

BLUE ANGEL

The German Ecolabel



Take-Back Schemes for Mobile Phones

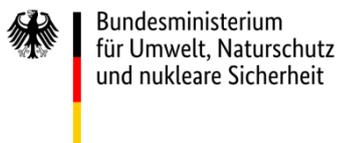
DE-UZ 209

Basic Award Criteria

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The Environmental Label is supported by the following institutions:



Bundesministerium
für Umwelt, Naturschutz
und nukleare Sicherheit

The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety is the owner of the label. It regularly provides information on the decisions taken by the Environmental Label Jury.



Umwelt
Bundesamt

The German Environmental Agency with its specialist department for "Ecodesign, Eco-Labeling and Environmentally friendly Procurement" acts as office of the Environmental Label Jury and develops the technical criteria of the Basic Criteria for Award of the Blue Angel.



Jury
Umweltzeichen

The Environmental Label Jury is the independent, decision-making body for the Blue Angel and includes representatives from environmental and consumer associations, trade unions, industry, the trade, crafts, local authorities, academia, the media, churches, young people and the German federal states.



RAL

gGmbH

The RAL gGmbH is the awarding body for the Environmental Label. It organises the process for developing the relevant award criteria in independent expert hearings – which involve all relevant interest groups.

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This document is a translation of a German original. In case of dispute, the original document should be taken as authoritative.

1 Introduction

1.1 Preface

In cooperation with the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, the German Environmental Agency and considering the results of the expert hearings conducted by RAL gGmbH, the Environmental Label Jury has set up these Basic Criteria for the Award of the Environmental Label. RAL gGmbH has been tasked with awarding the Environmental Label.

Upon application to RAL gGmbH and on the basis of a Contract on the Use of the Environmental Label to be concluded with RAL gGmbH, the permission to use the Environmental Label may be granted to all products, provided that they comply with the requirements as specified hereinafter.

The product must comply with all the legal requirements in the country in which it is to be marketed. The applicant shall declare that the product meets this requirement.

1.2 Background

Mobile phones distinguish themselves by a particularly resource-intensive value creation process and high concentrations of precious and special metals when compared to other electronic devices. From the environmental point of view these characteristics call for the longest possible useful life of the devices. However, the fact is that the useful life of the devices gets shorter and shorter. In some cases the initial useful life is less than a year until a device is replaced by another one.

The useful life can be extended by making **used devices** at the end of one use phase available for another use phase or by reusing used devices that have become waste (**waste devices**) after preparing them for reuse. This helps avoid waste, reduce the environmental impact caused by waste treatment and save resources and energy that would be used for the production of a new device.

1.3 Objectives of the Environmental Label

The objectives of this Blue Angel eco-label are the avoidance of waste and the preservation of natural resources. This eco-label is to allow consumers, enterprises, public authorities and other players in the market to easily spot and use such take-back schemes for mobile phones whose primary objective is to make used devices available for reuse or make waste devices available for further use following a preparation for reuse.

The main features of Blue Angel eco-labelled take-back schemes are:

- particularly easy handover and careful receipt of the devices
- thorough inspection of all devices for reusability
- transparent traceability of the mass flow.

Therefore, following benefits for the environment and health are stated in the explanatory box:



1.4 Definitions

For the purpose of these Award Criteria, the following definitions shall apply:

- **Mobile Phones**

A mobile phone, within the meaning of these award criteria, is a portable, cordless telephone that transmits calls via mobile networks (cf. DE-UZ 106). It is equipped with a module (e.g. SIM card) that allows an individual terminal identification. Apart from the phone function, the mobile phone can provide additional functions, for example, transmission of text messages, mobile use of internet services, execution of programmes or the recording and re-playing of audio and video signals.

Mobile phones are also known by the names cell phone, cellular phone or smartphone. Germans also call them "handys".

- **Used Device**

A used device, within the meaning of these award criteria, is a mobile phone that has been personally handed over to the take-back scheme by its last owner with the aim of preserving its original intended use and has been identified during this handover as suitable for reuse.

- **Waste Device**

A waste device, within the meaning of these award criteria, is a mobile phone that has been handed over to the take-back scheme by its last owner without being identified during this handover as suitable for reuse.

- **Last Owner**

The last owner of a device, within the meaning of these award criteria, is every natural or legal person who hands a device over to the take-back scheme.

- **Take-Back Scheme**

A take-back scheme, within the meaning of these award criteria, comprises the take-back of used and/or waste devices, the registration of the (waste) devices received, the inspection of the devices whether they are suited for further (used devices) or whether they can be prepared for reuse (waste devices), erasure of personal and other data, preparation of used devices for further use or preparation of waste devices for reuse as well as making devices available on the market again. In the event that the inspections show that the devices received are unsuitable for further use or reuse they shall be broken down for spares where

possible. Subsequently, they shall be forwarded as waste electronic devices to mobile-phone-specific treatment and subsequent recycling processes.

- **Operator**

The operator of the take-back scheme is a legal person who controls and is responsible for all partial processes defined in these award criteria.

- **Original Purpose**

The original purpose of a mobile phone, within the meaning of these award criteria, is to provide the basic and secondary functions of the device that had been available when it was first placed on the market (e.g. phone function, internet function, writing of text messages, camera function).

- **Preparation for Reuse¹**

The preparation for reuse comprises the inspection, cleaning and, where required, repair of a waste device in order to refurbish the device in a way that allows its reuse for the same purpose for which it had been intended when it was first placed on the market. The preparation for reuse, within the meaning of these award criteria, also includes data erasure, the inspection of function and safety of the device, the installation of software updates available and a final quality control check.

- **Preparation for Further Use**

The preparation for further use comprises the inspection, cleaning and, where required, repair of a used device in order to refurbish the device in a way that allows its reuse for the same purpose for which it had been intended when it was first placed on the market. The preparation for further use, within the meaning of these award criteria, also comprises the erasure of data that might still exist, the safety inspection of the device, the installation of software updates available and a final quality control check.

- **Repair**

A repair includes all measures that contribute to restoring the original functional condition of a device.

- **Take-Back**

Take-back, within the meaning of these award criteria, means the receipt of a mobile phone that is handed over by its last owner to the take-back scheme. The handover of a device to the take-back scheme can be performed by dropping the device off at a collection box, by personal receipt of the device by an authorised person, by sending the device in by mail or parcel service or by dropping the device off at an automated take-back machine for mobile phones.

¹ The "preparation for reuse" is legally defined by Section 3, para. 24 Kreislaufwirtschaftsgesetz (German Closed Cycle Management Act) and only refers to devices that have become waste (waste devices) while the "preparation for further use" only refers to used devices. The partial processes of "preparation for reuse" and "preparation for further use" are identical.

- **Collection Box**
A collection box, within the meaning of these award criteria, is a box for dropping-off and storing waste devices. The last owner of a device must be able to place a device into a collection box. Such collection box can also be used as transport box.
- **Transport Box**
A transport box means a container for a gentle transport of used and waste devices. Unlike collection boxes transport boxes shall not be accessible to last owners.
- **Personal Data**
According to Section 46 Datenschutz-Anpassungs- und -Umsetzungsgesetz EU (DSAnpUG-EU) (Data Protection Adaptation and Implementation Act - EU) personal data means any information relating to an identified or identifiable natural person ('data subject').²
- **Other Data**
Other data include at least photos, videos, text files, browser histories and passwords as well as all other data that do not belong to the original factory condition of a device.
- **Data Erasure**
Data erasure, within the meaning of these award criteria, means one or more processes used to completely erase personal data and other data stored on a mobile phone and its storage media and to make sure that these data cannot be recovered using commercially available data recovery software. (see Appendix B for examples of data erasure software to be used).
- **Primary Treatment Plant**
A primary treatment plant is a facility for the first treatment of electrical and electronic equipment certified under Section 21 of the ElektroG (Electrical and Electronic Equipment Act). According to Section 21, para. 4 ElektroG a treatment plant shall be considered certified as a Primary Treatment Plant within the meaning of the ElektroG if the company is a specialised waste management company and if compliance with the requirements of the ElektroG has been checked and verified by a certificate pursuant to Section 56, para. 3 of the German Kreislaufwirtschaftsgesetz (KrWG) (Closed Cycle Management Act).
- **Making Available on the Market**
Making available on the market means the provision of a mobile phone or a spare part with or without payment for further use or reuse.

² According to Section § 46 DSAnpUG-EU any individual shall be regarded as identifiable which can be identified directly or indirectly, in particular by way of attribution to an identifier such as a name, an identification number, location data, to an online identifier or to one or several special features indicating the physical, physiological, genetic, psychic, cultural or social identity of that person.

2 Scope

These Award Criteria shall apply to schemes where

- used mobile phones or waste devices are received without payment or acquired and received against payment,
- every used or waste device received is clearly registered,
- every used device received is inspected for further usability or every waste device is inspected for reusability,
- complete erasure of personal and other data stored on the devices and on the storage media is guaranteed and where
- used devices are prepared for further use or waste devices are prepared for reuse.

The sub-processes of the take-back scheme can be carried out by one or several organisations. The decisive factor is that the operator controls and is responsible for the way of carrying out the sub-processes defined in these award criteria.

3 Requirements

The Blue Angel Eco-Label shown on page 1 may be used for the labelling of take-back schemes for mobile phones, provided that they meet the requirements hereinafter specified:

3.1 Easy Handover

The last owner shall be able to hand over the device to the take-back scheme with little effort.

Requirement

A personal handover to the take back scheme by the last owner to a person authorised by the ↑ operator should be possible during normal working hours. Alternatively, the handover can be made possible by dropping the device into easily accessible collection boxes or by sending it by mail or parcel service.

3.2 Take-Back of Complete Devices

When handing over a device to the take-back scheme, the last owner shall be advised that the device should be handed over to the take-back scheme in its entirety, if possible.

Requirement

A notice for the last owner shall be displayed at the take-back facilities or on the collection boxes, mailing bags or mailing labels provided as well as easily accessible on the website of the operator of the take-back scheme advising the last owner

- to hand over the device along with the rechargeable battery, back cover, charger and all other device components to the take-back scheme, if possible
- that a device can, however, also be handed over if a component, the rechargeable battery or the charger is missing.

If the device is personally handed over by the last owner this information should be given orally.

Compliance Verification

Re: paras. 3.1. and 3.2:

- *The applicant shall specify the type of take-back options provided and declare compliance with the requirement in Annex 1.*
- *Depending on the type of take-back the applicant shall submit in Annex 2 a photo*
 - ♦ *of the relevant notices on the take-back facilities*
 - ♦ *of the collection boxes used*
 - ♦ *of the mailing bag or label provided displaying the clearly visible notice .*
- *The applicant shall give in Annex 1 the address of the website where to find the notice.*

3.3 Careful Take-Back and Transportation

It shall be ensured that neither the type of take-back nor the type of transportation of the devices (including packing, loading and transport) causes damage to the devices that might affect their further use or the reuse. Such damage to be excluded shall concern both visible and functional damage to the devices.

Where protective packaging is made available or used for the devices it shall be made of eco-friendly materials.

Requirement

- **Collection Boxes**

If the devices are deposited in a collection box without protective packaging the free height of fall of the devices must not exceed 60 cm.

Collection boxes that may be exposed to the elements shall be so designed as to prevent the devices therein from getting damaged either by rain or splash water or other chemical, thermal or mechanical impact.

- **Take-Back by Mail or Parcel Service**

The applicant shall provide the last owner with a recommendation for the packaging for shipping the device, including the accessories and, if applicable, corresponding packaging aids (mailing bags) the purpose of which is to adequately protect the device during transportation and which are in conformity with the hazardous goods transportation regulations.

- **Personal Receipt**

Following personal receipt of the devices they shall be so deposited that no damage is caused to devices.

- **Transport**

The carrier charged with the transport shall ensure compliance with the relevant provisions of hazardous goods transportation in accordance with the hazardous goods transportation regulations. The devices shall be transported carefully and secured against slipping during transport in the transport boxes.

- **Use of Protective Packaging**

If, within the scope of the personal take-back, protective packaging is provided or used for depositing the devices in collection boxes or for mailing the devices (mailing bags) this protective packaging should be designed to be as environmentally friendly as possible.

If the protective packaging is a single-use packaging it should consist of paper/cardboard containing at least 80 % (m/m) recycled fibres.

If the protective packaging is a reusable packaging it can be made of paper or plastic. Reusable packaging of paper/cardboard shall consist of at least 80 % (m/m) recycled fibres. Reusable plastic packaging shall consist of 80 % (m/m) post-consumer recycle.

- **Quality Assurance of Take-Back and Transportation**

In order to ensure the implementation of this requirement by all organisations involved in the take-back (e.g. environmental and social associations, enterprises, public institutions) and persons (e.g. employees, association members, volunteers) the organisations and persons involved shall be informed by means of an appropriate instrument of information about the details to be observed during preparation, organisation and execution of take-back and transportation.

Compliance Verification

- *The applicant shall, in Annex 3, present dimensioned drawings (and, if applicable, supplementary photos) of the collection box(es) used and indicate the respective locations. It shall be evident from the drawings/photos how the requirements for maximum free height of fall and the protection of the devices deposited/dropped are implemented.*
- *The applicant shall submit a copy of the original text of the packing recommendation for sending the device by mail or parcel service (Annex 3).*
- *The applicant shall declare in Annex 1 that the carrier complies with the relevant provisions regarding the transportation of hazardous goods pursuant to GGBefG (Gesetz über die Beförderung gefährlicher Güter - Hazardous Goods transportation Act) GGVSEB (Gefahrgutverordnung Straße, Eisenbahn und Binnenschifffahrt - Ordinance on the Domestic and International Transport of Hazardous Goods by Road, Rail and Inland Waterways) and submit the relevant verifications (Annex 4).*
- *The applicant shall provide information on type and material of the protective packaging used.*
- *The applicant shall, in Annex 1, give the name(s) of the organization(s) charged with take-back and transportation.*
- *The applicant shall, in Annex 4, present a copy of the work instructions for the group of persons carrying out take-back operations and transportation.*

3.4 Registration of the Devices

All devices handed over to the take-back scheme shall be clearly registered.

Requirement

Every device handed over to the take-back scheme shall be registered under its IMEI (International Mobile Equipment Identity). The IMEI shall be stored for a period of two years. If the

device has no IMEI or if it cannot be determined a unique device number shall be assigned for the purpose of definitive identification.

Compliance Verification

The applicant shall declare compliance with the requirement in Annex 1.

3.5 Data Security

The processing of the ↑ personal and other data stored on the devices and on the memory cards inside the device, if any, shall only be allowed for the purpose of data erasure. Storage, use and transfer of the ↑ personal and other data stored on the devices and on the memory cards inside the devices shall not be permitted. It shall be ensured that neither individual devices taken back nor the storage media contained in the devices taken back can be stolen. In addition, it shall be ensured that unauthorized persons do not have access to the devices and storage media.

Requirement

- **Protection against Theft and Unauthorized Access**

Collection boxes shall be either permanently supervised by a person or effectively protected by an adequate system against theft and unauthorized access.

During the time when the collection box cannot be supervised by a person it shall be kept inaccessible to unauthorized persons.

Transport boxes used to keep the devices received shall be stored inaccessible to unauthorized persons and protected against theft.

- **Instructions for Data Erasure for the Last Owner**

Clear instructions shall be displayed at the take-back facilities or on the collection boxes, mailing bags or mailing labels provided as well as on the website of the operator of the take-back scheme advising the last owners,

- ♦ to delete all personal data
- ♦ to remove memory cards still inside the device.

These instructions shall also be given when the device is handed over personally.

- **Data Erasure**

Complete data erasure shall be performed on all devices handed over to the take-back scheme. Such data erasure shall include the removal of all personal and other data still on the devices. It shall not be possible to recover the erased data using commercially available software.

Any SIM and memory cards that may be still inside the devices shall be removed and destroyed mechanically. The data carriers shall be shredded and disposed of in accordance with security level E4 of DIN 66399 „Office machines - Destruction of data carriers - Part 2: Requirements for equipment for destruction of data carriers.

In the case of registered and inspected devices that are not prepared for reuse or further use the data can be erased by a complete mechanical destruction of the devices.

The data erasure process shall be a documented method that is used on all devices.

If data erasure proves to be technically impossible the devices shall be mechanically destroyed after the removal of spare parts. Components that might contain personal and other data may not be used as spare parts.

- **Preparation and Provision of Data Erasure Reports**

A data erasure report regarding the device handed over shall be made available to the last owners upon request and upon indication of the IMEI. Data erasure reports shall be filed for a period of at least two years.

Compliance Verification

- *The applicant shall, in Annex 5, specify the measures taken to prevent unauthorized access to the devices and storage media. These measures also include a copy of the relevant work instructions for those responsible for supervising collection boxes.*
- *Depending on the type of take-back the applicant shall present in Annex 6 a photo*
 - ♦ *of the relevant instructions displayed at the take-back facilities*
 - ♦ *of the collection boxes used*
 - ♦ *of the mailing bag or label provided**clearly showing the instructions for data erasure and removal of the storage media by the last owners.*

In addition, the applicant shall provide the website address where to find the relevant notices.
- *The applicant shall specify, in Annex 7, the data erasure methods used, name the software used and describe the individual process steps.*
- *The applicant shall, in Annex 8, submit a certification document of the waste management company pursuant to DIN 66399.*
- *The applicant shall submit a data erasure report for each of three different device models in Annex 7.*

3.6 Inspection of the Devices

Every device handed over to the take-back scheme shall run through a standardised inspection and evaluation routine on the basis of which it is decided whether the device can be prepared for reuse or further use. The last owner of a device shall be informed, upon request, whether his/her device has been prepared for reuse or further use or has been forwarded to recycling.

Requirement

- **Inspection of all Devices upon Receipt**

Every device shall at least undergo a visual inspection.
- **Inspection Process**

The inspection process shall be documented in writing and used on each device.
- **Transparent Inspection Process**

The operator of the take-back scheme shall describe the inspection process detailing the various inspection steps on a publicly accessible website.

- **Documentation of Inspection Results**

The results of the inspection and evaluation steps shall be documented in an inspection report for each device on the basis of its IMEI or on the basis of its identification number. Inspection reports shall be filed for a period of at least two years.

The operator of the take-back scheme shall make a list of the devices along with the respective inspection results available to RAL gmbH upon request.

- **Information for Last Owners**

The last owner of a device shall be informed upon the latter's request and upon indication of the IMEI whether his/her device has been prepared for reuse or further use or has been forwarded to recycling.

Compliance Verification

- *The applicant shall submit a list specifying and describing all inspection and evaluation steps, including any software that may have been used (Annex 9).*
- *The applicant shall specify in Annex 9 the evaluation criteria applied and the operationalisation of the respective criterion. The applicant shall declare in Annex 1 that the criteria form the basis of every evaluation.*
- *The applicant shall declare in Annex 1 that the inspection and evaluation steps specified and described are performed on each device.*
- *The applicant shall provide in Annex 1 the website address where to find the inspection and evaluation criteria.*
- *The applicant shall submit in Annex 9 a copy of the report template showing the results of the inspection of the individual devices in combination with the respective IMEI number. The applicant shall declare in Annex 1 that a corresponding inspection report is prepared for each device and that all inspection reports are filed for at least two years.*
- *The applicant shall declare in Annex 1 that last owners will receive information on the whereabouts of the device handed over upon request and upon providing the IMEI.*

3.7 Preparation for Reuse and Preparation for Further Use

The purpose of the preparation for reuse or the preparation for further use of the devices received is the restoration of the best possible condition of the devices, including their basic and secondary functions.

Requirement

- **Certification of the Reprocessing Organisation as Primary Treatment Plant**

Waste devices may only be prepared for reuse by an organisation certified as Primary Treatment Plant according to Section 21 ElektroG (German Electric and Electronic Equipment Act).

- **In-Depth Technical Check and Repair**

A comprehensive functional test of all basic and secondary functions shall be performed on the respective device.

Identified defective parts/components, damaged cases, broken displays and defective rechargeable batteries shall be replaced or repaired. Outdated operating systems and/or out-of-date software shall be updated.

- **Quality Control**

A final quality control including an electro-technical safety check shall be performed on all devices. The results of the quality control tests shall be documented for each device.

Compliance Verification

- *If the devices are waste devices the applicant shall submit a copy of a valid Certificate of the Primary Treatment Plant (EBA - Erstbehandlungsanlage) doing the preparation for reuse (Annex 10).*
- *The applicant shall specify and describe the individual steps of the in-depth technical check in Annex 11.*
- *The applicant shall provide evidence of an existing repair infrastructure in Annex 11.*
- *The applicant shall provide in Annex 11 evidence that the persons responsible for the safety check are appropriately qualified as electrical engineering specialists.*
- *The applicant shall provide in Annex 12 a copy of the report template showing how significant results of the quality control of the individual devices are filed in conjunction with the respective IMEI number. The applicant shall declare in Annex 1 that a corresponding inspection report will be prepared for each device.*

3.8 Extraction of Spare Parts

Spare parts shall be obtained and made available for repair activities from devices that are not forwarded to preparation for reuse or preparation for further use.

Requirement

Components or parts shall be extracted from inspected devices that are unsuitable for further use or reuse and used as spares for repair or made ↑ available on the market.

A list of regularly extracted spare parts shall be published on the website of the take-back scheme operator.

Compliance Verification

The applicant shall declare compliance with the requirement in Annex 1 and submit in Annex 13 a list of those components that are regularly extracted from inspected devices and are either used as spare parts or made available on the market as spare parts. The applicant shall provide the address of the website where the information can be found.

3.9 Making Available on the Market Again

Devices intended for further use or reuse may only be made available on the market again if they have successfully passed all the testing, erasure and reprocessing steps of the take-back scheme.

When making these devices available customers may be informed that they come from a Blue Angel eco-labelled take-back scheme. Yet, such information shall not create the impression that the devices themselves are Blue Angel eco-labelled pursuant to RAL UZ 106.

Requirement

Only those devices may be made available on the market as used devices:

- the IMEI of which is registered,
- which have undergone data erasure processes to ensure that the devices do not contain any personal or other data,
- which have successfully passed all processes in preparation for further use or in preparation for reuse,
- that meet all legal requirements for being made available on the market again,
- where the results of the final quality check have been correspondingly recorded along with the respective IMEI or the respective identification number.

Compliance Verification

The applicant shall declare in Annex 1 compliance with the requirements for the devices that are to be made available on the market again.

3.10 Recycling of Non-reusable or Non-further-usable Devices

Devices found to be non-reusable or non-further-usable and devices that have been taken apart for spare parts shall be forwarded to a Primary Treatment Plant for preparation for recycling.

Requirement

The plant must be certified as a primary treatment plant.

The treatment activities shall prepare the devices for recycling. Rechargeable batteries are to be removed before shredding the devices and disposed of separately.

The organisation carrying out the primary treatment shall be certified under ISO 9001 and ISO 14001 or validated under EMAS.

Compliance Verification

- *The applicant shall provide evidence in Annex 14 that the devices are forwarded to a primary treatment plant certified under Section 21 ElektroG where the devices are prepared for recycling.*
- *The applicant shall submit in Annex 14 evidence of the certification of the company charged with the primary treatment.*

3.11 Mass Flow Verification

The operator of the take-back scheme shall publish annual reports on a publicly accessible website on the whereabouts of the devices received.

Requirement

The applicant shall provide annual reports on

- A: the number and the total mass of devices received by the take-back scheme,
- B: the number and the total mass of the proportion of devices prepared for further use or reuse,
- C: the number and the total mass of the proportion of devices that have been made available on the market again. The number and the total mass of devices shall additionally be reported by marketing region (1. sales stage).

- D: the number and the total mass of the proportion of devices that have been taken apart for spare parts for the repair of other devices,
- E: the number and the total mass of the proportion of devices that have been forwarded to recycling,
- F: the number and the total mass of the proportion of devices that, so far, have neither been made available on the market again nor forwarded to recycling.

The sum of C., E. and F. must be equal to the sum of devices received (A.).

Compliance Verification

The applicant shall declare compliance with the requirement in Annex 1 and give the address of the website publishing the above data.

The applicant shall provide evidence of the respective mass flow for C., E. and F. in Annex 15.

3.12 Outlook on Possible Future Requirements

Within the scope of the next revision of these Basic Award Criteria the following aspects are expected to be reviewed:

- Extension of the Blue Angel eco-label to other product groups, such as tablets
- Determination of a minimum percentage of the number of devices that have been made available on the market again (C), of the number of devices that have been received by the take-back scheme (A).
- Consideration of a possible requirement for the minimum share of devices that have been made available on the EU market again (C1), for the number of devices that have been made available on the market again (C).

4 Applicants and Parties Involved

Operators of take-back schemes for mobile phones shall be eligible for application.

Parties involved in the award process:

- RAL gGmbH to award the Blue Angel Environmental Label,
- the federal state being home to the applicant's production site,
- Umweltbundesamt (German Environmental Agency) which after the signing of the contract receives all data and documents submitted in application for the Blue Angel in order to be able to further develop the Basic Award Criteria.

5 Use of the Environmental Label

The use of the Environmental Label by applicant is governed by a contract on the use of the Environmental Label to be concluded with RAL gGmbH.

Within the scope of such contract, the applicant undertakes to comply with the requirements under paragraph 3 while using the Environmental Label.

Contracts on the Use of the Environmental Label are concluded to fix the terms for the certification of products under paragraph 2. Such contracts shall run until December 31, 2024.

They shall be extended by periods of one year each, unless terminated in writing by March 31, 2024 or March 31 of the respective year of extension.

After the expiry of the contract the Environmental Label may neither be used for labelling nor for advertising purpose. This regulation shall not affect products being still in the market.

The applicant shall be entitled to apply to RAL gGmbH for an extension of the right to use the eco-label to the product entitled to the label if it is to be marketed under another brand/trade name and/or other marketing organizations.

The Contract on the Use of the Environmental Label shall specify:

- Applicant (Operator)
- Designation of the take-back scheme (name)
- Distributor (label user)

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Anhang A Legislation and Standards Cited herein, Literature

Compliance with applicable laws and regulations is a prerequisite for the labelling of products or systems/schemes with the Blue Angel eco-label. With regard to collection schemes for waste devices, their preparation for reuse and, if applicable, their being made available on the market again these are in particular:

- [1]** Elektro- und Elektronikgerätegesetz - ElektroG³ (Electrical and Electronic Equipment Act) (Act governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment)
- [2]** Kreislaufwirtschaftsgesetz – KrWG⁴ (Closed Cycle Management Act) (Act to Promote Circular Economy and Safeguard the Environmentally Compatible Management of Waste)
- [3]** Batteriegelgesetz – BattG⁵ (Batteries Act) (Act on the Placing on the Market, Collection and Environmentally Compatible Disposal of Batteries and Accumulators)
- [4]** Gefahrgutbeförderungsgesetz – GGBefG⁶ (Hazardous Goods Transportation Act)
- [5]** Gefahrgutverordnung Straße, Eisenbahn und Binnenschifffahrt – GGVSEB⁷ (Ordinance on the Domestic and International Transport of Hazardous Goods by Road, Rail and Inland Waterways)

In addition, the following regulations shall be complied with for all devices

- [6]** Datenschutz-Anpassungs- und -Umsetzungsgesetz EU – DSAnpUG-EU⁸ (Data Protection Adaptation and Implementation Act-EU)
- [7]** Datenschutz-Grundverordnung (General Data Protection Regulation) Regulation (EU) 2016/679⁹

³ Elektro- und Elektronikgerätegesetz (Electrical and Electronic Equipment Act) of 20 October 2015 (Federal Law Gazette I, page 1739), as last amended by Article 6 (11) of the Act of 13 April 2017 (Federal Law Gazette, I, p. 872)

⁴ Kreislaufwirtschaftsgesetz (Closed Cycle Management Act) of 24 February 2012 (Federal Law Gazette, I p. 212), last amended by Article 1 of the Act of 27 March 2017 (Federal Law Gazette I, p. 567)

⁵ Batteriegelgesetz (Batteries Act) of 25 June 2009 (Federal Law Gazette. I, p. 1582), as last amended by Article 6 (10) of the Act of 13 April 2017 (Federal Law Gazette I, p. 872)

⁶ Gefahrgutbeförderungsgesetz (Hazardous Goods Transportation Act) of 6 August 1975 (Federal Law Gazette I, p. 2121), revised by announcement of 7 July 2009, I 1774, 3975, as last amended by Article 5 of the Act of July 26, 2016 (Federal Law Gazette I, p. 1843)

⁷ Gefahrgutverordnung Straße, Eisenbahn und Binnenschifffahrt, (Ordinance on the Domestic and International Transport of Hazardous Goods by Road, Rail and Inland Waterways) revised by announcement of 30 March 2017 (Federal Law Gazette I, pages 711, 993), as last amended by Article 2a of the Ordinance of 7 December 2017 (Federal Law Gazette I, p. 3859)

⁸ Act to Adapt Data Protection Law to Regulation (EU) 2016/679 and to Implement Directive (EU) 2016/680 of 30 June 2017 (Federal Law Gazette I, p. 2097)

⁹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ EU L 119 of 4 May 2016, pages 1–88)

- [8]** Produktsicherheitsgesetz – ProdSG¹⁰ (Product Safety Act) (Act on making products available on the market)
- [9]** Produkthaftungsgesetz– ProdHaftG¹¹ (Product Liability Act) (Act on Liability for Defective Products)
- [10]** Elektro- und Elektronikgeräte-Stoff-Verordnung – ElektroStoffV¹² (Ordinance on the restriction of the use of certain hazardous substances in electrical and electronic equipment)
- [11]** RoHS Directive – Directive 2011/65/EU¹³
- [12]** REACH Regulation – Regulation (EC) No 1907/2006¹⁴

¹⁰ Produktsicherheitsgesetz (Product Safety Act) of 8 November 2011 (Federal Law Gazette I, p. 2178, 2179; 2012 I p. 131), as last amended by Article 435 of the Ordinance of 31 August 2015 (Federal Law Gazette I, p. 1474)

¹¹ Produkthaftungsgesetz (Product Liability Act) of 15 December 1989 (Federal Law Gazette I p. 2198), as last amended by Article 180 of the Ordinance of 31 August 2015 (Federal Law Gazette I p. 1474)

¹² Ordinance on the restriction of the use of certain hazardous substances in electrical and electronic equipment of 19 April 2013 (Federal Law Gazette I p. 1111), as last amended by Article 1 of the Ordinance of 16 December 2016 (Federal Law Gazette I p. 2919)

¹³ Directive 2011/65/EU of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ EU L 174 of 1 July 2011, p. 88)

¹⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30 December 2006, p.1)

Anhang B Examples of Data Erasure Software to be Used

- Blanco Data Erasure Software