Sustainable Public Procurement-fiche: advanced

1) Subject matter

Environmental friendly dishwashing detergents for professional use

"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 final product

- Dishwasher detergents and pre-soaking liquid may not be classified as environmentally hazardous, very toxic (T+), toxic (T), harmful to health (Xn), allergenic, carcinogenic, mutagenic or reproduction-toxic in accordance with the EU Directive on substances and preparations (67/548/EEG and 1999/45/EG with valid amendments (see also annex).

- Dishwasher detergents and pre-soaking liquid that are classified as irritants (Xi) or corrosive/highly corrosive (C) with the risk phrases R 34/R 35 are accepted.

- Corrosive pre-soaking liquid is to be sold with dosage pump alternatively to be automatically dosed and mixed with water. The pump should be designed to give the right amount of the product and minimize the risk for exposure.

Exception

For packages on one litre or less, the product can be sold without the pump if the packaging has a child protective seal according to ISO 9327:2004.

- Drying agents may not be classified as environmentally hazardous, very toxic (T+), toxic (T), corrosive (C), harmful to health (Xn), allergenic, carcinogenic, mutagenic or reproduction-toxic in accordance with the EU Directive on substances and preparations (67/548/EEG and 1999/45/EG with valid amendments1) (see also annex).

- Drying agents that are classified as irritants (Xi) with R 36 (irritate the eyes), R 37 (irritate the respiratory organs) and/or R 38 (irritate the skin), or R 41 (risk of serious eye injury) are accepted.

Chemical substances

- Substances considered to be environmentally hazardous according to the EU Directive on substances and preparations may only be included in limited amounts as follows (see also annex):
Maximum permitted quantity in dishwasher detergent and pre-soaking liquid (% by weight in conc. product)

- for R50/53 : 0.04%
- for R51/53 + R52/53: 0.04%
- for R50: 0.04%

Maximum permitted quantity in drying agent (% by weight in conc. product)

- for R50/53: 0.04%
- for R51/53 + R52/53: 0.04%
- for R50: 10%

- All tensides must be readily biodegradable in accordance with OECD guidelines 301 A-F and anaerobically degradable in accordance with ISO 11734, ECETOC, No. 28, June 1988, or other scientifically acceptable method. Take note that the product must not contain APEO or APD

- Enzymes must be free from micro-organism remnants left over from manufacture.

- The following compounds may not be included:

  - APEO (alkyl phenol ethoxylates), APD (alkyl phenol derivative),
  - Perborates,

- Reactive chlorine compounds such as sodium hypochlorite or organic chlorine compounds.

- Phosphorus, phosphonates and NTA or alternatively EDTA, may be included in dishwasher detergents and pre-soaking liquid and drying agents in the following quantities (g/litre solution at 6°dH):

Maximum permitted quantity in dishwasher detergent and pre-soaking liquid (g/litre solution at 0-6°dH)

- NTA: 0.4
- EDTA: 0,6
- Phosphonates: 0.01
- Total phosphorus: 0.4

Maximum permitted quantity in drying agent (g/litre solution at 0-6°dH)

- NTA: Is not allowed
- EDTA: Is not allowed
- Phosphonates: 0.006
- Total phosphorus: 0.04

The recommended normal dose for 0-6°dH shall be used for calculating the quantities in in-use solutions in g/litre. In-use solution refers to the dishwater in the dishwasher.

The following conversion factors shall be used for calculating the quantity of complexing agents for water harder than 6°dH:

- 0.067 g total phosphorous for each degree of hardness.
- 0.067 g NTA for each degree of hardness, or
- 0.1 g EDTA for each degree of hardness.

The total quantity of elementary phosphorus P, regardless of whether it occurs as phosphate-phosphorus, phosphonate compounds or other compounds where phosphorus may occur, should be reported as the total phosphorus content in grams/litre of solution at 0-6°dH.

- Perfume may not be included.

- The following total quantities of non readily biodegradable organic substances (ILN) may be included in dishwasher detergents and pre-soaking liquid and drying agents. Note that special requirements apply to tensides (see criterium above).

For dishwasher detergent and pre-soaking liquid: maximum quantity ILN (g/litre solution at 0-6°dH): 0.6

For drying agent: maximum quantity ILN (g/litre solution at 0-6°dH): 0.06

Non readily biodegradable substances (ILN) are organic substances that do not satisfy the requirements for ready biodegradability in accordance with OECD 301 A-F

- The following total quantities of organic, non anaerobically degradable substances (IAN) may be included in dishwasher detergents and pre-soaking liquid and drying agents (iminodisuccinate, Na-salt (IDS) is the exception to this requirement). Note that special requirements apply for tensides (see criterium above).

For dishwasher detergent and pre-soaking liquid: maximum quantity IAN (g/litre solution at 0-6°dH): 0.6

For drying agent: maximum quantity IAN (g/litre solution at 0-6°dH): 0.06

Non anaerobically degradable substances (IAN) are organic substances that are not broken down under oxygen-deficient conditions in accordance with ISO 11734, ECETOC no. 28, June 1988, or other scientifically accepted method.

Colouring agents

All colouring agents must be approved by food legislation or in accordance with the EU's Directive 76/768/EEC, appendix 4, for cosmetics.

Preservatives:

Preservatives may not be potentially bio-accumulative in accordance with OECD 107, 117 or 305 A-E.

Packaging

- Plastic packages must be marked according to DIN 6120 (part 2) or other equivalent labelling regulation. Corks, screens, hand pump and other small parts are not subject to this requirement.
- PVC and other chlorine-based plastics may not be included in packages or labels.

Evidence:

- Safety data sheet for dishwasher detergents and pre-soaking liquid and drying agents updated according to applicable legislation.

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

Nordic Swan Labeling

in case that the tendering company can present this label, any further proof is not necessary. Any other suitable evidence from a recognized body can also be used.

5) Awarding the contract:

	Criterium	***Weight***
1	***Price*** *Calculation (e.g.):* 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) *Calculation (e.g.):* Total scored points / maximum number of points x 0,20	e.g. 20%
3	…	e.g. 5 %
4	…	e.g. ….

Environmental criteria

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6) Performance clauses:

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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.)

R1:	Explosive when dry.
R2:	Risk of explosion by shock, friction, fire or other sources of ignition.
R3:	Extreme risk of explosion by shock, friction, fire or other sources of ignition.
R4:	Forms very sensitive explosive metallic compounds.
R5:	Heating may cause an explosion.
R6:	Explosive with or without contact with air.
R7:	May cause fire.
R8:	Contact with combustible material may cause fire.
R9:	Explosive when mixed with combustible material.
R10:	Flammable
R11:	Highly flammable
R12:	Extremely flammable
R13 (obsolet):	*Extremely flammable liquid gas* *(This R-phrase is no longer designated by the version of the GefStoffV published on 26.10.93.)*
R14:	Reacts violently with water.
R15:	Contact with water liberates extremely flammable gases.
Merck R15.1	*Contact with acid liberates extremely flammable gases.*
R16:	Explosive when mixed with oxidizing substances.
R17:	Spontaneously flammable in air.
R18:	In use, may form flammable/explosive vapour-air mixture.
R19:	May form explosive peroxides.
R20:	Harmful by inhalation.
R21:	Harmful in contact with skin.
R22:	Harmful if swallowed.
R23:	Toxic by inhalation.
Riedel-de Haen R23K:	*Also toxic by inhalation.*
R24:	Toxic in contact with skin.
Riedel-de Haen R24K:	*Also toxic in contact with skin.*
R25:	Toxic if swallowed.
Riedel-de Haen R25K:	*Also toxic if swallowed.*
R26:	Very toxic by inhalation.
Riedel-de Haen R26K:	*Also very toxic by inhalation.*
R27:	Very toxic in contact with skin
Riedel-de Haen R27A:	*Very toxic in contact with eyes.*
Riedel-de Haen R27K:	*Also very toxic in contact with skin.*

Riedel-de Haen R27AK:	*Also very toxic in contact with eyes.*
R28:	Very toxic if swallowed.
Riedel-de Haen R28K:	*Also very toxic if swallowed.*
R29:	Contact with water liberates toxic gas.
R30:	Can become highly flammable in use.
R31:	Contact with acids liberates toxic gas.
Merck R31.1	*Contact with alkalies liberates toxic gas.*
R32:	Contact with acids liberates very toxic gas.
R33:	Danger of cumulative effects.
R34:	Causes burns.
R35:	Causes severe burns.
R36:	Irritating to eyes.
Riedel-de Haen R36A:	*Lacrimating*
R37:	Irritating to respiratory system.
R38:	Irritating to skin.
R39:	Danger of very serious irreversible effects.
R40:	Possible risk of cancer. *CAUTION: Until 2001 this R-phrase was used for possible mutagenic or teratogenic risks as well. These risks are now labelled with R68!*
R41:	Risk of serious damage to eyes.
R42:	May cause sensitization by inhalation.
R43:	May cause sensitization by skin contact.
R44:	Risk of explosion if heated under confinement.
R45:	May cause cancer.
R46:	May cause heritable genetic damage.
R47(obsolet):	*May cause deformities.* *(This R-phrase is no longer designated by the version of the GefStoffV published on 26.10.93.)*
R48:	Danger of serious damage to health by prolonged exposure.
R49:	May cause cancer by inhalation.
R50:	Very toxic to aquatic organisms.
R51:	Toxic to aquatic organisms.
R52:	Harmful to aquatic organisms.
R53:	May cause long-term adverse effects in the aquatic environment.
R54:	Toxic to flora.
R55:	Toxic to fauna.
R56:	Toxic to soil organisms.
R57:	Toxic to bees.
R58:	May cause long-term adverse effects in the environment.
R59:	Dangerous for the ozone layer.
R60:	May impair fertility.
R61:	May cause harm to the unborn child.
R62:	Possible risk of impaired fertility.
R63:	Possible risk of harm to the unborn child.
R64:	May cause harm to breastfed babies.
R65:	Harmful: may cause lung damage if swallowed.
R66:	Repeated exposure may cause skin dryness or cracking.
R67:	Vapours may cause drowsiness and dizziness.
R68:	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.