

Sustainable Public Procurement-fiche: advanced

1) Subject matter

Leather products produced with environmentally friendly materials and 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)

/

4) Technical specifications

Origin

The leather concerns only skins and leather from goats, sheep, cattle and pigs from agricultural production.

Heavy metals

- The average concentration of chromium (VI) in finished skins and leather must not exceed 3 ppm.
- The concentration of extractable arsenic, lead and cadmium shall not exceed:
 - o Arsenic: 1ppm
 - o Lead: 4ppm
 - o Cadmium: 0.1ppm



Other chemicals

- The sum of the concentration of the following substances shall not exceed 1 ppm: γ -hexachlorocyclohexane (lindane), α -hexachlorocyclohexane, β -hexachlorocyclohexane, δ -hexachlorocyclohexane, aldrin, dieldrin, endrin, p,p'-DDT, p,p'-DDD.
- Biocidal or biostatic products are not applied to products so that they are active during the use phase.
- The amount of free and partly hydrolysable formaldehyde in the final fabric shall not exceed 75 ppm for products that come into direct contact with the skin, and 300 ppm for all other products.

Dyes

- Azo dyes that may cleave to any of the following aromatic amines are not used:
 - o 4-aminodiphenyl (92-67-1)
 - o Benzidine (92-87-5)
 - o 4-chloro-o-toluidine (95-69-2)
 - o 2-naphthylamine (91-59-8)
 - o o-amino-azotoluene (97-56-3)
 - o 2-amino-4-nitrotoluene (99-55-8)
 - o p-chloroaniline (106-47-8)
 - o 2,4-diaminoanisole (615-05-4)
 - o 4,4'-diaminodiphenylmethane (101-77-9)
 - o 3,3'-dichlorobenzidine (91-94-1)
 - o 3,3'-dimethoxybenzidine (119-90-4)
 - o 3,3'-dimethylbenzidine (119-93-7)
 - o 3,3'-dimethyl-4,4'-diaminodiphenylmethane (838-88-0)
 - o p-cresidine (120-71-8)
 - o 4,4'-methylene-bis-(2-chloroaniline) (101-14-4)
 - o 4,4'-oxydianiline (101-80-4)
 - o 4,4'-thiodianiline (139-65-1)
 - o o-toluidine (95-53-4)
 - o 2,4-diaminotoluene (95-80-7)
 - o 2,4,5-trimethylaniline (137-17-7)
 - o 4-aminoazobenzene (60-09-3)
 - o o-anisidine (90-04-0)
- The following dyes shall not be used:
 - o C.I. Basic Red 9
 - o C.I. Disperse Blue 1
 - o C.I. Acid Red 26
 - o C.I. Basic Violet 14
 - o C.I. Disperse Orange 11
 - o C. I. Direct Black 38
 - o C. I. Direct Blue 6
 - o C. I. Direct Red 28



- C. I. Disperse Yellow 3
- The following dyes shall only be used if the fastness to perspiration (acid and alkaline) of the dyed fibres, yarn or fabric is at least 4:
 - C.I. Disperse Blue 3 C.I. 61 505
 - C.I. Disperse Blue 7 C.I. 62 500
 - C.I. Disperse Blue 26 C.I. 63 305
 - C.I. Disperse Blue 35
 - C.I. Disperse Blue 102
 - C.I. Disperse Blue 106
 - C.I. Disperse Blue 124
 - C.I. Disperse Orange 1 C.I. 11 080
 - C.I. Disperse Orange 3 C.I. 11 005
 - C.I. Disperse Orange 37
 - C.I. Disperse Orange 76 (previously designated Orange 37)
 - C.I. Disperse Red 1 C.I. 11 110
 - C.I. Disperse Red 11 C.I. 62 015
 - C.I. Disperse Red 17 C.I. 11 210
 - C.I. Disperse Yellow 1 C.I. 10 345
 - C.I. Disperse Yellow 9 C.I. 10 375
 - C.I. Disperse Yellow 39
 - C.I. Disperse Yellow 49

Flame retardants

The following flame retardants shall not be used in the final product:

- PBB (Polybrominated biphenyls) CAS no. 59536-65-1
- pentaBDE (Pentabromodiphenylether) CAS no. 32534-81-9
- octaBDE (Octabromodiphenyl ether) CAS no. 32536-52-9
- Tri-(2,3-dibromopropyl)-phosphate CAS no.126-72-7 TRIS
- Tris-(aziridinyl)-phosphin oxide) CAS no.545-55-1 TEPA
- Decabromodiphenylether CAS no. 1163-19-5 decaBDE
- Hexabromocyclododecane CAS no. 25637-99-4 HBCDD

Evidence:

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



Nordic Swan



Ökotex 100



in case that the tendering company can present one of those 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

Heavy metals

- The concentration of extractable chromium shall not exceed:
 - o Total Chromium: 2ppm
 - o Chromium VI: 0,5ppm
- No residual concentrations of arsenic, cadmium or lead must be present in the end product.

Dyes and pigments

- The levels of ionic impurities in the dyes used shall not exceed the following:
Ag 100 ppm; As 50 ppm; Ba 100 ppm; Cd 20 ppm; Co 500 ppm; Cr 100 ppm; Cu 250 ppm; Fe 2500 ppm; Hg 4 ppm; Mn 1000 ppm; Ni 200 ppm; Pb 100 ppm; Se 20 ppm; Sb 50 ppm; Sn 250 ppm; Zn 1500 ppm.
Any metal that is included as an integral part of the dye molecule (e.g. metal complex dyes, certain reactive dyes, etc.) shall not be considered when assessing compliance with these values, which only relate to impurities (Dyes are coloring agents that are soluble or not in water. Their affinity for the fibres leads to chemical bounding).



- The levels of ionic impurities for pigments used shall not exceed the following: As 50 ppm; Ba 100 ppm, Cd 50 ppm; Cr 100 ppm; Hg 25 ppm; Pb 100 ppm; Se 100 ppm; Sb 250 ppm; Zn 1000 ppm (Pigments are inorganic or organic, chromatic or achromatic coloring agents that are practically insoluble in the application medium. They have no affinity for the fibres and need a specific binder).
- Azo dyes shall not be used that may cleave to any one of the following aromatic amines:
 - o 2,4-Xylidine (87-62-7)
 - o 2,6-Xylidin (95-68-1)
- No use is allowed of dye substances or of dye preparations containing more than 0,1 % by weight of substances that are assigned or may be assigned at the time of application any of the following risk phrases (or combinations thereof):
 - o R40, R45, R46, R49, R60, R61, R62, R63, R68 (see annex), as laid down in Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (1), and its subsequent amendments.
- Dyes classified as sensitising/allergenic, carcinogenic, mutagenic or toxic to reproduction: The following dyes shall not be used in the final product:
 - o C.I. Disperse Blue 3 C.I. 61 505
 - o C.I. Disperse Blue 7 C.I. 62 500
 - o C.I. Disperse Blue 26 C.I. 63 305
 - o C.I. Disperse Blue 35
 - o C.I. Disperse Blue 102
 - o C.I. Disperse Blue 106
 - o C.I. Disperse Blue 124
 - o C.I. Disperse Orange 1 C.I. 11 080
 - o C.I. Disperse Orange 3 C.I. 11 005
 - o C.I. Disperse Orange 37
 - o C.I. Disperse Orange 76
 - o C.I. Disperse Red 1 C.I. 11 110
 - o C.I. Disperse Red 11 C.I. 62 015
 - o C.I. Disperse Red 17 C.I. 11 210
 - o C.I. Disperse Yellow 1 C.I. 10 345
 - o C.I. Disperse Yellow 9 C.I. 10 375
 - o C.I. Disperse Yellow 39
 - o C.I. Disperse Yellow 49
 - o C.I. Disperse Blue 1 C.I: 64 500
 - o C.I. Disperse Brown 1
 - o C.I. Disperse Yellow 3 C.I: 11 855
 - o C.I. Disperse Orange 149
 - o C.I. Disperse Yellow 23 C.I: 26 070



Flame retardants

No use is allowed of flame retardant substances or of flame retardant preparations containing more than 0,1 % by weight of substances that are assigned or may be assigned at the time of application any of the following risk phrases (or combinations thereof):

- R40, R45, R46, R49, R50, R51, R52, R53, R60, R61, R62, R63, R68 (see annex)

as laid down in Directive 67/548/EEC and its subsequent amendments.

This requirement does not apply to flame retardants that on application change their chemical nature to no longer warrant classification under any of the R-phrases listed above, and where less than 0,1 % of the flame retardant on the treated yarn or fabric remains in the form as before application.

Other chemicals

- The sum of the concentrations of the following substances shall not exceed 0,5 ppm: γ -hexachlorocyclohexane (lindane), α -hexachlorocyclohexane, β -hexachlorocyclohexane, δ -hexachlorocyclohexane, aldrin, dieldrin, endrin, p,p'-DDT, p,p'-DDD.
- The sum total content of the following substances shall not exceed 2 ppm: diazinon, propetamphos, chlorfenvinphos, dichlorfenthion, chlorpyrifos, fenchlorphos.
- The sum total content of the following substances shall not exceed 0,5 ppm: cypermethrin, deltamethrin, fenvalerate, cyhalothrin, flumethrin.
- The sum total content of the following substances shall not exceed 2 ppm: diflubenzuron, triflumuron.
- Alkylphenolethoxylates (APEOs), linear alkylbenzene sulfonates (LAS), bis(hydrogenated tallow alkyl) dimethyl ammonium chloride (DTDMAC), distearyl dimethyl ammonium chloride (DSDMAC), di(hardened tallow) dimethyl ammonium chloride (DHTDMAC), ethylene diamine tetra acetate (EDTA), and diethylene triamine penta acetate (DTPA) shall not be used and shall not be part of any preparations or formulations used.
- The amount of free and partly hydrolysable formaldehyde in the final fabric shall not exceed 30 ppm for products that come into direct contact with the skin, and 300 ppm for all other products.
- No use is allowed of finishing substances or of finishing preparations containing more than 0,1 % by weight of substances that are assigned or may be assigned at the time of application any of the following risk phrases (or combinations thereof):
 - R40, R45, R46, R49, R50, R51, R52, R53, R60, R61, R62, R63, R68 (see annex),as laid down in Directive 67/548/EEC and its subsequent amendments.
Finishing substances cover all substances for treatments that are likely to give to the leather fabrics the final properties requested: visual effect, touch, some specific characteristics such as waterproof or easy care.



- The concentration of the sum of 2,3,5,9-Tetrachlorophenol; 2,3,4,6-Tetrachlorophenol and 2,3,4,5-Tetrachlorophenol is not more than: 0,5ppm.
- The concentration of pentachlorophenol in the final product is less than: 0,5ppm.
- The sum of the concentration of the following phthalate softeners shall not make up more than 0.1% by weight of the final product:
 - o DEHP (Di-(2-ethylhexyl)-phthalate) CAS no. 117-81-7
 - o BBP (Butylbenzylphthalate) CAS no. 85-68-7
 - o DBP (Dibutylphthalate) CAS no. 84-74-2
- The concentration of those extractable heavy metals does not exceed:
 - o Antimony: For cloths that come in direct contact with the skin or not: 30ppm
 - o Cobalt: 4ppm
 - o Copper: 50ppm
 - o Nickel: 4ppm
 - o Mercury: 0.02ppm
- The concentration of orthophenylphenol (OPP) in the final product is less than 100ppm.
- The concentration of the sum of the chlorinated benzenes and toluenes (Dichlorobenzenes; Trichlorobenzenes; Tetrachlorobenzenes; Pentachlorobenzenes; Hexachlorobenzenes; Chlorotoluenes; Dichlorotoluenes; Trichlorotoluenes; Tetrachlorotoluenes; Pentachlorotoluene) in the final product is less than 1ppm.
- The concentration of the following organic tin compounds may not exceed those limits:
 - o TBT (tributyltin): 1 ppm
 - o TPhT (triphenyltin): 1 ppm
 - o DBT (dibutyltin): 2 ppm
- The pH of the textile has to be between 4 and 7,5 for leather that comes in direct contact with the skin.
- For leather that doesn't come in direct contact with the skin between 4 and 9 and for decoration products between 3,5 and 9.
- For products with a water and oil repellent finish or coating:
 - o The concentration of perfluorooctane sulfonates has to be less than 1ppm
 - o The concentration of perfluorooctanoic acid (PFOA) has to be less than
 - for cloths: 0.25 ppm
 - for decoration material: 1 ppm

Printing

- Printing pastes used do not contain more than 5 % volatile organic compounds
- Plastisol-based printing is not allowed.



6) Performance clauses:

/

<i>References</i>

[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
<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</i>	<i>Also very toxic if swallowed.</i>



<u>R28K:</u>	
<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 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</i>	<i>Lacrimating</i>
<u>R36A:</u>	
<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-phras e 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(obsolet):</i>	<i>May cause deformities. (This R-phras e 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.

