

Sustainable Public Procurement-fiche: basic

1) Subject matter

Textile clothing and accessories, interior textiles, fibers, yarn and fabric produced with environmentally friendly materials and processes and with respect to working conditions for workers and eventually children..

“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

Requirements for all type of fibers

Dyes

- Azo dyes that may cleave to any one of the following aromatic amines are not used: *Eu toolkit core criteria tech spec*
 - 4-aminodiphenyl (92-67-1)
 - Benzidine (92-87-5)
 - 4-chloro-o-toluidine (95-69-2)
 - 2-naphthylamine (91-59-8)
 - o-amino-azotoluene (97-56-3)
 - 2-amino-4-nitrotoluene (99-55-8)
 - p-chloroaniline (106-47-8)
 - 2,4-diaminoanisol (615-05-4)



- 4,4'-diaminodiphenylmethane (101-77-9)
 - 3,3'-dichlorobenzidine (91-94-1)
 - 3,3'-dimethoxybenzidine (119-90-4)
 - 3,3'-dimethylbenzidine (119-93-7)
 - 3,3'-dimethyl-4,4'-diaminodiphenylmethane (838-88-0)
 - p-cresidine (120-71-8)
 - 4,4'-methylene-bis-(2-chloraniline) (101-14-4)
 - 4,4'-oxydianiline (101-80-4)
 - 4,4'-thiodianiline (139-65-1)
 - o-toluidine (95-53-4)
 - 2,4-diaminotoluene (95-80-7)
 - 2,4,5-trimethylaniline (137-17-7)
 - 4-aminoazobenzene (60-09-3)
 - o-anisidine (90-04-0)
- The following dyes are not be used: *Eu toolkit core criteria tech spec*
- C.I. Basic Red 9
 - C.I. Disperse Blue 1
 - C.I. Acid Red 26
 - C.I. Basic Violet 14
 - C.I. Disperse Orange 11
 - C. I. Direct Black 38
 - C. I. Direct Blue 6
 - C. I. Direct Red 28
 - C. I. Disperse Yellow 3
- The following dyes are only used if the fastness to perspiration (acid and alkaline) of the dyed fibres, yarn or fabric is at least 4: (ref EU core criterium)
- 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



Other chemicals

- The amount of free and partly hydrolysable formaldehyde in the final fabric does not exceed 75 ppm for products that come into direct contact with the skin, and 300 ppm for all other products. This applies also to filling materials. (ref EU core criterium)
- The following flame retardants are not used in the final product: *Eu toolkit core criteria tech spec*
 - o PBB (Polybrominated biphenyls) CAS no. 59536-65-1
 - o pentaBDE (Pentabromodiphenylether) CAS no. 32534-81-9
 - o octaBDE (Octabromodiphenyl ether) CAS no. 32536-52-9
- The following flame retardants are not used in the final product:
 - o TRIS Tri-(2,3-dibromopropyl)-phosphate CAS no.126-72-7
 - o TEPA Tris-(aziridinyl)-phosphin oxide) CAS no.545-55-1
- For products that come into direct contact with the skin the following phthalate softeners do not make up more than 0.1% by weight of the final product: *Eu toolkit core criteria tech spec*
 - 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 amount of Cadmium (Cd), Chromium (Cr), Nickel (Ni), Lead (Pb), Copper (Cu) in the product do not exceed: *Eu toolkit core criteria tech spec*
 - o Cadmium (Cd): 0.1 ppm
 - o Chromium (Cr): 2.0 ppm
 - o Nickel (Ni): 4.0 ppm
 - o Lead (Pb): 1.0 ppm
 - o Copper (Cu): 50.0 ppm

Fiber specific requirements

For products made from cotton or other natural cellulosic fibres

(this applies also to filling materials of cotton or other natural cellulosic fibres, this criterium doesn't need to be met if that fibre contributes to less than 5 % of the total weight of the textile fibres in the product. Similarly they need not be met if the fibres are of recycled origin).

- the product does not contain more than 1 ppm (parts per million) in total of the following pesticides: *Eu toolkit core criteria tech spec*
 - o 2,4,5-T
 - o Aldrin
 - o Captafol
 - o Chlordane
 - o Chlordimeform
 - o DDT
 - o Dieldrin



- Dinoseb and salts
- Endrine
- Heptachlor
- Hexachlorobenzene
- Hexachlorcyclohexane, α
- Hexachlorcyclohexane, β
- Hexachlorcyclohexane, δ
- Metamidophos
- Monocrotophos
- Parathion
- Parathion-methyl
- Toxaphene

Evidence:

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



EU ecolabel



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:

	<i>Criterion</i>	<i>Weight</i>
1	<i>Price</i> <i>Calculation (e.g.):</i> Lowest offered price/ stated price x 0,70	e.g. 70%
2	<i>Environmental criteria</i> (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

Requirements for all type of fibers

Raw materials

- The proportion of cotton or other natural fibres used in the final product by weight deriving from organic production. The higher this proportion the more awarding points that product receives. *Eu toolkit core criteria award criteria*
- The proportion of the product by weight made of recycled fibres, i.e. fibres originating only from cuttings from textile and clothing manufacturers or from post-consumer waste (textile or otherwise). The higher this proportion the more awarding points that product receives. *Eu toolkit core criteria award criteria*



Chemicals

Preliminary remark: *In this procurement, for simplicity, criteria referring to textile processes as sizing, spinning, stripping, depigmentation, weighing, transportation, etc. are not taken into account. Interested parties can find these criteria in the database of www.gidsvoorduurzameaankopen.be.*

- For textile meant for babies the sum of the following phthalate softeners do not make up more than 0.1% by weight of the product:
 - o DINP (di-isononylphthalate) CAS no. 58033-90-2
 - o DNOP (Di-n-octylphthalate) CAS no. 117-84-0
 - 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 the following extractable heavy metals do not exceed:
 - o for antimony: 30ppm
 - o for arsenic: for textile meant for babies: 0,2 ppm, for other textile: 1ppm
 - o for lead: for textile meant for babies: 0,2 ppm, for other textile: 1ppm
 - o for chromium: for textile meant for babies: 1 ppm, for other textile: 2ppm
 - o for chromium VI: 0,5ppm
 - o for cobalt: for textile meant for babies: 1 ppm, for other textile: 4ppm
 - o for copper: for textile meant for babies: 25 ppm, for other textile: 50ppm
 - o for nickel: for textile meant for babies: 1 ppm, for other textile: 4ppm
 - o for mercury: 0.02ppm
- Asbestos is not used in the product

Dyes and pigments

- Azo dyes that may cleave to any one of the following aromatic amines are not used:
 - o 2,4-Xylidine (87-62-7)
 - o 2,6-Xylidin (95-68-1)
- Dyes classified as sensitising/allergenic, carcinogenic, mutagenic or toxic to reproduction: The following dyes are not used in the final product: *Eu toolkit core criteria tech spec*
 - 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



- 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
- 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
- C.I. Disperse Blue 1 C.I.: 64 500
- C.I. Disperse Brown 1
- C.I. Disperse Yellow 3 C.I.: 11 855

- Dyes classified as sensitising/allergenic, carcinogenic, mutagenic or toxic to reproduction: The following dyes are not be used in the final product: :
 - C.I. Disperse Orange 149
 - C.I. Disperse Yellow 23 C.I.: 26 070

6) Performance clauses:

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6bis) Specific performance clause

Clause on Ethical trade:

The tenderer ensures that its company and its suppliers respect at least the following international instruments:

- ILO Conventions 29 and 105 (Forced & Bonded Labour)
- ILO Convention 87 and 98 (Freedom of Association and Right to Collective Bargaining)
- ILO Conventions 100 and 111 (Equal remuneration for male and female workers for work of equal value; Discrimination)
- ILO Convention 138 and 182 (Minimum Age and Recommendation and Worst Forms of Child Labour)



Compliance guarantee:

The tenderer states in his offer that the compliance with the specific performance clauses will be guaranteed. He mentions the evidence that can be presented to warrant the compliance. A SA 8000 certificate or the Belgian Social label can be such a proof.

In case the tenderer can't guarantee the compliance with the above mentioned conventions, he will describe the procedure to warrant the compliance in the short term. The social requirements are relevant for its own company and his subcontractors. The efforts will be stated in an action plan.

In case the contract is valid for several years, the company will report every year on the implementation of the action plan and the improvements made. The report is open to the public.

In case the procuring authority receives signals from society that during the execution of the contract the above mentioned requirements are not fulfilled or (announced to be) corrected, the procuring authority can demand the company to account, can demand external advice, can demand an external audit or can handle as in case of breach of contract.

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
<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 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.
- 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.



