



Deliverable D.A.9

Recommendations for amending green public procurement regulations in Israel to increase demand for recycled plastics

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1 Introduction –Green Public procurement policies

Green Public Procurement (GPP) is an important tool to achieve environmental policy goals. In the EU, government expenditure on works, goods and services represents around 14% of GDP, accounting for roughly EUR 1,8 trillion annually.¹ In Israel, out of total government expenditure of 427.6 billion NIS for 2014, government procurement amounted to 25 billion NIS (excluding Ministry of Defense).

European <u>DIRECTIVE 2014/24/EU</u>² enables public authorities to take environmental considerations into account. This applies during pre-procurement, as part of the procurement process itself, and in the performance of the contract. Rules regarding exclusion and selection aim to ensure a minimum level of compliance with environmental law by contractors and subcontractors. Techniques such as life-cycle costing, specification of sustainable production processes, and use of environmental award criteria are available to help contracting authorities identify environmentally preferable bids.

By using their purchasing power to choose goods, services and works with a reduced environmental impact, public authorities can make an important contribution towards local, regional, national, and international sustainability goals. GPP can be a major driver for innovation, providing industry with real incentives for developing green products and services. This is particularly true in sectors where public purchasers represent a large share of the market (e.g., construction, health services, or transport). GPP may also provide financial savings for public authorities – especially if one considers the full life-cycle costs of a contract and not just the purchase price.

Within the circular economy action plan the EC will propose minimum mandatory green public procurement criteria and targets in sectoral legislation, and phase in compulsory reporting to monitor the uptake of GPP. Furthermore, the Commission will support capacity building and encouraging public buyers to take part in the <u>Big Buyers for Climate and Environment</u> initiative^J, which will facilitate exchanges among buyers committed to GPP implementation. Lastly, the future Strategy for a Sustainable Built Environment, which is part of the action plan, will integrate life cycle assessment in public procurement.

GPP adoption in EU member states

In 2003, the European Commission in its <u>Communication on Integrated Product Policy</u> (IPP) encouraged Member States to draw up publicly available National Action Plans (NAPs) for greening their public procurement.

Several countries and regions have also developed GPP criteria sets. In many cases these are similar to the EU GPP criteria, with adjustments to reflect the particular circumstances or priorities of the authorities developing them.

Buying green p4 https://ec.europa.eu/environment/gpp/pdf/Buying-Green-Handbook-3rd-Edition.pdf for entities operating in the water, energy, transport and postal services sectors directive Directive 2014/25/EU is of more relevance.





The EU had prepared environmental procurement criteria for numerous product and service groups which can be directly inserted into tender documents. Some Member States have specific rules which create mandatory GPP standards for sectors or types of contracts. National procurers should ensure they are up to date with national requirements.

Individual contracting authorities at the local, regional, and national level have also adopted green and sustainable procurement practices. In some cases, their actions have inspired the NAPs, or been taken up as examples in other Member States. A collection of over 100 of these examples can be found at the environmental DG <u>GPP website</u>.

In 2017, ISO published ISO 20400:2017, a standard aimed at providing guidance to organizations, independent of their activity or size, on integrating sustainability within procurement, as described in ISO 26000. It is intended for stakeholders involved in, or impacted by, procurement decisions and processes.





2. Specific measures to address recycled plastic in GPP policies

2.1 United States of America

2.1.1

EO 13693 <u>Planning for Federal Sustainability in the Next Decade</u>: refers to " (i) promote sustainable acquisition and procurement by ensuring that each of the following environmental performance and sustainability factors are included to the maximum extent practicable for all applicable procurements in the planning, award, and execution phases of the acquisition by: (i) meeting statutory mandates that require purchase preference for:

(amongst others) recycled content products designated by EPA".

2.1.2

The EPA's "Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing" refer to a list of ecolabels as recommendations for use in tenders specifications, some of which require recycled content.

2.2 European Union

2.2.1 Green Public Procurement in the EU

EU legislation or guidance mentions recycled content, as defined by ISO14021 for example. GPP criteria for building design and management "Green Public Procurement Criteria for Office Building Design, Construction and Management" (2016), requires 15% recycled content in the building. the criteria on imaging equipment ("EU green public procurement criteria for imaging equipment, consumables and print services") require the use of post-consumer recycled plastic and ask the manufacturer to provide documentation that specifies the percentage of postconsumer plastic used within the imaging equipment.

The European Commission's Strategy for Plastics in a Circular Economy released in 2018 identifies GPP as a tool for reducing plastic waste and highlights the role of GPP criteria can play in improving the recyclability of plastics. The strategy also recommends that national, regional, and local authorities should make greater use of public procurement to support plastic waste prevention and recycling plastics.

The strategy addresses procurement as follows:

- The Commission developed criteria to improve the recyclability of plastics in its Ecolabel and Green Public Procurement criteria (e.g., marking large plastic parts to facilitate sorting, designing plastic packaging for recyclability, and designing items for easy disassembly in furniture and computers) (p.11).
- The Commission will explore targeted sectoral interventions (e.g., applications in the construction and automotive sectors show good potential for uptake of recycled content). In the context of future work on the Packaging and Packaging Waste Directive, thought will also be given to using economic instruments to reward the use of recycled content in the packaging sector. Finally, the Commission will work on integrating recycled content in Green Public Procurement criteria (p.12).





• Further incentivize the use of recycled plastics, including by developing adequate verification means (p.18).

Under "Key measures to improve the economics and quality of plastics recycling related to procurement" the report specifies that National and regional authorities are encouraged to favor reusable and recycled plastics in public procurement.

2.2.3 The Plastic-Zero project

Plastic-Zero project, funded under EU LIFE program, published The Green Public Procurement Manual on Plastic Waste Prevention which includes specifications on the technical and environmental quality of the plastic materials components:

- products containing previously recycled plastic should be preferred.
- plastic pieces should be marked according to ISO 11469 (or equivalent) above a certain weight;
- substances based on lead, cadmium, mercury or its compounds should not be added to plastic materials.

2.2.4 The Basque Environmental Management Authority

The Basque Environmental Management Authority conducted a case study on the applicability of those guidelines on the procurement of green office furniture.

2.2.5 The Netherlands

Under the Sustainable Public Procurement Criteria for the Dutch Government, there are three articles that address plastics directly:

- "Street furniture / Purchase and repair of playground equipment plastic parts provided with marking":
 - If plastic parts with a weight greater than or equal to 50 grams and an area available for marking of at least 5 cm2 are visibly marked with a symbol or abbreviation as described in <u>ISO 11469</u> or <u>ISO 1043</u>, the tender will be rated higher. Exceptions are parts for which the tenderer can substantiate that marking is not possible for technical reasons.
- "Landscaping/urban green spaces Sustainable Material Usage": The tender will be rated higher when:
 - 1. Delivery requires less material (weight);
 - 2. A <u>larger percentage</u> of the delivered products consists of:
 - recycled products, biodegradable material, recycled raw materials, biobased raw materials.

The products are delivered with a product description from the manufacturer, showing that the products have been reused and/or what material the products consist of and how the products and/or the material meet one or more of the above properties.





MVO Circular Procurement Guide³ includes the suggestion to use KPI's on the amount of recycled material to stimulate circularity.⁴

<u>Clarissa Morawski</u> (CEO Reloop Platform): "The price of oil, and therefore plastic procurement costs, fluctuates which provides an insecure marketplace for investment in collection, sorting and processing systems. If legislators introduce mandated minimums for recycled content, producers can do the right thing without worrying that their competition

2.2.6 Denmark – Inclusion of recycling and recyclability criteria for cleaning services

2.2.6.1 In the Danish municipality Lolland, recycling and recyclability criteria for packaging have been included in their tender for cleaning services: "75% of material used for bags must be recycled or biodegradable; non-reusable packaging must be easy to separate into single material types; monomaterials are to be used if possible; only recyclable materials must be used; and use of dark colours must be avoided."⁵

2.2.6.2 Aalborg Municipality launched a pre-commercial procurement process (see also 3.12.2 below) on circular playgrounds, and developed innovative circular award criteria, which encourage the use of circular playground equipment (long-lasting, made with recycled materials and recyclable at end-of-life).

2.2.7 Wales

WRAP Cymru's '<u>Towards a Route Map for Plastic Recycling'</u> sets out proposed actions and initiatives that can be taken forward by industry, government, public sector, trade bodies and support organisations in Wales, to retain plastics in economic use for as long as possible.

It recommends that by 2025, public sector bodies in Wales should:

- mandate that all plastic products and packaging procured by the public sector are
 - reusable or recyclable and incorporate recycled content, wherever technically possible;
 - o achieve a collection and recycling rate of >90% of publicly procured plastics;
- and set and achieve recycled content targets for selected products. By specifying goods that contain recycled content and/or are fully re-usable or recyclable (in Wales' current recycling systems), public bodies can reduce greenhouse gas emissions and make progress towards Wales' Well-being Goals and the low carbon public sector policy aims.⁶

The strategy also elaborates on the target to achieve a collection and recycling rate of >90% of publicly procured plastics the following:

^{[3] 3} https://leefmilieu.brussels/sites/default/files/user_files/overheidsopdrachten_voor_een_circulaire_economie_goede_praktijken_en_richtsnoeren.pdf

^{[4] 4} https://wegwijzer.gdci.nl/en/topics/procurement-process/circular-contracting/#accordion-item-title-3

^{[5]5} Regional Network for Sustainable Procurement, Best Practices Report Circulair Procurement 2017. https://sppregions.eu/fileadmin/user_upload/Resources/Circular_Procurement_Best_Practice_Report.pdf

^[6] WRAP CyrMu, Public Sector Guidance on the Procurement of Plastics, 2019.

https://sustainable-procurement.org/fileadmin/templates/sp_platform/lib/sp_platform_resources//tools/push_resource_file.php?uid=e5cd7687





- to eliminate, through green procurement (GPP), all non-recyclable materials and products (including platsics) arising from the public sector purchases.
- to identify and evaluate opportunities to specify minimum % of recycled content across targeted spend categories.

2.2.8 Belgium

C2C Cleaning Products

The objective of greening Ghent's municipal cleaning services and achieving the use of 100% environmentally sound products includes the following specifications:

Packaging uses 85% recycled cardboard; plastic bottles made from polyethylene highdensity (PEHD) are 100% recyclable and include 10% recycled material; bottles made of polyethylene terephthalate (PET) are 100% recyclable and new bottles are made of 81% recycled materials.⁷

2.3 Canada

2.3.1 The Canadian Procurement Plan

<u>Part B: Scorecard for Goods</u> includes the following mandatory specification or fully implemented initiatives related to recycled (plastic) content.

- Resource Input
 - Plastic parts contain recycled content
 - Major parts contain recycled content
- Product design:
 - Major components are designed to be disassembled
- Manufacturing
 - o Waste material from the manufacturing process is recycled
- Packaging and distribution
 - Recycled materials are used to produce packaging
 - o Supplier accepts the packaging for reuse, recycling, or recovery.
- Disposal

The program exists to recondition, reuse, or recycle parts.

The plan refers to the <u>ECOLOGO</u> label, which has a specific section on <u>Sustainability for</u> Products made from Recycled Plastic.⁸

⁷ United Nations Environment Program, Building Circularity into Economies Through Sustainable Procurement, 2018

https://wedocs.unep.org/bitstream/handle/20.500.11822/26599/circularity_procurement.pdf?sequence=1&isAllowed=y

⁸ In the EU, the New Circular Economy Action Plan stipulates that the durability, recyclability and recycled content requirements will be more systematically included in the EU Ecolabel criteria" ... In order to contribute towards the transition to a more circular economy, the criteria set mandatory requirements on the reuse of





2.3.2

The Recycling Council of Ontario created an <u>Implementation Plan and Framework for Integrating Circular Economy Approaches into City Procurement Processes to support Waste Reduction and Diversion</u>, that was adopted by the Government Management Committee of Toronto in 2018, where it outlines "Percentage of recycled content used in materials evaluated using Circular Economy principles" as a measure under the preliminary Evaluation Framework (p.3).

2.4 South-Korea

South-Korea has included recycled plastics as a specific product group to be covered in its Green Public Procurement programs (p.8). As product criteria, it uses the Korea Ecolabel, Recycled Mark (under the regulatory framework of the Act of Promotion of Saving and Recycling Resources), and other environmental criteria set by the Ministry of Environment. GPP guidelines are updated annually and can be found here. Under the act, a mandatory recycling ratio for each EPR product category is announced every year by the Ministry of Environment.

To ensure the implementation and transparency of the related procurement, the Korea Environment Corporation (KECO) checks and monitors producer compliance. Producers and importers, together with recycling businesses, are obliged to record on-line the recycling process – including the amount of waste collected and the methods of recycling - and KECO confirms the records through on-site inspections.

2.5 Costa Rica

Towards a New Vision for Costa Rica's Public Procurement System (2020), mentions Article 2 of the Integrated Waste Management Law (Ley para la Gestión Integral de Residuos, No.8839). One of the objectives of this law is:

"contracting authorities from both the central and the subnational level can promote the procurement and use of reusable, recyclable, biodegradable and recoverable materials, as well as products manufactured with recycled material. Contracting authorities can also use environmental and life-cycle criteria for the tender evaluation, in accordance with the criteria established in the Regulation of this Law (La Asamblea Legislativa de la República de Costa Rica, 2010)".

2.6 Cameroon

WasteAid is currently working in Douala, Cameroon, where the local government is supporting recycling by ordering recycled products on a large scale to improve local infrastructure.

process waste and incentivise the incorporation of recycled/secondary material content, where appropriate" https://eur-lex.europa.eu/eli/dec/2021/476/oj





3 Recommendations for measures and minimum criteria in public procurement in Israel to increase demand for recycled plastic

3.1 Recommendation 1: Use of ecolabels in procurement:

We did not find compulsory minimum criteria for recycled content in GPP anywhere in the world. However, as shown before, the main tool for including recycled content is the eco labels. It is therefore recommended that PP in Israel set a minimal ratio of tenders that include a demand for an eco label as a mandatory requirement. At the beginning this can be set at 5% of the tenders for which an eco label exists, and this number should be increased on a yearly basis.

3.1.1

An alternative to holding an eco label could be a proof that products comply with its criteria, as it is often difficult for Israeli producers to obtain foreign eco labels.

3.1.2

This 5% ratio should apply not only to government purchasing, rather to all public bodies funded partially by the government (local authorities, academic institutes, IDF). A statute should be established that creates a reporting and enforcement mechanism.

3.1.3

In the case of energy related products, EN 45557 standard may be used to specify and verify the percentage of postconsumer plastic used.

3.2 Recommendation 2: Award criteria for recycled content

It is recommended that ALL tenders include an award criteria for recycled content (not only plastic) in the product offered, much like locally produced goods are awarded 15% bonus on the price comparison.

3.3 Recommendation 3: Require that products are packaged in best in class packaging material

The Israeli manufacturers association published in 2021 the guidelines for sustainable packaging design, and the UNIDO commissioned consortium led by Afeka Institute of circular engineering and economy published the tool for design of recyclable packaging. In procurement involving packaged goods manufactured in Israel, use should be made of the UNIDO formulated tool for sustainable packaging, to demand packages are in the best (green) category.





3.4 Recommendation 4: Help desk to guide public procurers

A public agency should be established to guide public procurers on GPP, as well as to enforce adherence to the minimal standard of 5% of tenders as described above. For public bodies funded partially by the government (local authorities, academic institutes, IDF), a help desk much like the one established in the EU - that will assist public procurers in taking the first steps in GPP (and particularly in the integration of recycled plastic in procurement specs) is highly advisable.

3.5 Recommendation 5: Establish a verification entity for recycled content claims

3.5.1

As it is very difficult for procurement professionals to verify or quantify the recyclability claims of manufacturers, it may be relevant to establish such an entity – possibly a "company for the public good", an NGO, academic lab, or – a commercial service. In North America, GreenBlue had developed the <u>Recycled Material Standard (RMS)</u> as a global solution for manufactures as well as procurers as they also award a compliance certification.

3.5.2

Use of circularity measurement tools such as <u>Circular IQ</u>, as well as circular economy standards that are going to be added to the ISO system in the near future (such as ISO/WD 59020.2 Circular economy — Measuring circularity framework), can be used to specify and verify the percentage pf recycled content in products. At this point in time however, we do not yet recommend that it is integrated into tenders as the public sector is not ready for such tools.

3.6 Recommendation 6: Conduct market dialogue to define products that must contain recycled plastic

As Israel is a small market, the availability of recycled products is not abundant, and manufacturers/importers are not incentivized to develop/import such products. This calls for an initial market engagement phase in which public procurers will indicate their commitment and interest in recycled content, and work with suppliers to develop a steady supply of such solutions. Following the model applied in Wales (see 2.2.7 above) a definition should be generated, together with industry, for products that must contain recycled plastic.

3.7 Recommendation 7: Award criteria for ease of recycling

Any GPP measures would ideally be combined with eco design criteria that create supply of products containing recycled plastic. Increasing the use of recycled plastic also entails increasing the ease of recycling, and this can be achieved using GPP by requiring that products are easy to dismantle/recycle (see 2.3.1 above – initially as award criteria).





3.8 Recommendation 8: Restrict the use of EPS in packaging of products procured by the public sector

Procurement policy to increase recycled plastic can also be restrictive, for example - preventing the procurement of items that are hard to recycle in the current infrastructure in Israel. An example is the European Green Public Procurement criteria for food and catering which restrict the use of single-use plastics in catering. It is recommended therefore to restrict the use of EPS in product packaging procured by public bodies.

Additional specific recommendations:

3.9 Recommendation 9: Work with the Israeli standards institute to create a tender for application that allows the use of PCR as a layer between two external virgin layers.

An example can be PVC boards for construction

Industry is hesitant to invest in equipment for novel sustainable technologies as they are not sure there will be consistent demand. If public procurers can guarantee demand, or promote legislation/standards that will increase demand, this will facilitate industrial development of these solutions and reduce prices. An example is a co-extrusion machine to create a material composed of several layers (virgin material on the outside and recycled material in the middle) NOT purchased and used in Israel since this is not an acceptable technique by Israeli standards. This can potentially be a procurement requirement in plastic board or wall coverings in construction projects.

3.10 Recommendation 10: The national tender for feeding children at schools and daycare

MCP is an Israeli company producing a line of cPET (crystallized PET) food packaging. They can integrate recycled PET but are not currently required to. The tender for provisions of school lunches could be a good platform to integrate such a requirement

3.11 Recommendation 11: Reduce aesthetic performance requirement, where it is appropriate

A big barrier to recycled plastic is that brands are not sure of its "look and feel" and set high functionality requirements that in most cases disqualify the possibility to provide the product with recycled content. In non-commercial application such as public procurement, it may be possible to reduce the functional requirements and enable the use of "less than perfect" products, especially in packaging (do the cleaning materials used in government buildings really need to be packaged in perfect looking containers?). While of its own, this may not be a large economic sector with big market impact, it can serve as an example to the rest of the market and encourage adoption in a wider range of products.





3.12 Recommendation 12: Additional market engagement tools that should be deployed

3.12.1 Market consultation

The European procurement directives specifically allow for preliminary market consultation with suppliers in order to discuss the feasibility of the tender, understand the implications of including green requirements, and get information about what is available on the market. This is a good tool to lower administrative resistance to venturing into green procurement.

3.12.2 Pre-commercial procurement

Work with the plastic industry on pre-commercial procurement to generate demand (and supply capacity) for products containing recycled plastic. Applications are numerous and should be developed in consultation with industry.

Where no solution exists on the market which meets a procurer's requirements, they may consider directly procuring the research and development (R&D) services that will help them identify the most appropriate solution. In the EU, Pre-commercial procurement (PCP) is an approach that contracting authorities can choose to follow for the procurement of R&D services, provided that the conditions of Article 14 of Directive 2014/24/EU are fulfilled. It allows procurers to progressively identify the best potential solutions by seeking feasibility studies, design and prototyping from several companies. The procurement of the actual solution(s) developed must then be carried out based on the regular public procurement procedures.

Some ideas for PCP of R&D that can promote plastic recycling:

- Developing a mono-material flexible package
- Extracting and removing ink gases during recycling process
- Odor removal from recycled material
- Developing new use-cases/applications/product with recycled material

3.12.3 Innovation procurement tools

The Procurement Directives define several procedures for the award of contracts that can be relevant to introduce (innovative) products with recycled content:

Competitive dialogue

After an initial selection stage, a minimum of three bidders are invited to submit proposals in response to a defined problem/need. These proposals are then refined in a process of dialogue with the contracting authority, before final tenders are submitted.

Competitive procedure with negotiation

After an initial selection stage, a minimum of three bidders are invited to submit tenders in response to a detailed specification. These tenders may be subject to negotiation prior to contract award.

⁹ Article 40 of Directive 2014/24/EU





Innovation partnership

One or more partners are selected to carry out phased activities linked to the research and development, prototyping, testing and commercial production of a new product or service. The number of partners may be reduced at the end of each phase.

Design contest

Most commonly used to commission town plans, architectural or artistic works, a design contest involves the use of a jury to select from amongst competing designs.

Public Procurement of Innovation

PPI happens when the public sector uses its purchasing power to act as early adopter of innovative solutions which are not yet available on large scale commercial basis ¹⁰. It facilitates wide diffusion of innovative solutions – such as PCR content plastic products – by providing a large enough demand to incentivize industry to invest in wide commercialization to bring innovative solutions to the market with the quality and price needed for mass market deployment.¹¹

From about 2010 onwards, public procurement of innovation (PPI) became a very prominent topic across Europe. This was partly in response to the financial crisis, which pointed to a need for substantial public investment in social and environmental projects while increasing the efficiency of state spending. Prominent research and publications, such as Mariana Mazzucato's The Entrepreneurial State (2013) also helped to place PPI on the agenda. This is reflected in the 2014 EU Procurement Directives, which allow innovative characteristics to be taken into account in award criteria and include procedures designed to procure goods or services not currently available on the market. If a public authority wishes to purchase the outcome of R&D, the innovation partnership procedure allows for the award of a commercial contract at the end of the R&D/testing cycle. One or more partners may be involved in developing and testing products to meet the needs defined by the public authority. The <u>Horizon 2020</u> programme has been instrumental in supporting many applications of PCP/PPI, including in the healthcare, computing, transport and environmental management sectors.

¹⁰ https://ec.europa.eu/digital-single-market/en/public-procurement-innovative-solutions

¹¹ ibid





Annex A: Examples for recycled plastic in tender specifications

- The tender of Global Affairs Canada requested ceiling tiles to be made with 100% recycled plastic.
- Aalborg Municipality pre-commercial procurement on circular playgrounds (explained in 2.2.6.2 above) which encourage the use of playground equipment made with recycled materials and recyclable at end-of-life.
- BEREC is the body of European regulators of electric communications. They issued a tender for the supply of office furniture and other equipment, and provision of maintenance services. The tender awarded points for products with recycled content (not only plastic) and packed in recycled or recyclable material.
- The tender of the "Provincie Zuid-Holland" (The Netherlands) on office furniture asked for remanufactured products, that include components that have been used before or materials that have been used before (recycled).
- the Greece office of the EU Agency for Cybersecurity issued a tender for Production and Supply of Branded Promotional Material including merchandised clothing and textile products with their corporate visual identity, and stated that Where possible, items made of recycled materials should be offered.
- the Hong Kong Housing Authority issued a Tender for the Supply of Polythene Garbage Bags with Recycled Content.





Annex B: Examples for specific public tenders in Israel where recycled plastic could be integrated

The following is a list of existing tenders at local and national government level. This is of course a non-exhaustive list and can be used mainly to show that the scope if very wide.

As discussed previously, it is recommended to initiate market consultation before launching such tender specification.

- Furniture hospital/clinics/offices with service to the public
- Municipal playgrounds
- Catering supply/children's lunches in daycares
- sports equipment for municipal/schools sport hauls
- Flags and table cover
- Cleaning supplies (brooms/water sweepers)
- Gardening hoses
- Garbage carts
- Garbage bags
- Street shading installations
- Stationary office supplies
- Flower and seedling pots (for municipal gardening)
- Drip irrigation pipes
- Fences
- Signage
- Sanitary products
- Street furniture
- Any office product made from plastic such as bar-top water coolers
- Any public body issued card (license, ID, senior citizen card) including the plastic envelope
- Promotional material
- A large part pf procurement activity encompassing recycled plastic is in the construction, renovation and infrastructure domains which also have a large public procurement component. This will be covered in a separate deliverable D.A.8





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