animal testing policy.

Proof:

The tenderer can proof the compliance with the above mentioned requirements on animal testing by a signed declaration of the Humane Cosmetics Standard or the Humane Household Products Standard. Products with the leaping bunny logo also



comply:

Any other proof in compliance with the above mentioned criteria can be accepted.

References

[Information of the public authority that used these clauses in a procurement case]



Annex R-PHRASES:

(R-phrases are mentioned on product labels and in product safety datasheets. It can be a useful tool for verification-procedures.)

:	Explosive when dry.
<u>R2:</u>	Risk of explosion by shock, friction, fire or other sources of ignition.
<u>R3:</u>	Extreme risk of explosion by shock, friction, fire or other sources of ignition.
<u>R4:</u>	Forms very sensitive explosive metallic compounds.
<u>R5:</u>	Heating may cause an explosion.
<u>R6:</u>	Explosive with or without contact with air.
<u>R7:</u>	May cause fire.
<u>R8:</u>	Contact with combustible material may cause fire.
<u>R9:</u>	Explosive when mixed with combustible material.
<u>R10:</u>	Flammable
<u>R11:</u>	Highly flammable
<u>R12:</u>	Extremely flammable
<u>R13 (obsolet):</u>	<i>Extremely flammable liquid gas (This R-phrase is no longer designated by the version of the GefStoffV published on 26.10.93.)</i>
<u>R14:</u>	Reacts violently with water.
<u>R15:</u>	Contact with water liberates extremely flammable gases.
<i>Merck R15.1</i>	<i>Contact with acid liberates extremely flammable gases.</i>
<u>R16:</u>	Explosive when mixed with oxidizing substances.
<u>R17:</u>	Spontaneously flammable in air.
<u>R18:</u>	In use, may form flammable/explosive vapour-air mixture.
<u>R19:</u>	May form explosive peroxides.
<u>R20:</u>	Harmful by inhalation.
<u>R21:</u>	Harmful in contact with skin.
<u>R22:</u>	Harmful if swallowed.
<u>R23:</u>	Toxic by inhalation.
<i>Riedel-de Haen R23K:</i>	<i>Also toxic by inhalation.</i>
<u>R24:</u>	Toxic in contact with skin.
<i>Riedel-de Haen R24K:</i>	<i>Also toxic in contact with skin.</i>
<u>R25:</u>	Toxic if swallowed.
<i>Riedel-de Haen R25K:</i>	<i>Also toxic if swallowed.</i>
<u>R26:</u>	Very toxic by inhalation.
<i>Riedel-de Haen R26K:</i>	<i>Also very toxic by inhalation.</i>
<u>R27:</u>	Very toxic in contact with skin
<i>Riedel-de Haen R27A:</i>	<i>Very toxic in contact with eyes.</i>
<i>Riedel-de Haen R27K:</i>	<i>Also very toxic in contact with skin.</i>
<i>Riedel-de Haen R27AK:</i>	<i>Also very toxic in contact with eyes.</i>
<u>R28:</u>	Very toxic if swallowed.



<i>Riedel-de Haen R28K:</i>	<i>Also very toxic if swallowed.</i>
<u>R29:</u>	Contact with water liberates toxic gas.
<u>R30:</u>	Can become highly flammable in use.
<u>R31:</u>	Contact with acids liberates toxic gas.
<i>Merck R31.1</i>	<i>Contact with alkalies liberates toxic gas.</i>
<u>R32:</u>	Contact with acids liberates very toxic gas.
<u>R33:</u>	Danger of cumulative effects.
<u>R34:</u>	Causes burns.
<u>R35:</u>	Causes severe burns.
<u>R36:</u>	Irritating to eyes.
<i>Riedel-de Haen R36A:</i>	<i>Lacrimating</i>
<u>R37:</u>	Irritating to respiratory system.
<u>R38:</u>	Irritating to skin.
<u>R39:</u>	Danger of very serious irreversible effects.
<u>R40:</u>	Possible risk of cancer. <i>CAUTION: Until 2001 this R-phrase was used for possible mutagenic or teratogenic risks as well. These risks are now labelled with R68!</i>
<u>R41:</u>	Risk of serious damage to eyes.
<u>R42:</u>	May cause sensitization by inhalation.
<u>R43:</u>	May cause sensitization by skin contact.
<u>R44:</u>	Risk of explosion if heated under confinement.
<u>R45:</u>	May cause cancer.
<u>R46:</u>	May cause heritable genetic damage.
<i>R47(obsolete):</i>	<i>May cause deformities. (This R-phrase is no longer designated by the version of the GefStoffV published on 26.10.93.)</i>
<u>R48:</u>	Danger of serious damage to health by prolonged exposure.
<u>R49:</u>	May cause cancer by inhalation.
<u>R50:</u>	Very toxic to aquatic organisms.
<u>R51:</u>	Toxic to aquatic organisms.
<u>R52:</u>	Harmful to aquatic organisms.
<u>R53:</u>	May cause long-term adverse effects in the aquatic environment.
<u>R54:</u>	Toxic to flora.
<u>R55:</u>	Toxic to fauna.
<u>R56:</u>	Toxic to soil organisms.
<u>R57:</u>	Toxic to bees.
<u>R58:</u>	May cause long-term adverse effects in the environment.
<u>R59:</u>	Dangerous for the ozone layer.
<u>R60:</u>	May impair fertility.
<u>R61:</u>	May cause harm to the unborn child.
<u>R62:</u>	Possible risk of impaired fertility.
<u>R63:</u>	Possible risk of harm to the unborn child.
<u>R64:</u>	May cause harm to breastfed babies.
<u>R65:</u>	Harmful: may cause lung damage if swallowed.
<u>R66:</u>	Repeated exposure may cause skin dryness or cracking.
<u>R67:</u>	Vapours may cause drowsiness and dizziness.
<u>R68:</u>	Possible risks of irreversible effects.

COMBINATIONS OF R-PHRASES:

R14/15: Reacts violently with water, liberating extremely flammable gases.



- R15/29: Contact with water liberates toxic, extremely flammable gas.
- R20/21: Harmful by inhalation and in contact with skin.
- R21/22: Harmful in contact with skin and if swallowed.
- R20/22: Harmful by inhalation and if swallowed.
- R20/21/22: Harmful by inhalation, in contact with skin and if swallowed.
- R21/22: Harmful in contact with skin and if swallowed.
- R23/24: Toxic by inhalation and in contact with skin.
- R24/25: Toxic in contact with skin and if swallowed.
- R23/25: Toxic by inhalation and if swallowed.
- R23/24/25: Toxic by inhalation, in contact with skin and if swallowed.
- R24/25: Toxic in contact with skin and if swallowed.
- R26/27: Very toxic by inhalation and in contact with skin.
- R27/28: Very toxic in contact with skin and if swallowed.
- R26/28: Very toxic by inhalation and if swallowed.
- R26/27/28: Very toxic by inhalation, in contact with skin and if swallowed.
- R36/37: Irritating to eyes and respiratory system.
- R37/38: Irritating to respiratory system and skin.
- R36/38: Irritating to eyes and skin.
- R36/37/38: Irritating to eyes, respiratory system and skin.
- R39/23: Toxic: danger of very serious irreversible effects through inhalation.
- R39/24: Toxic: danger of very serious irreversible effects in contact with skin.
- R39/25: Toxic: danger of very serious irreversible effects if swallowed.
- R39/23/24: Toxic: danger of very serious irreversible effects through inhalation and in contact with skin.
- R39/23/25: Toxic: danger of very serious irreversible effects through inhalation and if swallowed.
- R39/24/25: Toxic: danger of very serious irreversible effects in contact with skin and if swallowed.
- R39/23/24/25: Toxic: danger of very serious irreversible effects through inhalation, in contact with skin and if swallowed.
- R39/26: Very toxic: danger of very serious irreversible effects through inhalation.
- R39/27: Very toxic: danger of very serious irreversible effects in contact with skin.
- R39/28: Very toxic: danger of very serious irreversible effects if swallowed.
- R39/26/27: Very toxic: danger of very serious irreversible effects through inhalation and in contact with skin.
- R39/26/28: Very toxic: danger of very serious irreversible effects through inhalation and if swallowed.
- R39/27/28: Very toxic: danger of very serious irreversible effects in contact with skin and if swallowed.
- R39/26/27/28: Very toxic: danger of very serious irreversible effects through inhalation, in contact with skin and if swallowed.
- R42/43: May cause sensitization by inhalation and skin contact.
- R48/20: Harmful: danger of serious damage to health by prolonged exposure through inhalation.
- R48/21: Harmful: danger of serious damage to health by prolonged exposure in contact with skin.
- R48/22: Harmful: danger of serious damage to health by prolonged exposure if swallowed.
- R48/20/21: Harmful: danger of serious damage to health by prolonged exposure through inhalation and in contact with skin.
- R48/20/22: Harmful: danger of serious damage to health by prolonged exposure through inhalation and if swallowed.
- R48/21/22: Harmful: danger of serious damage to health by prolonged exposure in contact with skin and if swallowed.
- R48/20/21/22: Harmful: danger of serious damage to health by prolonged exposure through inhalation, in contact with skin and if swallowed.
- R48/23: Toxic: danger of serious damage to health by prolonged exposure through inhalation.
- R48/24: Toxic: danger of serious damage to health by prolonged exposure in contact with skin.
- R48/25: Toxic: danger of serious damage to health by prolonged exposure if swallowed.
- R48/23/24: Toxic: danger of serious damage to health by prolonged exposure through inhalation and in contact with skin.
- R48/23/25: Toxic: danger of serious damage to health by prolonged exposure through inhalation and if swallowed.
- R48/24/25: Toxic: danger of serious damage to health by prolonged exposure in contact with skin and if swallowed.
- R48/23/24/25: Toxic: danger of serious damage to health by prolonged exposure through inhalation, in contact with skin and if swallowed.



- R50/53: Very toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment.
- R51/53: Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment.
- R52/53: Harmful to aquatic organisms, may cause long-term adverse effects in the aquatic environment.
- R68/20: Harmful: possible risk of irreversible effects through inhalation.
- R68/21: Harmful: possible risk of irreversible effects in contact with skin.
- R68/22: Harmful: possible risk of irreversible effects if swallowed.
- R68/20/21: Harmful: possible risk of irreversible effects through inhalation and in contact with skin.
- R68/20/22: Harmful: possible risk of irreversible effects through inhalation and if swallowed.
- R68/21/22: Harmful: possible risk of irreversible effects in contact with skin and if swallowed.
- R68/20/21/22: Harmful: possible risk of irreversible effects through inhalation, in contact with skin and if swallowed.

