

Sustainable Public Procurement-fiche: advanced

1) Subject matter

Environmental friendly all purpose cleaners

“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

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): R31 (except for sanitary or window cleaners), R40, 45, 49 (carcinogenic), R42 or R43 (sensitising) exceeding 0.1% by weight of the final product (for enzymes and fragrance substances see specific criteria), R46, 60, 61, 62, 63 (toxic for reproduction), R68 (possible risk of irreversible effects) [EU toolkit core criteria]



- Total of R50/53 (see also annex):
 - For pre-diluted products: maximum permitted content is 0.002 gram/liter in-use solution
 - For concentrated products: maximum permitted content is 0.00002 gram/liter in-use solution. [EU toolkit core criteria]
- The total of R 51/53 + R 52/53 (see also annex):
 - For pre-diluted products (WC and other): maximum permitted content is 0.20 gram/liter in-use solution.
 - For other products: maximum permitted content is 0.020 gram/liter in-use solution.
[EU toolkit core criteria]
- The following ingredients must not be included in the product: biocides, unless used as preservatives [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-acetate) 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]

Phosphorus:

The following ingredients must not be included in the product:
phosphorus (0g for window cleaners, 0,02g per functional unit for all purpose cleaners***, 1g per 100g of product for sanitary cleaners)

***(the functional unit (used in the criteria below) is the dosage in grams of the product recommended by the manufacturer for 1 litre of suds (washing water).



OR

50 grams/litre in-use solution for pre-diluted products and 0,05 g/litre in-use solution for concentrate products (Nordic Ecolabeling) [EU toolkit core criteria]

Surfactants:

Surfactants must be aerobically readily degradable and anaerobically degradable. (ref. DID list) [EU toolkit comprehensive criteria]

Fragrances:

If fragrance is added to the product, the guidelines issued by the IFRA must be followed.

The guidelines issued by the IFRA (International Fragrance Association) can be found at www.ifraorg.org/guidelines. [EU toolkit comprehensive criteria]

Dyes:

Any dyes or colouring agents used in the product must be permitted by Council Directive 76/768/EEC relating to cosmetic products (4) and its subsequent amendments, or must be permitted by European Parliament and Council Directive 94/36/EC of 30 June 1994 on colours for use in foodstuffs and its subsequent amendments, [EU toolkit comprehensive criteria]

Biocides:

The following ingredients must not be included in the product: Biocides which are classified as R50/53 or R51/53 in accordance with Directive 67/548/EEC and its amendments or Directive 1999/45/EC and its amendments, unless they are not potentially bioaccumulative, i.e. if the $\log Pow \geq 3.01$ (unless the experimentally determined $BCF < 100$) [EU toolkit core criteria]



Evidence:

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



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

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.

and

The total quantity of elementary phosphorus must be given (not for window cleaners).

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 final product must not be subject to classification as specified in the following table (exception for professional products and WC-products for consumers).

- Environmentally harmful: N with R50, R50/53 or R51/53. R52, R53 or R52/53 without N.
- Very toxic: Tx (T+ in Norway)
- Toxic: T
 - Harmful to health: Xn , Exemptions: Professional products may be labels R20, R21 and/or R22 where the packaging is made in such a way that the user will not be in contact with the product.
- Locally irritant Xi , exceptions: products may be R36, R37 and/or R38. Professional product may be R36, R37, R38 and R41.
- Allergenic: Xn with R42 or Xi with R43
- Corrosive: C as R34 and R35 Exceptions for professional products, and WC-products for consumers – if the classification is set because of ph.
- Carcinogenic: R40, R45 and/or R49



- Mutagenic: Mut with R46 and/or R68
- Reprotoxic: Rep with R60, R61, R62, R63, R64 and/or R68
- Explosive: E
- Extremely flammable: Fx (F+ in Norway)
- Highly flammable: F
- Fire hazard: No symbol [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: R31 (contact with acids liberates toxic gases (criterion only for all purpose cleaners, not for sanitary and window cleaners), exceeding 0.1% by weight of the final product, R64 (May cause harm to breast-fed babies), R59 (dangerous to the ozone layer) [EU toolkit comprehensive criteria]

- The following constituent substances must not be present in the product or its raw materials:

- reactive chloro-compounds such as sodium hypochloride
- chloro-organic compounds (such as triclosan and kathon)
- benzalconiumchloride
- linear alkylbenzene sulphonates (LAS)
- silver nanoparticles
- substances on EU's list of substances considered to be endocrine disruption or potential for endocrine disruption
- perfluorinated substances and polyperfluorinated alkylated substances (PFAS)
- Methylidibromo Glutaronitrile (MG)
[EU toolkit comprehensive criteria]

- Enzymes must not be present in aerosol products. In other products enzymes must be in liquid form or in form of granulate that does not release dust. [EU toolkit comprehensive criteria]

- The product shall not contain more than 10 % (by weight) of volatile organic compounds with a boiling point lower than 150°C. [EU toolkit comprehensive criteria]



Dyes:

- Any dyes or colouring agents used in the product must be characterized by environmental properties that do not imply classification with R50-53 or R51-53 risk phrases, in accordance with Directive 67/548/EEC and its amendments.
- Any dyes or colouring agents used in the product are not regarded as bioaccumulable (BCF<100 or Log Kow <3). (Nordic Ecolabeling)

[EU toolkit comprehensive criteria]

Biodegradability:

- The content of substances in the product that are not readily degradable aerobically (aNBO) must not exceed the maximum values specified in the table below per litre of wash solution. aNBO must be calculated for all substances in the product. Surfactants must be aerobically readily degradable and can not be included here.

Product type	Maximum value for gram aNBO/litre in-use solution
Pre-diluted WC	10
Other products	0.10

(Reference to the DID-list).

- The content of substances in the product that are not readily degradable anaerobically (anNBO) must not exceed the maximum values specified in the table below per litre of wash solution. anNBO must be calculated for all substances in the product. Surfactants must be anaerobically readily degradable and can not be included here

Product type	Maximum value for gram anNBO/litre in-use solution
Pre-diluted WC-products, consumer	10
Other products, consumer	0.10
Pre-diluted WC products, professional	50
Other products, professional	0.50

(Reference to the DID-list.)

[EU toolkit comprehensive criteria]

Packaging:

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



6) *Performance clauses:*

- All products must be delivered with clear dosing instructions. [EU toolkit core]
- Sprays containing propellants must not be used. [EU toolkit core]
- The primary packaging parts shall be easily separable into mono-material parts. [EU toolkit core]
- 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.)

<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 (obsolet):</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.
<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(obsolet):</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.



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- 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.

