



# Public Procurement Reform and Ecolabel

**European Commission  
Environment Directorate-General  
Robert Kaukewitsch**

## Communication (2008)

### Public Procurement for a Better Environment

- Political **target**: **50%** of tendering procedures to be green by 2010
- Common **EU GPP criteria** for priority products and services
- Legal/operational **Guidance**
- GPP National Action Plans





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# EU Green Public Procurement Policy

## 20+ EU GPP Criteria



Copying and graphic paper \*



Cleaning products and services\*



Computer and Monitors\* NEW



Office Buildings NEW



Transport



Furniture\*



Electricity



Food & Catering services



Textiles\*



Gardening products and services

\*= also EU Ecolabel criteria available



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## 20+ EU GPP Criteria



Wall panels



Water based heaters\*



Waste water infrastructures



Flushing Toilets&Urinals\*



Imaging Equipment\*



Roads NEW



Combined Heat & Power



Street lighting and traffic signals



Indoor lighting



Sanitary tapware\*



EEE Health care sector



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## Criteria under development

- Street lighting
- Food and Catering
- Cleaning Services
- Furniture
- Textiles
- Transport
- Paints and Varnishes
- Data Centres
- Maintenance of Public Spaces





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## GPP(GPP/Ecolabel) development process by the Joint Research Centre and DG Environment





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## Two levels of criteria

### Core criteria:

- Aim at addressing the key environmental impacts
- Require minimum additional verification effort or cost increases

### Comprehensive criteria:

- Aim at purchasing the best environmental products available on the market
- possibly requiring additional verification efforts or a slight increase in cost compared to other products with the same functionality



*GPP criteria are largely based on standard Type I ecolabels.*



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## GPP support tools by the Commission

### *GPP website of the European Commission:*

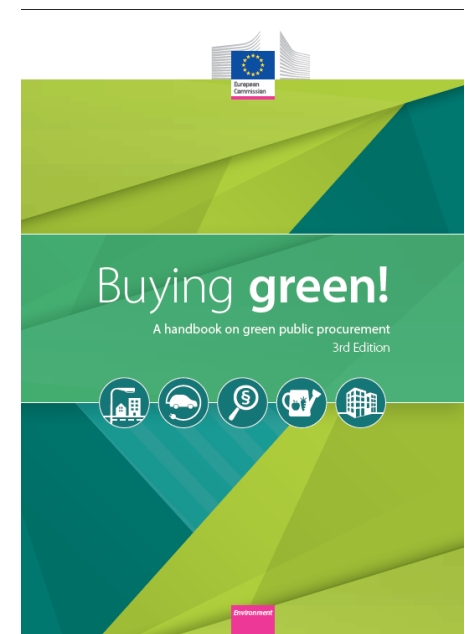
- *Full sets of EU GPP criteria and background reports in 20+ languages*
- *Buying Green Handbook **NEW!***
- *More than 100 GPP Examples*
- *News and upcoming events*

### **HELP DESK:**

*In EN, FR, DE [gpp-helpdesk@iclei.org](mailto:gpp-helpdesk@iclei.org)*

*Newsletter (please sign up!)*

*Much more done at national level*





# GPP and the Circular Economy

- **Key role for circular economy acknowledged**
- **Special emphasis on circular economy aspects in criteria-setting**
- **Support a greater uptake of GPP criteria by public authorities, e.g. by training**
- **Commission to lead by example - in its own procurement, and by reinforcing the use of GPP in EU funding**



## EU GPP and the EU Ecolabel

- **Close cooperation within DG Environment and with JRC**
- **Criteria for both tools are developed in parallel when relevant (e.g. IT Equipment, Furniture, Textiles)**
- **GPP work plan adapted to Ecolabel work plan, but not all product groups of interest for both tools**
- **Major PGs such as transport, buildings, food & catering, street lighting not covered by Ecolabel**



## EU GPP and the EU Ecolabel

- **EU GPP criteria usually simplified version of Ecolabel criteria**
- **GPP specifics added (selection criteria, award criteria, contract performance clauses, work contracts, remanufacturing)**
- **EU GPP criteria formulated so that EU Ecolabel products are meeting technical specifications, thus increased incentive for companies to get the EU Ecolabel**
- **GPP criteria are not including social requirements (new *Buying Social Guide* 2018?)**

## Procurement Reform – Labels

### Under the 2004 Directives:

- Ecolabels = source to define the requirements for a green product in a tender
- Authorities obliged to clearly set out the individual requirements underlying the Ecolabel
- Labels could be used as a means of proof, making it easier for suppliers to prove they have a green product and for procurers to verify this
- Possibility to provide equivalent means of proof (e.g. technical reports)

## Procurement Reform – Labels

### Under the 2014 Directives (Art 43):

- Intention to make life easier for procurers, but a lot of changes in the last steps of the legislative process
- Authorities **can require a specific label** as means of proof provided that all the following conditions are met:
  - the requirements (criteria) **must be linked to the subject matter and appropriate to define characteristics** of the works, supplies or services that are the subject matter of the contract;
  - **be based on objectively verifiable and non-discriminatory criteria;**
  - open and transparent adoption procedure;
  - the label must be accessible to all interested parties;
  - label requirements are set by a third party over which the economic operator applying for the label cannot exercise a decisive influence.

## Procurement Reform – Labels

### Under the 2014 Directives (Art 43):

- If not all requirements are linked and appropriate => contracting authorities can require those label requirements which are linked and appropriate
- Labels that confirm that the works, supplies or services **meet equivalent label requirements must be accepted**
- Possibility to provide equivalent means of proof under certain conditions:

*Where an economic operator had demonstrably no possibility of obtaining the specific label indicated by the contracting authority or an equivalent label within the relevant time limits for reasons that are not attributable to that economic operator, the contracting authority shall accept other appropriate means of proof, which may include a technical dossier from the manufacturer, provided that the economic operator concerned proves that the works, supplies or services to be provided by it fulfil the requirements of the specific label or the specific requirements indicated by the contracting authority.*

## Procurement Reform – Labels

### Questions:

- *What are "equivalent label requirements" – is the overall ambition level of the requirements enough or must they be on an equivalent level for e.g. energy efficiency, hazardous substances etc.?*
- *When can a tenderer not claim that there was no possibility of obtaining the label?*
- *When is a requirement not linked to the subject matter?*
  - Overall company policy requirements
  - Requirements on the overall production of a product

**Need to be careful in the formulation of the EU Ecolabel criteria to enable direct use under art 43, also when it comes to verification**



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*Questions? Please contact:*

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***GPP webpage: <http://ec.europa.eu/environment/gpp>***