

## Sustainable Public Procurement-fiche: basic

(Version 20090603)

### **1) Subject matter**

Environmental friendly cartridge toners that are part of a recycling and refilling system.

“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**

#### **a) General**

- Used cartridges or toner powder containers shall be collected, cleaned, checked/repaired and refilled with new toner powder.

#### **b) Toner**

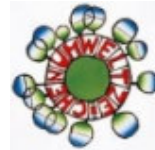
- The toners are, according to Directive 67/548/EEC or EU Directive 1999/45/EC, not classified as follows:
  - carcinogenic with risk-phrase R40, R45 or R49
  - teratogenic with risk-phrase R60, R61, R62 or R63
  - mutagenic with risk-phrase R46 or R68
  - very toxic with risk-phrase R26 or R27



A minimum of 75% by weight of the remanufactured toner cartridge shall consist of recycled parts.

**Evidence:**

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



Nordic Swan    NF Environnement    Blaue Engel    Österreichische Umweltzeichen

In case that the tendering company can present one of these labels, any further proof is not necessary. Any other suitable evidence from a recognized body can also be used.

**5) Awarding the contract:**

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

**a) General**

- Printing modules and containers must be sealed to prevent the toner dust from escaping during handling or storage.



**b) Toner powder**

- According to Directive 67/548/EEC or EU Directive 1999/45/EC, the toner powder doesn't require labeling with the following risk-phrases:
  - toxic (R23, R24, R25 or R48) (see annex)
  - very toxic (R28, R39)
  - allergenic
  - carcinogenic (R49)
  - mutagenic (R68)
  - sensitive by inhalation (R42)
  - may cause harm to breastfed babies (R64)

The toner powder is, according to Directive 67/548/EEC or EU Directive 1999/45/EC, not classified as dangerous for the environment (R-phrases R50, R53, R50/53, R52/53, R51/53 or R59) (see annex)

**c) Packaging**

- Packaging is composed of materials that can be separated and are made from renewable or recyclable materials.

**6) Performance clauses:**

- A take-back-system must be in place. Clear information about this system has to be given to the customers.

**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 alkalies 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.

