

Sustainable Public Procurement-fiche: advanced

1) Subject matter

Chain saw oils made of environmental friendly materials and by environmental friendly processes.

“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)

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4) Technical specifications

The product is not assigned any R-phrase that indicating environmental and human health hazards according to Directive 1999/45/EC. The following R-phrases are considered relevant for this product group: R 20, R 21, R 22, R 23, R 24, R 25, R 26, R 27, R 28, R 33, R 34, R 35, R 36, R 37, R 38, R 39, R 40, R 41, R 42, R 43, R 45, R 46, R 48, R 49, R 50, R 51, R 52, R 53, R 59, R 60, R 61, R 62, R 63, R 64, R 65, R 66, R 67, R 68, and combinations thereof. (see annex) **[EU toolkit core criteria]**



Biodegradability and aquatic toxicity

- Basic substances (ingredients accounting for more than 5% by weight) have to be ultimately aerobically biodegradable. (*toolkit comprehensive criteria tech spec*)
- The content of non-biodegradable ingredients in lubricants must not exceed 5% by weight. [EU toolkit comprehensive criteria]
- The content of ingredients with an aquatic toxicity between 10mg/L and less or even than 100mg/l or with a NOEC more than 1mg/l and less or even to 10mg/l (this is the same as products that need to be assigned with R52/53) must not exceed 5% by weight.(see annex) [EU toolkit comprehensive criteria]

Evidence:

The compliance with all the criteria mentioned above can be proved with one of the following labels:



EU Ecolabel



Österreichisches Umweltzeichen



Blaue engel



Nordic Swan



NF environnement

In case that the tendering company can present one of these labels, any further proof is not necessary. Any other suitable evidence from a recognized body can also be used.

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 product is not assigned as having fire hazards or explosion hazards.(see annex)
- The products do not contain any substances which are listed in Annex I to Directive 67/548/EEC and which are classified as:
 - o very toxic (T+) or toxic (T) (see annex)
 - o carcinogenic in accordance with EC Category Carc. Cat.1, Carc.Cat.2 or Carc.Cat.3 or mutagenic according to EC Category Mut.Cat.1, Mut.Cat.2 or Mut.Cat.3 or reprotoxic according to EC Category Repr. Cat.1, Repr. Cat. 2 or Repr.Cat.3(see annex).
- The products do not contain any substances which, according to Annexes III and VI to Directive 67/548/EEC:
 - o are marked with the risk phrases: R45, R46, R48, R68. (see annex)
 - o are classified as irritating. (see annex)
 - o are known endocrine disrupters(see annex)
- The products must not contain any organic halogen or nitrite compounds.[EU toolkit comprehensive criteria]
- Substances appearing in the Community list of priority substances in the field of water policy and the OSPAR List of Chemicals for Priority Action, both referred to the version applicable in December 2004, shall not be intentionally added as an ingredient in a product eligible for the Community eco-label. [EU toolkit comprehensive criteria]
- Metals or metallic compounds shall not be intentionally added as an ingredient in a product with the exception of sodium, potassium, magnesium and calcium.[EU toolkit comprehensive criteria]
- The product has a carbon content derived from renewable raw materials that is more than 70% m/m.[EU toolkit core criteria]

Biodegradability and Aquatic toxicity (see annex)

General

- In total the sum of the substances that are ultimately aerobically biodegradable is not less than 90% by weight.[EU toolkit comprehensive criteria]
- The product shall not contain substances that are both non-biodegradable and (potentially) bioaccumulative.[EU toolkit comprehensive criteria]

Basic substances

Basic substances (ingredients accounting for more than 5% by weight) don't have an acute aquatic toxicity less or even than 100mg/L or a NOEC less or even to 10mg/L. This means they don't need assignment with Risk-Phrases R50, R50/R53, R51/53, and R52/53. This must be measured in accordance with OECD 201 and 202 or equivalent methods.(see annex) [EU toolkit comprehensive criteria]



Additives

- The content of non-biodegradable ingredients in lubricants do not exceed 5% by weight and the content of inherently aerobically biodegradable ingredients do not exceed 5% by weight. [EU toolkit comprehensive criteria]
- The content of at least "potentially biodegradable" ingredients in lubricants do not exceed 5% by weight. "At least potential biodegradable" means degradable by >20% (tested by OECD301B or F).
- The content of ingredients with an aquatic toxicity between 1mg/L and less or even than 10mg/l or with a NOEC more than 0,1mg/l and less or even to 1mg/l do not exceed 1% by weight. [EU toolkit comprehensive criteria] **(more strict: do not exceed 0,5%)**
- The content of ingredients with an aquatic toxicity less than 1mg/L or with a NOEC less or even than 0.1mg/l do not exceed 1% by weight. [EU toolkit comprehensive criteria] **(more strict: do not exceed 0,1%)**
- If the additives (substances less than 5% by weight) are non-biodegradable polymers they have to be immobile. In the case of solutions of polymers the non-dissolved substance has to be immobile.

Packaging

- Product packaging, including caps and labels, must not contain halogenated plastics.
- Plastic parts must be marked in accordance with DIN6120, EN ISO 11469 or other similar labelling scheme.
- In the case of packaging of up to 5L an account must be provided of the design used to prevent the retention of oil.
- The packaging has to be designed to make it easy to the user to put the right dose of the product on the chain.

6) Performance clauses:

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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.)

| | |
|----------------------------------|--|
| <u>R1:</u> | 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 |
| <i>R13 (obsolete):</i> | <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. |




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|---------------------------------|---|
| <u>R31:</u> | Contact with acids liberates toxic gas. |
| <i>Merck R31.1</i> | <i>Contact with alkalis 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.



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- 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.

