

GUIDE

Guide
on green public procurement

wallpaper and ingrain wallpaper

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**Guide
on green public procurement**

wallpaper and ingrain wallpaper

This guide is based on the June 2014 edition of the Blue Angel ecolabel criteria for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June – Version 2).

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1 Introduction

Making wallpaper out of recycled paper reduces recovered-paper waste, particularly from the use of low and medium quality recovered papers. It also helps to avoid the environmental impact that is directly attributable to cellulose and wood pulp production.

When it comes to resource use, wastewater load, water use, and energy use, recovered paper is far better for the environment than paper products made of primary fibres.

In cases where wallpaper is partly made of new wood fibres, it is crucial from an ecological standpoint that the wood from which the fibres are sourced comes from sustainably managed forests and from forestry companies that adhere to high ecological and social standards. Sourcing wood from forests deserving protection such as tropical or boreal primeval forests is unacceptable.

2 How to use this guide

This guide contains essential information and recommendations for contracting authorities concerning the incorporation of environmental aspects into tender and contractual documents. The tenderer questionnaire regarding green public procurement of wallpaper and ingrain wallpaper made primarily from recycled paper (annexed hereto and available as a Microsoft Word document from www.beschaffung-info.de) is intended for use as an addendum to the specifications. To this end, in terms of the environmental requirements for the proposed deliverables, you need only include an advisory in the description of the deliverables in order to meet the legal requirement that the deliverables be described clearly and com-

pletely.¹ Such a reference could be worded as follows:

In order to be included in the tender evaluation process, [insert product name (delete as appropriate)] must meet the minimum criteria pursuant to the attached tenderer questionnaire on green public procurement of wallpaper and ingrain wallpaper made primarily from recycled paper. By way of proof, you are to submit a completed questionnaire for each tendered product/all tendered products [insert product name (delete as appropriate)], along with the required elements of proof. Insofar as the product in question bears the Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made

¹ § 121 Abs. 1 GWB.

from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), the tenderer need not submit the said proof. Such proof can likewise be foregone if the product in question bears an equivalent ecolabel or quality seal and complies with all labelling related minimum criteria listed in the tenderer questionnaire.

The suggested wording in square brackets needs to be adapted or fleshed out by the relevant procurement office (delete as appropriate).

The tenderer questionnaire also makes it easier for contracting authorities to assess tenders.

3 Scope

This guide applies to the following:

- ▶ Paper wallpapers made from wallpaper base in accordance with DIN 6730
- ▶ Ingrain wallpaper in accordance with DIN 6730

4 Definitions of terms

- ▶ **Waste/Recovered paper:** paper and cardboard that are collectable after being used or processed. The specifications for the various types of waste paper can be found in the European list of standard grades of paper and boards for recycling (DIN EN 643).
- ▶ **Biocides:** A biocide is a slimicide that is used in paper-machinery water circuits.

5 Proof of compliance

When issuing calls for tenders, contracting authorities have the option to state that tenderers can demonstrate compliance with the relevant performance requirements by submitting certificates from a conformity assessment body pursuant to Article 33 Public Procurement Regulation² (VgV 2016) or via quality seals pursuant to Article 34 VgV and Article 24 UVgO 2017³.

5.1 Proving compliance via certification from a conformity assessment body

Pursuant to Article 33 Public Procurement Regulation (VgV), compliance with technical requirements can be substantiated by a conformity assessment body such as TÜV, VDE, or a certified test lab or by a certificate of conformity issued by such a body. In cases where a contracting authority stipulates that a specific conformity assessment body must issue the certification in question, such authority must also accept certificates of conformity issued by equivalent conformity assessment bodies (Article 33(1)(sentence 2) Public Procurement Regulation (VgV)). Contracting authorities are also required to accept other forms of proof such as manufacturers' technical documentation pursuant to Article 34(2) Public Procurement Regulation (VgV) 2016. This presupposes the following:

- That the tenderer does not have access to the required certifications or to proof supplied by an equivalent body; or
- That the tenderer's inability to obtain proof from a conformity assessment body by the relevant bid submission deadline was due to circumstances beyond the tenderer's control.

In both such scenarios, the burden of proof rests on the tenderer – which means that if the tenderer is unable to prove that the proposed deliverables do not meet the mandated technical requirements, the tenderer's bid will be excluded from the contract award procedure.

5.2 Proof via quality seals

Under the Public procurement Regulation (VgV 2016), contracting authorities have the option to require compliance with the technical specifications of a specific quality seal such as the Blue Angel ecolabel (VgV 2016, UVgO 2017). In such cases, contracting authorities are required to accept quality seals that mandate equivalent requirements for the proposed deliverables (Article 4 Procurement Regulation (VgV)), Article 24(4) UVgO 2017). This applies in particular to quality seals from other EU member states. In cases where the proposed deliverables do not need

2 Verordnung über die Vergabe öffentlicher Aufträge (Vergabeverordnung – VgV). 12. April 2016 (BGBl. I S. 624).

3 Unterschwellenvergabeordnung (UVgO). Given that the UVgO sets forth procedural rules, its coming into effect will be contingent upon implementation of the provisions of the amended version of *Allgemeinen Verwaltungsvorschriften zu §55 der Bundeshaushaltssordnung bzw. für die Länder* in the relevant regional-state laws. At the federal level, the UVgO came into effect on 2 September 2017 (BMF-Rundschreiben vom 01.09.2017 – II A 3 - H 1012-6/16/10003:003).

to meet the totality of the requirements mandated by a given quality seal, then the contracting authority in question must specify which quality-seal requirements are to be met (Article 3 VgV 2016; Article 24(3) UVgO 2017).

In cases where a tenderer is unable to provide, by a reasonable deadline and for reasons beyond the tenderer's control, either the required quality seal or an equivalent thereof, the contracting authority must accept other suitable forms of proof such as technical documentation or test reports from a recognized body (Article 34(5) VgV 2016; Article 24(3) UVgO 2017). In such cases it falls to the tenderer to prove that the alternative form of proof in question meets the requirements of the relevant quality seal.

5.3 Recommended evidential requirements

Requiring that proof that the relevant deliverables meet the mandated performance requirements be confined solely to a quality seal is only advisable in cases where there is

already a sufficient number of products from various manufacturers that are endowed with the quality seal in question; for this is the only way to ensure that the tenderers are genuinely in competition with each other. Hence when it comes to wallpaper and ingrain wallpaper, contracting authorities should first check on the Blue Angel website (www.blauer-engel.de) whether a sufficient number of products (e.g. four or more) bear the Blue Angel ecolabel and are commercially available. If this proves not to be the case, then in addition to the Blue Angel ecolabel and equivalent ecolabels, individual elements of proof should also be accepted as proof of compliance with the performance specifications. Such proof can take the form of, for example, certificates from conformity assessment bodies (e.g. test-lab test results) or manufacturers' technical documentation.

The tenderer questionnaire that is annexed to this guide takes all three of these substantiation options into account, i.e. Blue Angel label, equivalent quality seal, individual substantiations.

6 Environmental requirements

6.1 Environmental requirements pertaining to contractual deliverables

6.1.1 Use of recycled paper

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, or manufacturer declaration.

The products are to be made from recovered paper.

The proportion of recovered paper must meet the following requirements, excluding any incorporated wood fibres:

- ▶ **For paper wallpapers**, at least 600 kilograms of recovered paper per 1,000 kilograms of finished new paper (air-dried weight). Of this, at least 50 per cent is to be made from groups 1, 2, 4 and 5 recycled paper (pursuant to DIN EN 643), to the exclusion of type 4.07.
- ▶ **Ingrain wallpapers** are to be composed of 100% recycled paper. Of this, at least 50 per cent is to be made from groups 1 and 2 recovered paper (pursuant to DIN EN 643).

6.1.2 Chemical processing aids

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, or manufacturer declaration.

No chemical processing aids are to be used that contain glyoxal or formaldehyde as a constitutive component or that can potentially release formaldehyde.

6.1.3 Formaldehyde

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, or manufacturer declaration.

No formaldehyde, substances that split formaldehyde, or substances that contain formaldehyde are to be used in wallpaper and ingrain wallpaper.

6.1.4 Slimicides and preserving agents

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, or manufacturer declaration.

In manufacturing wallpaper and ingrain wallpaper, only those slimicides and preservatives are to be used that (a) are approved under Regulation No (EC) 528/2012 (EU list of approved active substances; formerly listed in Annex I to Directive 995/2010 (EC)); or (b) are still under review as notified existing active substances in the EU Review Programme for Existing Active Substances, for the relevant type of biocidal product.

Only those biocidal products may be used that have been approved for their intended use. Products containing existing active substances which are still under EU review may remain in use without approval until a decision is reached.

In addition, the products are to be free of any active substances that are designated as substitute substances in Article 10 of Regulation No (EC) 528/2012.

Pending the entry into force of the approval requirement for the use of biocidal products containing existing active substances, only those substances may be used which are additionally listed in the 36th recommendation of *Empfehlung des BfR*.

Use of the following substances is prohibited:

	CAS no.
Sodium hexafluorosilicate	[16893-85-9]
N(α-(1-Nitroethyl)benzyl)-ethylendiamine	[14762-38-0]
Mixtures consisting of: Tris-(hydroxymethyl)-nitromethane 5-Chlor-2-methyl-4-isothiazolin-3-on 2-Methyl-4-isothiazolin-3-on	[126-11-4] [26172-55-4] [2682-20-41]
Tetramethylthiuram-disulfide	[137-26-8]
Nano silver	[7440-22-4]

6.1.5 Azo dyes

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, manufacturer declaration, or dye manufacturer declaration.

No Azocolourants are to be used that have the capacity to split any amine referred to in Directive 2002/61/EEC or in TRGS 614.

6.1.6 Heavy metals

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, manufacturer declaration, or dye manufacturer declaration.

No colourants (i.e. pigment or dyes) is to be used that contains any mercury, lead, cadmium or chrome VI as a constitutive component.

No colourant, surface treatment substance, manufacturing aid, or coating is to be used

- ▶ that, pursuant to the criteria laid down in Regulation (EC) No 1272/2008, falls within the classification of the H phrases in the table below or that meets the criteria for such classification;⁴
- ▶ or that the currently valid version of TRGS 905⁵ classifies as a carcinogenic, mutagenic or reprotoxic substance.

6.1.7 Substances and mixtures used

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, manufacturer declaration, or chemical additive manufacturer's declaration. On request, the relevant safety data sheets are to be supplied.

⁴ The harmonized categories and labels for hazardous substances can be found in Annex VI part 3 of Regulation (EC) No 1272/2008 (CLP Regulation). The categories and labels under the new system, which use H-phrases, can be found in Table 3.1. The categories and labels under the old system, which use R-phrases, can be found in Table 3.2. The text of the CLP Regulation is available, for example at <http://www.reach-info.de/ghs>

⁵ <https://www.baua.de/DE/Angebote/Rechtstexte-und-Technische-Regeln/Regelwerk/TRGS/pdf/TRGS-905.html>

Regulation (EC) No 1272/2008 (GHS directive)	Text
Carcinogenic, mutagenic and reprotoxic substances	
H340	May cause genetic defects.
H341	Suspected of causing genetic defects.
H350	May cause cancer
H350i	May cause cancer if inhaled.
H351	Suspected of causing cancer
H360F	May impair fertility
H360D	Possible risk of harm to the unborn child
H360FD	May impair fertility Possible risk of harm to the unborn child
H360Fd	May impair fertility Possible risk of harm to the unborn child
H360Df	Possible risk of harm to the unborn child May impair fertility
H361f	May impair fertility
H361d	Possible risk of harm to the unborn child
H361fd	May impair fertility Possible risk of harm to the unborn child
Sensitizing substances	
H317	May cause allergic skin reactions.

6.1.8 Processing of recovered paper

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and in grain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2),

equivalent ecolabel, or manufacturer declaration.

No chlorides, halogenated bleaching chemicals, or not readily biodegradable agents such as EDTA and DTPA are to be used. Opti-

cal lighteners are not to be used for product manufacturing or finishing.

Any additional fibre needs are to be exclusively met using primary fibres that were manufactured without the use of any lighteners, chlorine, or halogenated bleach.

6.1.9 Primary-fibre origin

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), or FSC or PEFC certification, or equivalent proof and manufacturer declaration concerning the origin of the wood used.

The origin of the wood used for primary fibres is to be documented. Such wood is to be sourced from forests that are demonstrably managed in accordance with the principles of sustainable forestry. The attendant forestry companies are required to manage their forests in compliance with high ecological and social standards, and are to be certified accordingly.

Obtaining wood from forests that are in urgent need of protection such as tropical or boreal rainforests is unacceptable.

6.1.10 Exclusion of ingredients

Criterion: Minimum

Proof of compliance: Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), equivalent ecolabel, or manufacturer declaration.

The products are to contain no ingredients that necessitate product labelling within the meaning of Germany's Hazardous Substance Regulation (Gefahrstoffverordnung).

6.2 Tender evaluation

Tender evaluations may factor in contractual-deliverables related criteria such as environmental characteristics and life cycle costs.⁶

For wallpaper and ingrain wallpaper, it is advisable that all of the environmental characteristics referred to in Section 6.1 be classified as minimum criteria. In other words, only those bids should be considered that meet all of these criteria. Hence in such cases, insofar as no assessment criteria have been set that exceed the scope of the said environmental requirements, the sole tender evaluation criteria should be either price or life cycle costs.

⁶ See Article 16(6) VOL/A; Articles 43(2) and (4) 2 & 4 UVgO 2017; Article 127 GWB 2016, in conjunction with Article 58(2) VgV 2016.

Annex 1: Tenderer questionnaire for green public procurement of wallpaper and in grain wallpaper made primarily from recycled paper

General information

Product name
Manufacturer
Tenderer
Tenderer's address

Information on proof of compliance

Does the product have a Blue Angel ecolabel?

The proposed product is certified via the Blue Angel ecolabel for wallpaper and in grain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2).

This means that the minimum criteria listed in the Requirements section below (“Requirements”) are met, and thus the submission of documents (annexes) demonstrating compliance can be foregone.

Label use contract no.: _____

Yes

Does the product have an equivalent quality seal?

The product being offered bears an equivalent quality seal, which is hereby submitted with this bid, for the proposed product, as an alternative to the Blue Angel ecolabel.

Quality seal name and label use contract no.: _____

In the table in the “Requirements” section below, the tenderer furthermore declares, by marking the checkboxes in the right-hand column of the table, that the quality seal being submitted meets the requirements entailed by the minimum criteria set forth in this document – and that therefore such quality seal is equivalent to the Blue Angel ecolabel. The substantiating documents listed in the “Comments” column need not be submitted.

Yes

Does the product not have an equivalent quality seal?

The proposed product is certified neither via the Blue Angel ecolabel for wallpaper and ingrain wallpaper that is primarily made from recycled paper (DE-UZ 35, Edition June 2014 – Version 2), nor via an equivalent quality seal.

In the table in the “Requirements” section below, check the box in the right-hand column of the table to confirm that the product meets the following minimum criteria. The proof of compliance referred to in the “Comments” column has been submitted with the bid.

Yes

Requirements

No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)
1.1	<p>Use of recovered paper</p> <p>The products are to be made from waste paper.</p> <p>The proportion of recovered paper must meet the following requirements, excluding any incorporated wood fibres:</p> <ul style="list-style-type: none"> ▶ For paper wallpaper, at least 600 kilograms of recovered paper per 1,000 kilograms of finished new paper (air-dried weight). Of this, at least 50 per cent is to be made from grades 1,2, 4 and special type 5 waste paper (pursuant to DIN EN 643), to the exclusion of type 4.07. ▶ Ingrain wallpaper are to be composed of 100% recycled paper. Of this, at least 50 per cent is to be made from groups 1 and 2 recycled paper (pursuant to DIN EN 643). 	<p>Minimum criterion</p> <p>Proof of compliance via a manufacturer's declaration</p>	<input type="checkbox"/>
1.2	<p>Chemical processing aids</p> <p>No chemical processing aids are to be used that contain glyoxal or formaldehyde as a constitutive component or that can potentially release formaldehyde.</p>	<p>Minimum criterion</p> <p>Proof of compliance via a manufacturer's declaration</p>	<input type="checkbox"/>

No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)
1.3	Formaldehyde No formaldehyde, substances that split formaldehyde, or substances that contain formaldehyde are to be used in wallpaper and ingrain wallpaper.	Minimum criterion Proof of compliance via a manufacturer's declaration	<input type="checkbox"/>
1.4	Slimicides and preservatives In manufacturing wallpaper and ingrain wallpaper, only those slimicides and preservatives are to be used that (a) are approved under Regulation No (EC) 528/2012 (EU list of approved substances; formerly listed in Annex I to Directive 995/2010 (EC)); or (b) are still under review as notified existing active substances in the EU Review Programme for Existing Active Substances, for the relevant type of biocidal product. Only those biocidal products may be used that have been approved for their intended use. Products containing existing active substances which are still under EU review may remain in use without approval until a decision is reached. In addition, the products are to be free of any active substances that are designated as substitute substances in Article 10 of Regulation No (EC) 528/2012. Pending the entry into force of the approval requirement for the use of biocidal products containing existing active substances only those substances may be used which are additionally listed in the 36 th Recommendation of <i>Empfehlung des BfR</i>	Minimum criterion Proof of compliance via a manufacturer's declaration	<input type="checkbox"/>

No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)																
Use of the following substances is prohibited:																			
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1.5	Azocolourants																		
	No Azocolourants are to be used that have the capacity to split any amine referred to in Directive 2002/61/EEC or in TRGS 614.	Minimum criterion Proof of compliance via product or colourant manufacturer declaration	<input type="checkbox"/>																
1.6	Heavy metals																		
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No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)																		
1.7	Substances and mixtures used																				
	No colourant, surface treatment substance, manufacturing aid, or coating shall be used, a) that, pursuant to the criteria laid down in Regulation (EC) No 1272/2008, falls within the classification of the H phrases in the table below or that meets the criteria for such classification. b) or that the currently valid version of TRGS 905 classifies as a carcinogenic, mutagenic or reprotoxic substance.																				
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Regulation (EC) No 1272/2008 (GHS directive)	Text																				
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No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)
	Regulation (EC) No 1272/2008 (GHS directive)	Text	
H360FD		May impair fertility Possible risk of harm to the unborn child	
H360Fd		May impair fertility Possible risk of harm to the unborn child	
H360Df		Possible risk of harm to the unborn child May impair fertility	
H361f		May impair fertility	
H361d		Possible risk of harm to the unborn child	
H361fd		May impair fertility Possible risk of harm to the unborn child	
Sensitizing substances			
H317		May cause allergic skin reactions.	

No.	Criterion	Comment	Criterion met, proof of compliance submitted (to be completed by the tenderer)
1.8	Processing of recovered paper No chlorides, halogenated bleaching chemicals, or not readily biodegradable agents such as EDTA and DTPA are to be used. Optical lighteners are not to be used for product manufacturing or finishing. Any additional fibre needs are to be exclusively met using primary fibres that were manufactured without the use of any lightener, chlorine, or halogenated bleach.	Minimum criterion Proof of compliance via a manufacturer's declaration	<input type="checkbox"/>
1.9	Primary-fibre origin The origin of the wood used for primary fibres is to be documented. Such wood is to be sourced from forests that are demonstrably managed in accordance with the principles of sustainable forestry. The attendant forestry companies are to manage their forests in compliance with high ecological and social standards, and be certified accordingly. Obtaining wood from forests that are in urgent need of protection such as tropical or boreal rainforests is unacceptable.	Minimum criterion Proof of compliance via FSC or PEFC certification; or equivalent proof information from manufacturer on the origin of the wood used	<input type="checkbox"/>
1.10	Exclusion of ingredients The products are to contain no ingredients that necessitate product labelling within the meaning of Germany's Hazardous Substance Regulation (Gefahrstoffverordnung)	Minimum criterion Proof of compliance via a manufacturer's declaration	<input type="checkbox"/>



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