



# The New Zealand Ecolabelling Trust

## Licence Criteria for Reusable plastic products

**EC-06-19**

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## Specification change history

Minor clarifications, corrections or technical changes made since the specification was last reviewed and issued in August 2019.

| Date | Version | Change |
|------|---------|--------|
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## 1 Introduction

Environmental Choice New Zealand (ECNZ) is an environmental labelling programme which has been created to help businesses and consumers find products and services that ease the burden on the environment. The programme results from a New Zealand Government initiative and has been established to improve the quality of the environment by minimising the adverse and maximising the beneficial environmental impacts generated by the production, distribution, use and disposal of products, and the delivery of services. The programme is managed by the New Zealand Ecolabelling Trust (the Trust).

ECNZ operates to the ISO 14024 standard "Environmental labels and declarations – Type I environmental labelling – Principles and procedures" and the Trust is a member of the Global Ecolabelling Network (GEN) an international network of national programmes also operating to the ISO 14024 standard.

ISO 14024 requires environmental labelling specifications to include criteria that are objective, attainable and verifiable. It requires that interested parties have an opportunity to participate and have their comments considered. It also requires that environmental criteria be set, based on an evaluation of the environmental impacts during the actual product or service life cycle, to differentiate product and services on the basis of preferable environmental performance.

The life cycle approach is used to identify and understand environmental issues (adverse or beneficial impacts) across the whole life of a product or service (within a defined product or service category). This information is evaluated to identify the most significant issues and from those to identify the issues on which it is possible to differentiate environmentally preferable products or services from others available in the New Zealand market. Criteria are then set on these significant and differentiating issues. These must be set in a form and at a level that does differentiate environmentally preferable products or services, is attainable by potential ECNZ licence applicants and is able to be measured and verified. As a result of this approach, criteria may not be included in an ECNZ specification on all aspects of the life cycle of a product or service. If stages of a product or service life cycle are found not to differentiate environmentally preferable products or services, or to have insufficient data available to allow objective benchmarking in New Zealand, those stages will not generally be included in criteria in the specification. For some issues, however, (such as energy and waste) criteria may be set to require monitoring and reporting. These criteria are designed to generate information for future reviews of specifications.

The Trust is pleased to publish this revised specification for reusable plastic products. The specification has been published to take account of substances and processes harmful to the environment, energy management, waste management, product stewardship and packaging requirements.

This revised specification sets out the requirements that reusable plastic products will be required to meet in order to be licensed to use the ECNZ Label. The requirements include environmental criteria and product characteristics. The specification also defines the testing and other means to be used to demonstrate and verify conformance with the environmental criteria and product characteristics.

This revised specification has been prepared based on an overview level life cycle assessment, information from specifications for similar products from other GEN-member labelling programmes, relevant information from other ECNZ specifications, and publicly available information.

This specification is valid for a period of five years. Twelve months before the expiry date (or at an earlier date if required), the Trust will initiate a further review process for the specification.

## 2 Background

Plastic is a versatile and durable material. Its durability becomes a problem if a plastic product is designed for a single use. Single-use products have a very short design life and are then disposed of. In New Zealand, disposal is either through a recycling scheme if available, or as litter or to landfill where 'degradation' could take hundreds of years<sup>1</sup>. In 1997, the Ministry for the Environment estimated that plastic made up 7% of the volume of New Zealand's landfill waste<sup>2</sup>. In 2004, this value had risen to 9%<sup>3</sup>. In the Auckland region alone, the amount of plastic going to landfills has risen from 8% in 2010, to 12% in 2016<sup>4</sup>.

The previous version of EC-06 (originally released in June 2012) was named "Recycled Plastic Products" and focused heavily on recycled content. A single-use plastic product could be licensed under EC-06-15, so long as it met the recycled content requirements. Given the global trend to move away from single-use plastics, the Trust has changed the name of EC-06 to "Reusable plastic products" and updated a number of requirements throughout the specification in order to prevent single-use/disposable plastic products from being granted an ECNZ licence. The updated criteria require that, above all, the product is durable and reusable and recyclable.

Once a reusable plastic product has reached the end of its useful life, recycling has potential to preserve the value of the material, as opposed to disposal to landfill or as litter. EC-06 promotes recycling of plastics through requirements that set minimum recycled content in products, ensure plastic parts can be easily separated from other materials in the product, require plastic products to have the appropriate plastic resin identification code, and require licence holders to consider product stewardship during design and end-of-life of their products.

Over time, the technology for recycling and re-processing post-consumer plastic material has continued to improve. The Trust intends to monitor recycled plastic availability and content in licensed products with the expectation that the minimum recycled content limits will be increased in future.

Depending on the product type and application, manufacture of plastic products involves the addition of various chemicals to the plastic. These may include pigments, plasticisers, flame retardants, and UV stabilisers. Some of these types of additives (or their ingredients) could potentially be carcinogenic, toxic, or ecotoxic. This specification contains criteria to minimise the use of hazardous substances as additives, either by promoting use of less hazardous alternatives or providing limits on the amounts of hazardous substances that may be present.

The following product category requirements will produce environmental benefits through reducing the amount of plastic entering the waste stream, conserving resources, reducing the use and subsequent release of environmentally harmful substances to the environment, and minimising the impacts of packaging.

As information and technology change, product category requirements will be reviewed, updated and possibly amended.

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<sup>1</sup> Our World in Data. 2018. FAQs on Plastics. <https://ourworldindata.org/faq-on-plastics#how-long-does-it-take-plastics-to-break-down>

<sup>2</sup> Ministry for the Environment. 1997. Waste generation and disposal in New Zealand. <https://www.mfe.govt.nz/publications/environmental-reporting/waste-generation-and-disposal-new-zealand>

<sup>3</sup> Stats NZ. 2008. Measuring New Zealand's Progress Using a Sustainable Development Approach. [http://archive.stats.govt.nz/browse\\_for\\_stats/snapshots-of-nz/Measuring-NZ-progress-sustainable-dev-%20approach/sustainable-development/waste.aspx](http://archive.stats.govt.nz/browse_for_stats/snapshots-of-nz/Measuring-NZ-progress-sustainable-dev-%20approach/sustainable-development/waste.aspx)

<sup>4</sup> Auckland Council. 2017. Auckland's Waste Assessment. <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/our-plans-strategies/topic-based-plans-strategies/environmental-plans-strategies/docs/wastemanagementplan/waste-assessment-2017.pdf>

### 3 Interpretation

 (Social responsibility) means a criteria or sub-clause within the ECNZ specification which addresses a social concern.

 (Environmental responsibility) means a criteria or sub-clause within the ECNZ specification which addresses an environmental concern.

**Additive** means any chemical which is used to polymerize, process or to modify end use properties of plastics. Additives include all chemicals added to the plastic component except monomers, polymers, co-polymers or physical mixtures of polymers.

**AS/NZS** means Australian/New Zealand Standard.

**Disposable** means a product designed to be thrown away after a single use or short period of time.

**Durable** means the ability for the product to be used multiple times.

**Energy Management Programme** means a programme to achieve and sustain efficient and effective use of energy including policies, practices, planning activities, responsibilities and resources that affect the organisation's performance for achieving the objectives and targets of the Energy Policy.

**GEN** means Global Ecolabelling Network.

**ISO** means International Organisation for Standardisation.

**Label** means the Environmental Choice New Zealand Label.

**Packaging** means material used to wrap or protect products. It does not include strapping or labels.

**Plastic component** means the plastic polymer plus any additives included to make the final plastic.

**Primary packaging** means the retail packaging, including wrappers, packets, and cartons. Primary packaging does not include the packaging used to group together multiple units of the same product for shipping to the retailer or distributor.

**PBDE** means polybrominated diphenyl ethers, which are organobromine compounds used as flame retardants.

**PBB** means polybrominated biphenyls (flame retardants).

**Recycled Plastic** includes:

- **Post-Consumer** means material generated by households, or by commercial, industrial and institutional facilities in their role as end-users of the product, which can no longer be used for its intended purpose. This includes returns of material from the distribution chain.
- **Pre-Consumer** means material diverted from the waste stream during a manufacturing process. For clarity: it **does not include** re-utilisation of materials such as rework, regrind or scrap generated in a process and capable of being reclaimed within the same process that generated it.

**Regrind** means the material that has undergone at least one processing method, and is then ground up again for reuse within the same process.

**Reusable** means the product has been designed and manufactured for multiple uses or extended life. As an example, for clarity, plastic courier bags that are designed to deliver and possibly return an item once only are not considered reusable in this EC-06 specification.

**SDS** means Safety Data Sheet.

**Waste Management Programme** means a programme to achieve and sustain efficient and effective minimisation and disposal of waste including policies, practices, planning activities, responsibilities and resources that affect the organisation’s performance for achieving the objectives and targets of the Waste Policy.

#### 4 Category definition

This category includes all reusable plastic products defined in the sub-categories in this section. Disposable<sup>5</sup> products cannot be granted an ECNZ licence.

To be licensed to use the Label, the reusable plastic product or packaging must meet the environmental criteria set out in clause 5 and product characteristics set out in clause 6.

| Product Sub-category |                                      | Sub-category examples  |
|----------------------|--------------------------------------|--|
| 4.1                  | Food and beverage containers         | Reusable lunch boxes, coffee cups, drink bottles   |
| 4.2                  | General household or office products | Non-food containers such as buckets, waste bins, storage containers, detergent bottles   |
| 4.3                  | Children’s toys                      |  |
| 4.4                  | Flexible packaging                   | Reusable plastic bags and sheets that are greater than 70 microns thick that are designed for multiple uses or long life (for example, not courier bags) |
| 4.5                  | Recreational equipment               | Playground equipment, mats, activity or sports gear  |
| 4.6                  | Horticultural supplies               | Flower pots, trays, garden edging, wheel barrows, compost bins   |
| 4.7                  | Agricultural and forestry equipment  | Irrigation products, fence posts   |
| 4.8                  | Construction materials               | Materials used in the construction of structures whether stationary or transportable, such as lumber, fencing, shingles or pavers                        |

<sup>5</sup> As defined in this specification, refer to Section 3 – Interpretation

## 5 Environmental criteria

### 5.1 Legal requirements

#### Criteria

The product must comply with the provisions of all relevant environmental laws and regulations that are applicable during the product's life cycle. 🌍

#### Verification required

Conformance with this requirement shall be demonstrated by providing a written statement on regulatory compliance, signed by the Chief Executive Officer or other authorised representative of the applicant company/licence holder. This statement shall be supported by current documentation:

- identifying the applicable regulatory requirements including specific obligations arising from permits, regulations, and plan rules; and
- demonstrating how compliance is monitored and maintained.

Where the licence applicant/holder is not the manufacturer of the plastic products, information must be provided on environmental regulatory compliance of the manufacturing facility.

Verification of continued compliance with legal requirements will form part of the Licence Supervision Plan. This will include requirements, if any, for ongoing supervision assessment of downstream warehousing or other distribution activities.

#### Explanatory notes:

Relevant laws and regulations applicable to the facilities that are manufacturing the ECNZ licensed product and the licence-holder's distribution and sales operations, could, for example, include those that relate to:

- Producing, sourcing, transporting, handling and storing raw materials and components for manufacture;
- Manufacturing processes;
- Handling, transporting and disposing of waste products arising from manufacturing;
- Transporting, handling and storing product within and between countries; and
- Using and disposing of the product.

The documentation required may include, as appropriate:

- Procedures for approving and monitoring suppliers and supplies;
- Information provided to customers and contractors regarding regulatory requirements;
- Evidence of a formal certified environmental management system (for example an ISO 14001 certificate) and supporting records on regulatory compliance (for example, copies of regulatory requirements registers, procedures to manage regulatory compliance, monitoring and evaluation reports on regulatory compliance, internal or external audits covering regulatory compliance and management review records covering regulatory compliance);
- Copies of published environmental, sustainability and/or annual reports expressly addressing environmental regulatory compliance (for example verified Environmental Statements prepared under the European EMAS regulations);
- Audit reports completed by independent and competent auditors addressing regulatory compliance (for example, reports for other eco-label licences or reports from regulator audits); and

- Participation by the supplier in the licence applicants/holders own supplier audit programme.

It is not intended to require licence-holders to accept increased legal responsibility or liability for actions that are outside their control. The Trust’s intention is to ensure any potential for environmental regulatory non-compliance associated with an ECNZ labelled product is managed to a level that minimises risk of reputation damage to the ECNZ label and programme.

## 5.2 Plastic content

### Criteria

The product must comprise at least 90% by weight of plastic components.

No other single material shall comprise more than 5% by weight.

### Verification required

Conformance with this criterion shall be stated in writing and signed by the Chief Executive Officer of the applicant company. The statements shall be supported by a product description including a list of components, their suppliers, material type and % by weight of the finished product.

## 5.3 Recycled content

### Criteria

- a The product must meet the minimum recycled plastic content for its sub-category, below. 

| Sub-category                               | Minimum recycled plastic content by weight of total plastic |
|--|---|
| 4.1 - Food and beverage containers         | 50%   |
| 4.2 - General household or office products | 75%   |
| 4.3 - Children’s toys                      | 50%   |
| 4.4 - Flexible packaging                   | 30%   |
| 4.5 - Recreational equipment               | 50%   |
| 4.6 - Horticultural supplies               | 75%   |
| 4.7 - Agricultural and forestry equipment  | 90%   |
| 4.8 - Construction materials               | 50%   |

The following are exempt from this clause:

- Specialised products (e.g. PVC pipes) where product performance standards set maximum recycled content requirements. Where this is the case, the maximum limit set in the relevant performance standard will apply as the minimum recycled content acceptable for award of an ECNZ licence.
- Food and beverage containers that are unable to contain recycled content due to food safety standards.

- b Licence-holders must: 
- i maintain records of the types and percentages of recycled plastic used in licensed products; and
  - ii have and implement an ongoing programme to review options and increase recycled plastic content in licensed products until an optimal level is achieved, as determined by the required performance characteristics and availability of recycled materials.

### Verification required

Conformance with the criteria for each sub-category, shall be stated in writing and signed by the Chief Executive Officer of the applicant company. These statements shall be supported by relevant quality control and production documentation, including:

- Records of recycled content used, and
- Annual report on programme review options to increase recycled content, and
- Details of product performance standards that limits recycled content or defines the optimal level.

## 5.4 PVC

### 5.4.1 Recycled PVC content

#### Criteria

The manufacturer of recycled plastic products that contain recovered or recycled flexible PVC materials that contain or may contain phthalates must implement a Materials Management Programme and report annually to the Trust on its implementation. The Materials Management Programme must include effective processes to:  

- i identify and segregate all incoming flexible PVC materials that do or may contain phthalates classified as carcinogens (6.7A), mutagens (6.6) or reproductive/developmental toxins (6.8);
- ii test or otherwise establish the presence and amount of phthalates of concern in, or likely to be in, the flexible PVC materials;
- iii ensure that flexible PVC materials that contain phthalates of concern are progressively and rapidly diverted from use in products that are intended for indoor use or that may involve skin or mucous membrane contact;
- iv ensure that any recycled plastic products that contain any of the phthalates of concern are only supplied to commercial, business or institutional organisations; along with detailed information about the phthalates that are present in the product, the health and environmental risks associated with these, and recommendations on appropriate use and future disposition to manage those risks; and
- v record how materials containing, or potentially containing phthalates of concern, have been used or otherwise disposed.

#### Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company/licence-holder. This statement shall be supported by initial and ongoing annual reports to the Materials Management Programme for recycled PVC.

### Explanatory note:

Regulators have identified the following phthalates to be of concern – dibutyl phthalate (DBP), diisobutyl phthalate (DIBP), butyl benzyl phthalate (BBP), di-n-pentyl phthalate (DnPP), di (2-ethylhexyl) phthalate (DEHP), di-n-octyl phthalate (DnOP), diisononyl phthalate (DINP) and diisodecyl phthalate (DIDP). These phthalates may be prohibited by the hazardous substances criteria in clause 5.5 below.

### 5.4.2 Virgin PVC content

Information shall be provided to ECNZ at application and thereafter reported annually on PVC and/or phthalates used in the plastic product. This should include information from production records and/or suppliers on:  

- i the percentages by weight of recycled and virgin PVC;
- ii the particular production processes (membrane cells, non-asbestos diaphragms, modified diaphragms, graphite anodes, mercury cells, closed-lid production etc.) used to produce chlorine and VCM for the PVC being used in an ECNZ-licensed product (including the locations of the production);
- iii information, where available, on waste disposal, wastewater treatment and emissions to air (occupational exposure, emissions from the factory and emissions from the final PVC resin);
- iv information on any Environmental Management System (EMS) for the production process, including requirements for waste, water, air and product-related requirements;
- v the types of stabilisers used;
- vi the types and amounts of any phthalate plasticisers present in recycled content of the PVC (if that information is available) and/or added when manufacturing PVC;
- vii research and initiatives implemented on substitutes for phthalates identified as of concern by regulators; and
- viii any product stewardship arrangements for the PVC.

### Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company/licence-holder. This statement shall be supported by initial and ongoing annual reports to the Trust on PVC and plasticisers used.

## 5.5 Hazardous substances

### Criteria

- a The following substances (including any compounds), or substances with the following classifications, shall not be added to the reusable plastic product during the production processes:  

| Substance or HSNO Classification                           | Restriction                               |
|--|---|
| Arsenic, cadmium, chromium, copper, lead, mercury, and tin | None allowed                              |
| 6.7A (known or presumed carcinogens)                       | None allowed                              |
| 6.6 (mutagens)   | None allowed                              |
| 6.8 (reproductive/ developmental toxins)                   | None allowed                              |
| 6.5 (respiratory and contact sensitisers)                  | 0.1 % of plastic product/component weight |

|  |   |
|--|---|
| 6.1 (acutely toxic)  | 0.1 % of plastic product/component weight |
| 9.1A (aquatic ecotoxins) AND which are not readily degradable or are potentially bioaccumulative: or substances classified as 9.1B   | None allowed                              |
| Halogenated organic substances or solvents<br><i>(used in the manufacture of preparatory agents or agents for the degreasing or surface treatments of recycled plastic products)</i> | None allowed                              |
| Polybrominated diphenyl ethers (PBDE)<br><i>(used in the manufacture of preparatory agents or agents for the degreasing or surface treatments of recycled plastic products)</i>      | None allowed                              |
| Polybrominated biphenyls (PBB)<br><i>(used in the manufacture of preparatory agents or agents for the degreasing or surface treatments of recycled plastic products)</i>             | None allowed                              |
| Halogenated flame retardants<br><i>(used in the manufacture of preparatory agents or agents for the degreasing or surface treatments of recycled plastic products)</i>               | None allowed                              |

The following are exempt from these requirements:

- trace levels (<0.1% by weight) of substances reported in SDS to potentially be present as contaminants or impurities in raw materials or component substances; or
- flexible PVC materials collected as recycled content that are covered by the requirements in clause 5.4 below

A substance is considered to be potentially bio-accumulative if the log  $K_{ow}$  (log octanol/water partition coefficient)  $\geq 3.0$  (unless the experimentally determined BCF  $\leq 100$ ).

- b The concentration of metals in any recycled plastic raw materials shall be monitored and compared with published safety standards applicable to the product, if any exist. 🌍 👤

### Verification required

Conformance with these requirements shall be demonstrated by providing a written statement on compliance, signed by the Chief Executive Officer or other authorised representative of the applicant company. The statement shall be supported by relevant formulation and ingredient information, including:

- formulation information sufficient to establish if the above % limits or specific ingredient requirements are met;
- ingredient lists;
- identification of the classifications that apply to ingredient substances, confirming all meet the above criteria;
- information (which may include supplier declarations and supporting evidence) demonstrating no banned substance is added or used;
- copies of the safety data sheets (SDS), test reports (or other evidence) for all ingredients, which indicate that they meet the criteria listed in (a);
- information on any applicable product standards that set metals limits for plastic products, together with supporting test reports or other evidence (consistent with the requirements of the applicable product standard) to demonstrate that the limits are met; and
- records of the source of recycled plastic that is used in products for which there are no applicable product standards that set metal limits.

Additional supporting documentation about quality control and production processes may also be required to demonstrate that compliance with the requirement is checked and consistently achieved.

## 5.6 Energy management

### Criteria

- a The licence applicant/holder must have effective energy management policies and procedures and/or an energy management programme. 🌍
- b Licence holders must report annually to the Trust on energy management, including: 🌍
  - total energy use;
  - breakdown of total energy use to types of energy used;
  - energy use related to production;
  - initiatives taken to reduce energy use and improve energy efficiency;
  - initiatives taken to calculate and reduce CO<sub>2</sub> emissions associated with energy use; and
  - initiatives or requirements for suppliers or contract manufacturers.

### Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company. This statement shall be accompanied by documentation that:

- describes the energy management policies, procedures and programmes; and
- includes annual reports on energy use and management.

## 5.7 Waste management

### Criteria

- a The licence applicant/holder must have effective waste management policies and procedures and/or a waste management programme. 🌍
- b Licence holders must report annually to the Trust on waste management and packaging processes, including: 🌍
  - quantities and types of waste recovered for reuse internally and externally;
  - quantities and types of waste recycled internally and externally;
  - quantities and types of waste disposed of to landfill;
  - quantities and types of waste burned internally for energy recovery;
  - waste generation related to production;
  - initiatives taken to reduce waste generation and improve recovery/recycling of waste; and
  - initiatives or requirements for suppliers or contract manufacturers.

### Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company. This statement shall be accompanied by documentation that:

- describes the waste management policies, procedures and programmes; and

- includes annual reports on waste generation and management.

## 5.8 Packaging requirements

### Criteria

- a All primary plastic packaging must be made of plastics that are able to be recycled in the country where the product is sold. 🌍
- b Primary packaging must not be impregnated, labelled, coated or otherwise treated in a manner, which would prevent recycling (i.e. metallic labels). 🌍
- c Primary cardboard packaging shall consist of any combination of: 🌍
  - Packaging licensed under EC-10  
OR
  - recycled content  
AND/OR
  - virgin fibre from native forests provided the forests are covered by a current Sustainable Forest Management (SFM) certification  
AND/OR
  - waste wood, or virgin fibre from plantations (including from farm forests or wood lots), provided the sources are legally harvested.

Please see Appendix B for details of acceptable evidence of legally harvested and SFM certifications.

### Verification required

Conformance with these criteria shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company/licence holder. This statement shall be supported with the following documentation and evidence.

- Conformance with criteria (a) and (b) shall be supported by documentation verifying the packaging is recyclable;
- Conformance with criteria (c) shall be supported by documentation from the packaging manufacturer verifying the recycled content of the cardboard packaging or verifying the source of all virgin fibre in the cardboard packaging

### Explanatory notes for c – Primary cardboard packaging:

This clause requires details of forest management certifications, chain-of-custody certifications, and physical controls for SFM certified wood through the supply chain from the forest to the manufacturer. It does not require that the finished product carry a FSC or PEFC (or equivalent) label, nor does it require any information about FSC or PEFC credits generated in the supply chain or assigned to the finished products.

## 5.9 Customer information

### Criteria

Information must be provided on the product packaging, or by other means, on appropriate use, storage, and maintenance, to describe how the intended product design life and reusability of the product can be achieved. 🌍 👤

## Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company. This statement shall be supported by copies of product packaging/labels or other information provided to customers.

### 5.10 Separation of plastic component

#### Criteria

It must be possible to separate the plastic component from other materials in the product without the use of special tools. 🌐

#### Verification required

Conformance with this requirement shall be stated in writing and signed by the Chief Executive Officer or other authorised representative of the applicant company. This statement shall be supported by appropriate documentation of product specifications, production methods and quality controls.

#### Explanatory note:

The plastic component may consist of the plastic polymer plus any additives included to make the final plastic.

### 5.11 Plastic resin code

#### Criteria

To be licensed to carry the ECNZ ecolabel, the plastic product (or components) must be marked on each individual item with the appropriate plastics resin identification code promulgated by the Plastics Institute of New Zealand (refer to Appendix A). 🌐

#### Verification required

Conformance with the criterion shall be stated in writing and signed by the Chief Executive Officer of the applicant company. The statement shall be supported by relevant quality control and production documentation.

#### Explanatory note

Exceptions may be made for products where the nature of the manufacturing process or the size and shape of the product restrict the application of the plastics resin identification code on the product. Products exempted on this basis will ensure that appropriate information describing disposal methods for the product, including the relevant plastic resin identification code, will be provided on the packaging of the item as well as at the time of sale to encourage recycling.

### 5.12 Product stewardship

#### Criteria

- a The plastic product must not be impregnated, labelled, coated or otherwise treated in a manner which would prevent recycling or reuse in New Zealand or in the country where the product is used. 🌐
- b Licence holders must report annually to the Trust on product stewardship, including: 🌐
  - availability, feasibility, and involvement in product takeback schemes;
  - initiatives taken to promote or implement takeback schemes; and

- initiatives or requirements for suppliers or contract manufacturers.

### Verification required

Conformance with these criteria shall be stated in writing and signed by the Chief Executive Officer of the applicant company. This statement shall be accompanied by documentation that:

- Provides process information demonstrating that coatings/labels do not prevent the product from being recycled or reused;
- Describes the product stewardship initiatives, procedures and programmes; and
- Includes annual reports on product stewardship initiatives.

## 6 Product characteristics

### 6.1 Product performance

#### Criteria

- a The product must be fit for its intended use and conform, as appropriate, to relevant product performance standards.  
- b The product must not be disposable<sup>6</sup>. It must have a proven life expectancy, and have quality and performance test data to support this. 
- c For reusable plastic bags, the product must comply with the *Waste Minimisation (Plastic Shopping Bags) Regulations 2018*<sup>7</sup> requiring either the bag: 
  - is constructed of nylon, polypropylene, or polyester fabric, whether woven or non-woven, and designed to be multi-use; or
  - is certified by an entity accredited by the Joint Accreditation System of Australia and New Zealand, or by an entity accredited by a comparable independent accrediting entity or organisation, to be capable of carrying 5 kg over a distance of 100 m for a minimum of 55 uses.

### Verification required

Conformance with these requirements shall be demonstrated by providing a written statement of compliance, signed by the Chief Executive Officer or other authorised representative of the applicant company.

Conformance with a) shall be supported by documentation:

- identifying the applicable standards, specifications and or consumer/customer requirements;
- demonstrating how compliance is monitored and maintained (including quality control and assurance procedures); and
- records of customer feedback and complaints.

Conformance with requirement b) shall be supported by information on the life expectancy of the product, as well as the performance test data used to quantify this life expectancy.

Conformance with requirement c) shall be supported by providing information on the material type or by providing a copy of the compliance certificate.

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<sup>6</sup> As defined in this specification, refer to Section 3 - Interpretation

<sup>7</sup> Available at <http://www.legislation.govt.nz/regulation/public/2018/0270/6.0/whole.html#d1582987e336>

## **7 Requirements and notes for Licence Holders**

### **Monitoring Compliance**

Prior to granting a licence, The Trust will prepare a plan for monitoring ongoing compliance with these requirements. This plan will reflect the number and type of products covered by the licence and the level of sampling appropriate to provide confidence in ongoing compliance with criteria. This plan will be discussed with the licence applicant and when agreed will be a condition of the licence.

As part of the plan, The Trust will require access to relevant quality control and production records and the right of access to production facilities. Relevant records may include formal quality management or environmental management system documentation (for example, ISO 9001 or ISO 14001 or similar).

The monitoring plan will require the licence holder to advise The Trust immediately of any non-compliance with any requirements of this specification which may occur during the term of the licence. If a non-compliance occurs, the licence may be suspended or terminated as stipulated in the Licence Conditions. The licensee may appeal any such suspension.

The Trust will maintain the confidentiality of identified confidential information provided and accessed during verification and monitoring of licences.

### **Using the ECNZ Label**

The Label may appear on the wholesale and retail packaging for the product, provided that the product meets the requirements in this specification and in the Licence Conditions.

Wherever it appears, the Label must be accompanied by the words 'Reusable plastic products' and by the Licence Number e.g. 'licence No1234'.

The Label must be reproduced in accordance with the ECNZ key line art for reproduction of the Label and the Licence Conditions.

Any advertising must conform to the relevant requirements in this specification, in the Licence Conditions and in the key line art.

Failure to meet these requirements for using the ECNZ Label and advertising could result in the Licence being withdrawn.

## Appendix A Plastic identification codes

| Symbol  | Type of plastic   | Properties  | Common uses  |
|---|---|---|--|
| <br>PETE   | PET<br>Polyethylene<br>Terephthalate  | Clear, tough, solvent resistant,<br>barrier to gas and moisture,<br>softens at 70°C   | Soft drink and water bottles, salad<br>domes, biscuit trays, salad dressing and<br>peanut butter containers, fleece<br>clothing and geo-textiles   |
| <br>HDPE   | HDPE<br>High Density<br>Polyethylene  | Hard to semi-flexible, resistant to<br>chemicals and moisture, waxy<br>surface, opaque, softens at 135°C,<br>easily coloured, processed and<br>formed           | Crinkly shopping bags, freezer bags,<br>milk bottles, ice cream containers, juice<br>bottles, shampoo, chemical and<br>detergent bottles, buckets, rigid<br>agricultural pipe, milk crates |
| <br>PVC  | <b>PVC</b><br>Unplasticised<br>Polyvinyl Chloride<br>PVC-U  | Strong, tough, can be clear, can be<br>solvent welded, softens U  | Cosmetic containers, electrical conduit,<br>plumbing pipes and fittings, blister<br>packs, wall cladding, roof sheeting,<br>bottles  |
|   | Plasticised Polyvinyl<br>Chloride PVC-P   | Flexible, clear, elastic, can be<br>solvent welded  | Garden hose, shoe soles, cable<br>sheathing, blood bags and tubing,<br>watch straps, commercial cling wrap   |
| <br>LDPE   | <b>LDPE</b><br>Low density<br>Polyethylene<br><b>LLDPE</b><br>Linear low density<br>Polyethylene  | Soft, flexible, waxy surface,<br>translucent, softens at 80°C,<br>scratches easily  | Cling wrap, rubbish bags, squeeze<br>bottles, black irrigation tube, black<br>mulch film, rubbish bins, shrink wrap  |
| <br>PP   | <b>PP</b><br>Polypropylene  | Hard but still flexible, waxy<br>surface, softens at 145°C,<br>translucent, withstands solvents,<br>versatile   | Dip pottles and ice cream tubs, potato<br>chip bags, straws, microwave dishes,<br>kettles, garden furniture, lunch boxes,<br>blue packing tape, automotive parts                           |
| <br>PS<br><br>EPS | <b>PS</b><br>Polystyrene  | Clear, glassy, rigid, brittle, opaque,<br>semi-tough, softens at 95°C.<br>Affected by fats and solvents   | CD cases, plastic cutlery, imitation<br>'crystal glassware', low cost brittle toys,<br>video cases, water station cup, safety<br>helmets   |
|   | <b>EPS</b><br>Expanded Polystyrene  | Foamed, light weight, energy<br>absorbing, heat insulating  | Foamed polystyrene hot drink cups,<br>hamburger take-away clamshells,<br>foamed meat trays, protective<br>packaging for fragile items, insulation,<br>insulation panels                    |
| <br>OTHER  | <b>OTHER</b> - Letters below<br>indicate ISO code for<br>plastic type including<br>SAN, ABS, PC, Nylon,<br>degradable plastic e.g.<br>PLA | Includes all other resins and multi-<br>materials (e.g. laminates) and<br>degradable plastics. Properties<br>dependent on plastic or<br>combination of plastics | Packaging, car parts, appliance parts,<br>computers, electronics, water cooler<br>bottles, medical devices   |

## Appendix B Explanatory notes for 5.8 c

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### Legal harvesting – for fibre from plantations, and waste wood from all virgin fibre sources:

The following will be accepted as sources of information to demonstrate legal harvesting, where chain of custody evidence is available for virgin fibre sources:

- Forest Stewardship Council – “Certified” or “Controlled Wood” ([www.fsc.org](http://www.fsc.org)).
- Programme for the Endorsement of Forest Certification (PEFC) - “Certified” or “Controlled Sources” ([www.pefc.org](http://www.pefc.org)).
- SGS Timber Legality & Traceability Verifications service (TLTV) Verification of Legal Compliance certification (TVTL-VLC) (<http://www.sgs.com/en/Public-Sector/Monitoring-Services/Timber-Traceability-and-Legality.aspx>).
- Rainforest Alliance SmartWood Verification of Legal Compliance (VLC) certification (<http://www.rainforest-alliance.org/forestry/verification/legal>).
- System Verifikasi Legalitas Kayu - Timber Legality Verification System (SVLK) certified, or SVLK/PHPL (Pengelolaan Hutan Produksi Lestari – Sustainable Production Forest Management) certified (<http://liu.dephut.go.id/>).
- Sustainable Forest Management Plans (supported with Annual Logging Plans) that have been prepared and approved under the New Zealand Forests Act 1949 (amended in 1993).
- Evidence of legal harvesting from the Global Forest Registry ([www.globalforestregister.org](http://www.globalforestregister.org))

### Sustainable Forest Management (SFM) – for fibre from native forests:

The FSC and PEFC certification schemes each have a range of certificates/labels. Some of these allow for wood/fibre from certified sustainably managed plantations or forests to be mixed with non-certified wood/fibre. Under FSC Mixed Credit or PEFC Volume Credit methods, wood/fibre or products associated with the certification claim or label may or may not actually contain wood/fibre from the certified sustainably managed source. Certifications for fibre from native sources accepted by The Trust are those which will ensure that fibre from sustainably managed native forests will be actually present in the final packaging used for ECNZ licensed products. These are set out below.

Types of FSC claims<sup>8</sup> on invoices or packing slips which can be used to demonstrate compliance with the SFM requirements:

- FSC 100 %; and
- FSC Mix Credit – only if the manufacturer can demonstrate that fibre from SFM is actually present in the ECNZ products.

FSC Controlled Wood does not demonstrate SFM.

Types of PEFC claims<sup>9</sup> which can be used to demonstrate compliance with the SFM requirements:

- PEFC Certified – Physical Separation method; and
- X % PEFC Certified – Volume Credit method – only if the manufacturer can demonstrate that fibre from SFM is actually present in the ECNZ products.

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<sup>8</sup> *FSC Chain of Custody Certification – factsheet*. FSC UK, 14 January 2013.

<sup>9</sup> *PEFC Chain of Custody Certifications – The Key to Selling Certified Products*. PEFC, 2012.

PEFC Controlled Sources does not demonstrate SFM.

The following certification schemes will be accepted as equivalent to FSC or PEFC certification of SFM:

- Pengelolaan Hutan Produksi Lestari – Sustainable Production Forest Management certified (PHPL) (<http://liu.dephut.go.id/>); and
- Sustainable Forest Management Plans, supported with Annual Logging Plans, which have been prepared and approved under the New Zealand Forests Act 1949 (amended in 1993). These Plans must be prepared in accordance with Standards and Guidelines for the Sustainable Management of Indigenous Forests<sup>10</sup> and guidance for preparing Sustainable Management Plans and Annual Logging Plans<sup>11</sup>. Wood sourced from New Zealand indigenous forests covered by approved plans will be accepted as equivalent to FSC sustainably managed forest certification provided compliance with the approved plans is demonstrated through independent on-site assessment.

For any other schemes to be considered, the applicant will be required to provide detailed information that demonstrates the certification scheme is credible and equivalent.

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<sup>10</sup> *Standards and Guidelines for the Sustainable Management of Indigenous Forests*, Fourth Edition. Ministry of Agriculture and Forestry 2009 (or any more recent edition applicable at the time of application for an ECNZ licence).

<sup>11</sup> *Indigenous Forestry Sustainable Management: A Guide to Preparing Draft Sustainable Forest Management Plans, Sustainable Forest Management Permit Applications and Annual Logging Plans*. Sustainable Programmes, Ministry of Agriculture and Forestry Policy 2009.