

Sustainable Public Procurement-fiche

Product / service	Version	Date
Decoration profiles (all materials)	Basic	December 2010

Scope

These criteria apply to decoration profiles for consumer's usage:

- Parts that are manufactured following a linear profile (identical over their entire length)
- Profiles that are used to embellish (decoration) or to make a room more cosy (decoration) or to change the setting of a room / piece of furniture.
- They can be located within a room or outdoor (garden, ...).
- They can be sold to the consumer in single piece or in groups, at the meter or not, with or without finishing.

Are excluded from the scope:

- Section profiles over 400 cm².
- Profiles for construction professionals (wood trusses, laminated beams, ...) referring to a classification structure.
- Profiles sold in a kit (staircase, picture frames, door frame, shelves, ...).
- Parquet floor (floating, glued or nailed).



1) Subject matter

Decoration profiles produced with environmentally friendly materials and processes and produced in a socially responsible way.

1.1. The subject matter in the framework of the organizations policy.

“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>, ...”

1.2. “Reserved contracts”

This category of contract is handled separately in Article 19 of Directive 2004/18/EC. This article permits the member states to “reserve” the right to participate in public contract award procedures. It includes contracts awarded to sheltered workshops or awarded in the context of sheltered employment programmes restricted to handicapped persons who cannot conduct professional activities under normal conditions. Paragraph 2 of Article 18a of the Law of 24 December 1993 has already taken a step in this direction by enabling, within the European thresholds, an identical strategy.

2) Exclusion criteria

2.1. Social aspects:

Buyers can take account of social aspects in there procurement. For more information about the different possibilities see:

<http://www.gidsvoorduurzameaankopen.be/en/node/108>

3) Technical capacity

/

4) Market information

/

5) Technical specifications

For this product group there is, at present (December 2010), just one eco-label available which forms the basis for formulating environmental compliance criteria. A list showing the criteria taken from the specifications document for this eco-label is given below. Buyers may include these criteria in the technical specifications of their own tender documents. Alternatively, they may give them a more optional character by incorporating them as awarding criteria in the tender, all this depending on the procedure that's chosen.

In addition, the PODDO has divided a list (see below) into key criteria and other criteria. The first group is definitely recommended when ordering green and sustainable products in the case of public procurement contracts.

KEY-CRITERIA:

a) Sustainable wood sources (NF Environnement, FSC, PEFC)

For detailed information on this criterion, see validated document on furniture (technical specifications, criterion 1 (available in Dutch or in French))

For Dutch version:

<http://www.gidsvoorduurzameaankopen.be/?q=nl/node/34&cid=25&pid=1205>

For French version:

<http://www.gidsvoorduurzameaankopen.be/?q=fr/node/35&cid=99&pid=1206>

b) Product requirements (NF Environnement)

- The profiles must meet the following European regulations:
 - o Directive 89/106/EEC⁽¹⁾ relative to construction products for profiles within its scope application.

- Directive 67/548/EEC⁽²⁾ relative to the classification, packaging and labeling of dangerous substances.
- Directive 92/112/EEC⁽³⁾ relative to the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry.

⁽¹⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31989L0106:en:NOT>

⁽²⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31967L0548:en:NOT>

⁽³⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0112:en:HTML>

c) Prohibited substances (NF Environnement)

- Ingredients (substances or preparations) used in the composition of paints and varnishes and related products should not be classified as carcinogens (Carc.), mutagenic (Mut.), toxic to reproduction (Repr.), toxic (T) or very toxic (T+).
The product should not contain plasticizers classified as hazardous to the environment under Directive 67/548/EEC⁽¹⁾.
Ingredients must not contain the following heavy metals: cadmium, lead, chromium VI, mercury and arsenic.

(For more information on R, S and H phrases, see annex 1 and 2)

⁽¹⁾ Dangerous Substances directive <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31967L0548:en:NOT>

d) Plastic: recycling requirements (NF Environnement)

- Plastic products must contain at least 30% recycled material following ISO standards. The manufacturer must demonstrate waste plastics recycling and separate internal and external recycling. The total share of recycled waste must be at least 95%.

e) PVC product requirements (NF Environnement)

- For PVC profiles, the manufacturer must use resins produced by manufacturers that meet the criteria of the Charter of industrial production of vinyl chloride monomer (VCM) and polyvinyl chloride (PVC).

Evidence:

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



NF Environnement



(Only for the criterium 'sustainable wood': FSC PEFC or equivalent)

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.

6) Awarding the contract:

	Criteria --- For example ---	Weight
1	Price <i>Calculation (e.g.):</i> Lowest offered price/ stated price x 0,60	e.g. 60%
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 0,35	e.g. 35%
3	...	e.g. 5 %
4	...	e.g.

In above mentioned table, the weight of the environmental criteria shall be stated by the buyer in function of its particular procurement. Representatives of several sectors federations mention often to not underestimate this weight to give sustainability in the awarding phase a chance at all.

The environmental criteria in the above mentioned table concern the following issues: see point 5

Key-criteria:

a) Title 1

- Criterion 1
- Criterion 2

Other criteria:

a) Title 1

- Criterion 1
- Criterion 2

7) Performance clauses:

7.1. Environmental aspects:

a) Packaging (NF Environnement)

- Primary packaging of profiles should be from renewable and / or recycled sources. To facilitate recycling, recycled packaging should be marked in accordance with ISO 14021. Packaging from renewable sources corresponds to EN 13432.

7.2. Social aspects:

Buyers can take account of social aspects in their procurement. For more information about the different possibilities see:

<http://www.gidsvoorduurzameaankopen.be/en/node/108>

7.3. Ethical aspects:

“The tenderer undertakes, until the contract has been executed in full, to respect the 8 Basic Conventions of the ILO:

1. The prohibition of forced labour (C29 Forced Labour Convention, 1930, and C105 Abolition of Forced Labour Convention, 1957);
2. The right to freedom of association (C87 Freedom of Association and Protection of the Right to Organise, 1948);

3. The right to organise and collective bargaining (C98 Right to Organise and Collective bargaining, 1949);
4. The prohibition of any discrimination in terms of labour and remuneration (C100 Equal Remuneration, 1951 and C111 Discrimination (Employment and Occupation), 1958);
5. The minimum age for child labour (C138 Minimum Age Convention, 1973), together with the prohibition of the worst forms of child labour (C182 Worst Forms of Child Labour Convention, 1999).

The non-respect of this undertaking may, by virtue of Article 20, §1, 4° of the general specifications annexed to the Royal Decree of 26 September 1996, give rise to the application of the official measures described in § 6 of the same article, including unilateral termination of the contract.”

References

[Information of the public authority that used these clauses in a procurement case]

Annex 1 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 (obsolete):</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</i>	<i>Also very toxic in contact with skin.</i>


<u>R27K:</u>	
<i>Riedel-de Haen</i>	<i>Also very toxic in contact with eyes.</i>
<u>R27AK:</u>	
<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-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.
<u>R47(obsolete):</u>	<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.

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.

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- 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.

Annex 2: Translation between classification in accordance with Directive 67/548/EEC and Directive 1272/2008/EEC.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:353:0001:1355:EN:PDF>

Classification under Directive 67/ 548/EEC	Physical state of the substance when rele-vant	Classification under 1272/2008/EEC		Note
		Hazard Class-and-Category	Hazard statement	
E; R2		No direct translation possible.		
E; R3		No direct translation possible.		
O; R7		Org. Perox. CD	H242	
		Org. Perox. EF	H242	
O; R8	gas	Ox. Gas 1	H270	
O; R8	liquid, solid	No direct translation possible.		
O; R9	liquid	Ox. Liq. 1	H271	
O; R9	solid	Ox. Sol. 1	H271	
R10	liquid	No direct translation possible.		
		Correct translation of R10, liquid is:		
		<ul style="list-style-type: none"> Flam. Liq. 1, H224 if flashpoint < 23 °C and initial boiling point ≤ 35 °C Flam. Liq. 2, H225 if flashpoint < 23 °C and initial boiling point > 35 °C Flam. Liq. 3, H226 if flashpoint ≥ 23 °C 		
F; R11	liquid	No direct translation possible.		
		Correct translation of F; R11, liquid is:		
		<ul style="list-style-type: none"> Flam. Liq. 1, H224 if initial boiling point ≤ 35 °C Flam. Liq. 2, H225 if initial boiling point > 35 °C 		
F; R11	solid	No direct translation possible.		
F+; R12	gas	No direct translation possible.		
		Correct translation of F+; R12, gaseous results either in Flam. Gas 1, H220 or Flam. Gas 2, H221.		
F+; R12	liquid	Flam. Liq. 1	H224	
F+; R12	liquid	Self-react. CD	H242	
		Self-react. EF	H242	
		Self-react. G	none	
F; R15		No translation possible.		
F; R17	liquid	Pyr. Liq. 1	H250	
F; R17	solid	Pyr. Sol. 1	H250	
Xn; R20	gas	Acute Tox. 4	H332	(1)
Xn; R20	vapours	Acute Tox. 4	H332	(1)
Xn; R20	dust/mist	Acute Tox. 4	H332	
Xn; R21		Acute Tox. 4	H312	(1)

* Finance Tower, 8th floor · Kruidtuinlaan 50 / 8 · 1000 Brussels - T + 32 2 524 88 54 · F + 32 2 524 88 70
contact@poddo.belgium.be · www.poddo.belgium.be

Xn; R22		Acute Tox. 4	H302	(1)
T;R23	gas	Acute Tox. 3	H331	(1)
T;R23	vapour	Acute Tox. 2	H330	
T;R23	dust/mist	Acute Tox. 3	H331	(1)
T;R24		Acute Tox. 3	H311	(1)
T;R25		Acute Tox. 3	H301	(1)
T+; R26	gas	Acute Tox. 2	H330	(1)
T+; R26	vapour	Acute Tox. 1	H330	
T+; R26	dust/mist	Acute Tox. 2	H330	(1)
T+; R27		Acute Tox. 1	H310	
T+; R28		Acute Tox. 2	H300	(1)
R33		STOT RE 2	H373	(3)
C; R34		Skin Corr. 1B	H314	(2)
C; R35		Skin Corr. 1A	H314	
Xi; R36		Eye Irrit. 2	H319	
Xi; R37		STOT SE 3	H335	
Xi; R38		Skin Irrit. 2	H315	
T;R39/23		STOT SE 1	H370	(3)
T;R39/24		STOT SE 1	H370	(3)
T;R39/25		STOT SE 1	H370	(3)
T+; R39/26		STOT SE 1	H370	(3)
T+; R39/27		STOT SE 1	H370	(3)
T+; R39/28		STOT SE 1	H370	(3)
Xi; R41		Eye Dam. 1	H318	
R42		Resp. Sens. 1	H334	
R43		Skin Sens. 1	H317	
Xn; R48/20		STOT RE 2	H373	(3)
Xn; R48/21		STOT RE 2	H373	(3)
Xn; R48/22		STOT RE 2	H373	(3)
T;R48/23		STOT RE 1	H372	(3)
T;R48/24		STOT RE 1	H372	(3)
T;R48/25		STOT RE 1	H372	(3)
R64		Lact.	H362	
Xn; R65		Asp. Tox. 1	H304	
R67		STOT SE 3	H336	
Xn; R68/20		STOT SE 2	H371	(3)
Xn; R68/21		STOT SE 2	H371	(3)
Xn; R68/22		STOT SE 2	H371	(3)

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Carc. Cat. 1; R45		Carc. 1A	H350	
Carc. Cat. 2; R45		Carc. 1B	H350	
Carc. Cat. 1; R49		Carc. 1A	H350i	
Carc. Cat. 2; R49		Carc. 1B	H350i	
Carc. Cat. 3; R40		Carc. 2	H351	
Muta. Cat. 2; R46		Muta. 1B	H340	
Muta. Cat. 3; R68		Muta. 2	H341	
Repr. Cat. 1; R60		Repr. 1A	H360F	(4)
Repr. Cat. 2; R60		Repr. 1B	H360F	(4)
Repr. Cat. 1; R61		Repr. 1A	H360D	(4)
Repr. Cat. 2; R61		Repr. 1B	H360D	(4)
Repr. Cat. 3; R62		Repr. 2	H361f	(4)
Repr. Cat. 3; R63		Repr. 2	H361d	(4)
Repr. Cat. 1; R60-61		Repr. 1A	H360FD	
Repr. Cat. 1; R60 Repr. Cat. 2; R61		Repr. 1A	H360FD	
Repr. Cat. 2; R60 Repr. Cat. 1; R61		Repr. 1A	H360FD	
Repr. Cat. 2; R60-61		Repr. 1B	H360FD	
Repr. Cat. 3; R62-63		Repr. 2	H361fd	
Repr. Cat. 1; R60 Repr. Cat. 3; R63		Repr. 1A	H360Fd	
Repr. Cat. 2; R60 Repr. Cat. 3; R63		Repr. 1B	H360Fd	
Repr. Cat. 1; R61 Repr. Cat. 3; R62		Repr. 1A	H360Df	
Repr. Cat. 2; R61 Repr. Cat. 3; R62		Repr. 1B	H360Df	
N; R50		Aquatic. Acute 1	H400	
N; R50-53		Aquatic Acute 1 Aquatic Chronic 1	H400 H410	
N; R51-53		Aquatic Chronic 2	H411	
R52-53		Aquatic Chronic 3	H412	
R53		Aquatic Chronic 4	H413	
N; R59		Ozone	EUH059	