

Basic Criteria for Award of the Environmental Label

Products made from Recycled Plastics

RAL-UZ 30a



Edition May 2012

Change:

Paragraph 3.3 => Reference to Annex XVII of the REACH Regulation

Paragraph 3.4 => Reference to Table 3.1 in Annex VI to the CLP Regulation

Paragraph 3.4 => Supplement to the footnote concerning the relation between CLP Regulation and TRGS 905 (TRGS - Technical Rules for Hazardous Substances)

Paragraph 4.5 => Supplement (clarification)

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1 Introduction

- 1.1** The Environmental Label Jury has set up these Basic Criteria for Award of the Blue Angel eco-label in co-operation with the Federal Minister for the Environment, Nature Conservation and Nuclear Safety, the Federal Environmental Agency and considering the results of expert hearings conducted by RAL gGmbH. 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 Blue Angel eco-label may be granted for all products, provided that they comply with the requirements specified hereinafter.

- 1.2** So far, the greater part of post-consumer plastic wastes from households, agriculture, trade and industry has not been recycled but disposed of by landfill or incineration. So far, only a fraction of this waste has been recycled by type of material. A substantial share of the disposed plastic waste could, however, be recycled by the material for the production of high-quality and environmentally acceptable products. The objective of the eco-label is to promote such products.

2 Scope

These Basic Criteria apply to finished products made from recycled plastics, provided that they substitute primary plastics in their fields of application. Palisades, fences, lawn grids, as well as compost silos and composters are also eligible for award of the Blue Angel.¹

Within the meaning of these award criteria recycled plastics are ground plastic materials, film chips, granulates or agglomerates obtained from post-consumer products².

Excluded is the use of :

- polyvinyl chloride (PVC)
- plastic wastes containing polybrominated biphenyls (PBB) and polybrominated diphenyl ethers (PBDE) as flame retardants
- polyurethane propelled by means of fully or partially halogenated organic propellants
- production and processing wastes as well as returned defective products.

If properly used, recycled plastics should not reach the soil.

¹ In addition, the Environmental Label Jury can at any time extend the scope of application.

² Included are products not been sold like data media

3 Requirements

The Eco-Label shown on page 1 may be used for the marking of finished products as specified under paragraph 2, provided that they meet the following requirements:

- 3.1** The percentage of recycled plastics (post-consumer material) in the finished products shall be at least 80 percent.
- 3.2** If mixed plastic wastes are used for the production of finished products, the products manufactured from such wastes having direct soil or water contact should not have an adverse impact on the environment.
- 3.3** The requirements set forth in Annex XVII No. 23 of the REACH Regulation³ concerning the ban on the use of cadmium compounds, as amended, shall be met.
- 3.4** No substances⁴ may be added to the recycled plastics that are classified as:
 - a) carcinogenic in categories 1A, 1B or 2 pursuant to Table 3.1 of Annex VI to Regulation (EC) No 1272/2008 or in TRGS 905;
 - b) mutagenic in categories 1A, 1B or 2 pursuant to Table 3.1 of Annex VI to Regulation (EC) No 1272/2008 or in TRGS 905;
 - c) reprotoxic in categories 1A, 1B or 2 pursuant to Table 3.1 of Annex VI to Regulation (EC) No 1272/2008 or in TRGS 905⁵;
 - d) persistent, bioaccumulative and toxic (PBT substances) or very persistent or very bioaccumulative (vPvB substances) according to the criteria of Annex XIII to the REACH Regulation or particularly alarming for other reasons and included into the list (so-called list of candidates) set up in accordance with REACH, Article 59, paragraph 1.
- 3.5** Moreover, no substances may be added that are labelled with the following R or H phrases according to Table 3.2 of Annex VI to Regulation (EC) No 1272/2008 or meet the criteria for such classification:

H 370 (R 39/23/24/25/26/27/28) Causes damage or organs

³ 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 p. 1

⁴ Terms as defined in Section 3, No. 1 or 4, Publication of the revised version of the German Chemicals Act of 20 June 2002, German Federal Law Gazette I, 2002, 2090

H 371 (R 68/20/21/22) May cause damage to organs

H 372 (R 48/25/24/23) Causes damage to organs

H 373 (R 48/20/21/22) May cause damage to organs

H 410 (R 50/53) Very toxic to aquatic life with long lasting effects.

3.6 The products must meet the relevant standards of serviceability and safety.

3.7 The plastic parts must be marked according to DIN ISO 11 469.

4 Compliance Verifications

4.1 The applicant shall file an application with product description and information brochures attached thereto.

4.2 The applicant shall provide verification of the origin and composition of the recycled plastics used by means of a certificate (including report) according to the EuCertPlast certification scheme (including calculated and plausibilized verification of the post-consumer waste percentage).⁶

Moreover, the applicant shall specify the qualitative and quantitative composition of the product applying for the Blue Angel eco-label, i.e. the portions of recycled and virgin plastics as well as the percentages of additives possibly used.

The records and results shall be reviewed at the place of production, plausibilized and confirmed as a test report under Annex 3 to the Contract pursuant to RAL-UZ 30a by an independent expert body pursuant to para. 4.5.

It shall be presented by the end of the first quarter of the following year.

A confirmation (Annex 3) shall be submitted every year, first, upon application for the Blue Angel eco-label and, thereafter, by the end of the first quarter of the following year.

4.3 The additives used shall be identified by their trade names as well as by their chemical names. The applicant shall submit for all additives or added preparations current Material Safety Data Sheets according to EC Directive 91/155/EEC in German or English. The applicant shall declare compliance with the responsibilities and conditions Specified in the REACH Regulation (Regulation [EC] No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), dated 18 December 2008).

⁵

⁶ see <http://www.eucertplast.eu>

4.4 The applicant shall declare compliance with the requirements under paras. 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7.

4.5 An independent expert body is:

- an independent environmental verifier pursuant to Section 9 of the German Umweltauditgesetz (Environmental Audit Act) for Sector 38 (recycling, waste disposal
- an environmental verifier in accordance with Regulation (EC) No 1221/2009, Article 2, Definitions, No. 20.

If the environmental verifier is an organisation of environmental verifiers (that is to say, not a natural person) the organisation shall separately list the names of the individuals responsible for the conduct of the test.

- a publicly appointed expert under Section 36 of the German Gewerbeordnung (Industrial Code) for the fields of waste recycling, waste technology, plastic waste recycling, plastics technology or packaging disposal.

5 Applicants and the Parties Involved

5.1 Manufacturers of finished products made from recycled plastics pursuant to paragraph 2 shall be eligible for application.

5.2 Parties involved in the award process

- RAL gGmbH to award the Blue Angel Eco-Label,
- the federal state where applicant's production site is located,
- Umweltbundesamt (Federal Environmental Agency) which, after signing of the contract, receives all data and documents submitted in application for the *Blue Angel* in order to be able to proceed with the development of the Basic Award Criteria.

6 Use of the Environmental Label

6.1 The terms governing the use of the Environmental Label shown on page 1 by the applicant are stipulated by a Contract on the Use of the Environmental Label to be concluded with RAL gGmbH.

6.2 Within the scope of such contract the applicant undertakes to comply with the requirements under paragraph 3 as long as applicant makes use of the Environmental Label.

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

2016. They shall be extended by periods of one year each, unless terminated in writing by March 31, 2016 or by 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 purposes. This regulation shall not affect products being still in the market.

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

6.5 The Contract on the Use of the Environmental Label shall give the following particulars:

6.5.1 Applicant (Manufacturer)

6.5.2 Brand/trade name, product designation

6.5.3 Distributor (label user), i.e. the marketing organization pursuant to para. 6.4.

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C O N T R A C T

No.

on the Award of the Environmental Label

RAL gGmbH as label awarding agency, and the firm of
(Manufacturer / User)
as applicant, conclude the following Contract
on the Use of the Environmental Label:

S P E C I M E N

- Under the following conditions the applicant shall be entitled to use the Environmental Label for the labelling of the product / product group / project:
Products made from Recycled Plastics for

"Brand/Trade Name".

This shall not include the right to use the Environmental Label as part of a brand.
Unless otherwise agreed, the Environmental Label shall only be used in the above given shape and colour. The entire inner surrounding text shall always be identical as regards size, form, thickness and colour of the letters and it shall be easy to read.
- The Environmental Label according to para. 1 shall only be used for the above-mentioned product / product group / project.
- If the Environmental Label is used for advertising purposes the applicant shall make sure that it is exclusively used in connection with the above-named product / product group / project for which the use of the Environmental Label has been granted and settled under this contract. The applicant shall be solely responsible for the way the label is used, above all, in advertising.
- During the entire period of label use the product / product group / project to be labelled shall comply with all requirements and conditions for the use of the label as specified in the "Grundlage für Umweltzeichen-Vergabe RAL-UZ 30a" (Basic Criteria for Award of the Environmental Label RAL-UZ 30a), as amended. This shall also apply to the reproduction of the Environmental Label (including the surrounding text). Claims for damages against RAL gGmbH, especially on the grounds of third party objections to the applicant's use of the label and the accompanying advertising shall be ruled out.
- If the "Basic Criteria for Award of the Environmental Label" provide for checks by third parties the applicant shall bear the costs accruing in connection therewith.
- Should the applicant himself or third parties find out that the applicant does not comply with the conditions as stipulated in paras. 2-5 he shall be liable to inform RAL gGmbH and stop the use of the Environmental Label until the conditions are complied with again. Should the applicant be incapable of restoring the state required for the use of the label immediately or should the applicant seriously offend against this contract RAL gGmbH may, if necessary, withdraw the Environmental Label and prohibit the applicant from using the label any longer. Claims for damages against RAL gGmbH because of the withdrawal of the label shall be ruled out.
- The Contract on the Use of the Environmental Label may be terminated for good reason.
Examples of good reasons are:
- unpaid contributions
- substantiated risk of injury and death.
In such case, applicant's continued use of the Environmental Label shall be prohibited.
The applicant shall not be entitled to bring a claim for damages against RAL gGmbH (see above: paragraph 6, sentence 3).
- The applicant undertakes to pay RAL gGmbH an amount according to the "Entgeltordnung für das Umweltzeichen" (Schedule of Contributions for the Environmental Label), as amended, for the period of use.
- According to the Basic Criteria for Award of the Environmental Label RAL-UZ 30a this contract will run until December 31, **2016**. It shall be extended by periods of one year each, unless terminated in writing by March 31, **2016** or by 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 purposes. This regulation shall not affect the products being still in the market.
- Products / projects marked with the Environmental Label and the advertising for these products / projects may reach the consumer only when naming the company of the
(Applicant/Distributor).

Sankt Augustin, this ... day of20

Place, Date

RAL gGmbH
Management

(Signature of authorized representative and
corporate stamp)

