Organics Council®

Organics Council® Circular Economy Non-food Goods Regulation

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1.1. Right of use

1.1.1. Where the third party is willing to be accredited by the Organics Council ® for certifying the circular economy and organics goods in conformity with the Organics Council ® Regulations, also using a reference to an affiliation with the Organics Council ®, the third party shall submit the accreditation application to Organics Council ® for examination.

1.1.2. When the certifying body intends to licence approval of goods based on Organics Council ® circular economy and organics regulations, the certification body shall establish their own standards in conformity to those regulations.

1.1.3. The Organics Council ® Regulations are protected by copyright, and the Organics Council ® shall be given credit in every instance where Organics Council ® content is used or referred to.

1.1.4. Where the Organics Council ® does not accredit the third party for the audit and licensing of goods to be in conformity to this Regulation, despite the third party's certifying body standards being in conformity to this Regulation, there shall be no reference of affiliation with or endorsement by the Organics Council ® of the non-accredited body.

1.1.5. Where the Organics Council ® Regulations are used without royalties as guidance only or for other educational and non-commercial purposes, the following wording must be added by the third party in a clear and legible font to the first page of each relevant document: 'The contents of this document have been written based upon the Organics Council ® Regulations, although we are neither officially recognised nor approved by or affiliated with the Organics Council ®.

1.1.6. Where the Organics Council ® accredits the certification body for the audit and licensing of goods to be in conformity to this Regulation, in the certification body's own standards there shall be a reference to the affiliation with or endorsement given by the Organics Council ®, and the following wording must be added by the certification body in clear and legible font to the first page of each standard document formed: 'The contents of this standard have been written based upon the Organics Council ® Regulations, and we are officially recognised and approved by Organics Council ® to licence goods and services in conformity to Organics Council ® Regulations [License number: XXXXX]'.

1.1.7. The terms used by all entities working for enforcing or compliance to this Regulation shall be in harmony with this Regulation's Glossary.

1.2. Circular economy principles in non-food goods

1.2.1. Circular economy production design must account for all aspects of a product's life cycle to avoid any negative impact on public and environmental health and have a positive overall effect on the economy, society and the environment instead.
1.2.2. Our Regulations ensure compliance with statutory regulations globally, going above and beyond the minimum requirements to work towards a truly circular economy.
1.2.3. Processors must comply with circular economy principles in all aspects of production, and products should not cause harm to users or the environment at any stage in the product's life cycle, including:

a. sourcing of ingredients and raw materials;
b. manufacturing;

c. distribution;
d. use;
e. end-of-life disposal.

1.2.4. Circular economy principles apply to the product categories listed below:

1. food contact materials;
2. personal care and cosmetics;
3. furniture;
4. children toys;
5. textiles and fabrics;
6. electronics and appliances;
7. building materials;
8. medical and safety equipment;
9. household chemicals and detergents.
10. construction and automotive tools and consumables

1.2.5. Before applying for Organics Council ® conformity licencing, processors must ensure their conduct is compliant with the applicable statutory laws in the given operation market, which will be verified by the Organics Council ® accredited certification body, including:

a. general product legislation;
b. product liability laws ensuring the product is 'fit for purpose' and does not cause injury or harm, including assurance against any substances potentially (or likely to be) present as non-intentionally added substance (NIAS) contaminants of final products. This includes any obligations concerning declarations of conformity;
c. packaging labelling and/or warning requirements;
d. good manufacturing practice;
e. laws relating to the need for production data and quality control;
f. storage, mandatory reporting and recall of unsafe goods;
g. laws or guidance relating to environmental sustainability aspects or end-of-life and disposal aspects;
h. licensing or approval to manufacture, import or sell products.

1.2.6. A processor may be licensed to be a circular economy processor in conformity to this regulation, subject to the circular economy product processing compliance, with the entitlement to also process non-circular economy goods, providing that effective materials, processing and stock segregation practices are in place.

1.3. Safe and sustainable products

1.3.1. Circular product design

1.3.1.1. Approved inputs

1.3.1.1.1. All products and associated articles must be made of Organics Council ® Approved Substance List (ASL) substances, with no known irreversible and life-threatening or adversely life-altering effects on humans and the environment, and subject to the Organics Council ® ASL defined usage conditions.

1.3.1.1.2. No non-approved inputs are permitted with the exception of temporal measures up to a year, upon prior approval by an Organics Council ® accredited circular economy and organics certification body, and only where there are no other alternative inputs licensed in conformity to Organics Council ® Regulations.
1.3.1.1.3. Non-renewable materials and ingredients, with the exception of energy, are permitted for use in the production of circular economy goods, subject to being licensed to the requirements of this regulation and only where such goods are designed to last a human lifetime and below requirements:
1.3.1.1.3.1. Design parameters suitably plan and mitigate against goods failure events;
1.3.1.1.3.2. Non-renewable materials and ingredients are prohibited in goods with a deliberately designed or intended short term or single usage expectancy.

1.3.1.2. Product design

1.3.1.2.1. Products must be designed to ensure no irreversible and life-threatening or adversely life-altering effects are caused to humans and environment during any stage of product processing, distribution, usage and disposal.
1.3.1.2.2. Product and product processing safety parameters (for human and environmental protection) must be audited by an Organics Council ® accredited certification body, to confirm the product meets the defined product description report (PDR) parameters and hazard and risk assessment (HRA) critical control points (CCPs) are sufficient to ensure circular economy production principles are upheld.
1.3.1.2.3. Products must be designed to ensure no environmental impact upon end of life, by means of:

a. reusability or recyclability;
b. if recycling is not feasible, then compostability or biodegradability.

1.3.1.2.4. To meet end-of-life requirements, the end user must be able to separate and dismantle each different material before the product goes into the recycling stream.
1.3.1.2.5. The recycling of individually sold products at end of life must be assured by a reasonable deposit scheme for recycling where other product end-of-life options in conformity to this regulation are not feasible, unless the material is widely recycled.
1.3.1.2.6. Where there are no readily available and accurate reverse vending systems in place to separate and sort plastic film waste at the point of recycling, only PP is permitted for use for the formation of any plastic film product or packaging parts.
1.3.1.2.7. Recycling deposit schemes must conform to the minimum deposit values listed below and be based on recommended retail price (RRP) and inclusive in sale values, unless the remnant value of the product being recycled is greater than the deposit value (e.g., metal recycling), calculated at the point of production of the end product while being certified so during the licensing audit by the certification body. Note: where no RRP is defined, then RRP is defined as double the value of the trade selling price by the last processor of the supply chain:

a. food contact materials (FCMs) containing products at point of sale worth up to £5 (or the equivalent in other currencies) shall include in the final price the container return deposit of 35p, or 70p for all products above £5 value;
b. all non-FCM products, except for items that are normally sold in batches (e.g., building material) should contain in the end product's final value at point of sale a minimum deposit of 5%;

c. where the automated reverse vending is not operated, the manual reverse vending infrastructure shall be assured by leaving at least 30%, rounded up to the decimal value, to the container collection points, (e.g., shops);
d. where the processor intends to recover the reverse vended containers, the collection access to containers by processor shall be fully assured by the certification body that certifies the given processor goods, and the processor shall rely on the complaints procedure to Organics Council ® where such collection activities are obstructed or otherwise hindered by third parties.

1.3.1.2.8. Product labelling shall display all relevant information as to the product safety and sustainability, including any value recovery possible by recycling, via deposit return schemes or otherwise, pursuant to clause 1.2.1.2.6.

1.3.1.2.9. No animal testing is allowed to facilitate the product design or its processing, except where an end product is designed to be used for animal care.

1.3.1.2.10. The product must be designed to be as energy efficient as feasible at the time of circular economy licensing audit.

1.3.2. Nanomaterials

1.3.2.1. The Organics Council ® considers any particle with all dimensions showing a mean distribution of 500 nanometres or less a nanoparticle.

1.3.2.2. Naturally occurring nanoparticles are commonly found, and many of these are considered completely safe when used correctly, as they have been historically with no risk to health. The Organics Council ® supports the use of substances that contain a 10% or less natural nanoscale component, provided it is ASL approved.

1.3.2.3. Due to uncertainties regarding possible adverse effects of engineered nanoparticles, engineered nanoscale substances are not approved for use due to the potential for migration, risking exposure to humans and the environment.

1.3.3. Specific product group safety parameter requirements

1.3.3.1.Food contact materials

1.3.3.1.1. The HRA must establish all possible migrants that may be transferred to food contents under reasonably expected conditions of use.

1.3.3.1.2. Migration testing must be performed under the worst case scenario of physical stress, such as repeated use and temperature variations, and containing an appropriate range of potential food simulants.

1.3.3.1.3. Overall migration (OM) and specific migration (SM) must be established under standard testing conditions, as defined within this Regulation and as recommended by EU Directive 10/2011.

1.3.3.1.4. The responsible person must ensure that migration levels conform to the Organics Council ® general OM limits for FCM requirement of less than 0.1mg/dm^2 or 0.01 mg/kg, unless specified below in the ASL database.

1.3.3.1.5. The product must be mechanically safety tested, with evidence showing that the final FCM is an effective barrier control and is stable and durable, as per product requirements.

1.3.3.2. Personal care product packaging

1.3.3.2.1. The HRA must establish all possible migrants that may be transferred to contents from packaging under reasonably expected conditions of use.
1.3.3.2.2. Migration testing must be performed under the worst case scenario of physical stress, such as repeated use and temperature variations, and using a range of mixed pH contents.
1.3.3.2.3. OM and specific migration (SM) must be established under standard OM testing conditions as per Regulation (EC) No 1223/2009 EU 2009.
1.3.3.2.4. The responsible persons must ensure that migration levels conform to the Organics Council ® general OM limits for personal care product packaging requirement of less than 0.1mg/dm^2 or 0.01 mg/kg, unless specified below in the ASL database.
1.3.3.2.5. The product must be mechanically safety tested, with evidence showing that the final personal care product packaging is an effective barrier control and is stable and durable, as per product requirements.

1.4. Safe and sustainable product processing

1.4.1. Processors

1.4.1.1. Processors must be transparent and quality assured, with all substances and materials included into processes (including processing aids) detailed and disclosed.
1.4.1.2. Processors must be either ISO 9001 certified or have fully documented raw material rotation and paper record system in place and equivalent to ISO 9001.
1.4.1.3. Processors must be able to trace all raw materials, components and packaging provided by suppliers through all stages of processing and dispatch to primary customers, and a system must be in place to enable tracking by batch or order number. This includes subcontracted processing aspects.

1.4.2. Plants and premises

1.4.2.1. A safe workplace is essential in order to avoid injuries and protect the staff and the local public community. Regular audit systems must be implemented to ensure this.
1.4.2.2. Effective health monitoring is compulsory for all staff potentially exposed to any conditions or environments that may have a negative effect on their health.
1.4.2.3. Full life-cycle assessment of products shall ensure that circular economy products cause no negative irreversible effect on the local community of the production site.

1.4.3. Energy

1.4.3.1. Progress towards reliance on fully renewable energy sources is mandatory, and regular internal audits must show that continual progress is in place.
1.4.2.2. Progress towards reliance on zero carbon footprint energy and sources is mandatory, and internal audits must show that continual progress is in place, with a carbon footprint audit report provided prior to certification audit.
1.4.2.3. Carbon offsetting schemes are an acceptable route to mitigate the unavoidable carbon emissions associated with production and manufacturing, although an annual review should

ensure that this is the only available method to reduce the overall carbon footprint, with annual internal audits to monitor this.

1.4.4. Raw materials

1.4.4.1. Using sustainable materials is mandatory.
1.4.4.2. All products and associated articles must be made of Organics Council ® approved inputs, used under the defined conditions of their use.
1.4.4.3. Regular internal audits should be in place to minimise material wastage, with evidence of continual improvement of processes and systems to reduce wastage of materials or move to greater sustainability of the materials used.
1.4.4.4. Processors must continually progress towards using fully recycled or reusable materials whenever possible, where public safety concerns allow. Recycled materials are not approved for use in products where oral or dermal contact may pose a risk of migration of harmful substances that may potentially be present in recycled materials.

1.4.5. Pollution, waste and emissions

1.4.5.1. Waste management

1.4.5.1.1. No polluting waste or emissions shall occur due to any aspect of processing; the processor is responsible for ensuring that adequate processes are in place and functioning correctly to avoid harmful emissions.

1.4.5.1.2. Regular internal audits must be carried out by the responsible person to show that waste production is adequately controlled and managed, with continual efforts to reduce waste.

1.4.5.1.3. Processor must ensure that all waste that can be recycled or recovered is isolated. Evidence must be provided to show that all waste is reused or recycled to its maximum potential, not resulting in landfill or waste water.

1.4.5.1.4. The Organics Council ® requires that, as part of the HRA, processors identify any additional pollutants defined by the Environmental Protection Agency (EPA) as conventional, toxic or priority pollutants, which may reasonably be expected to occur in industrial waste or emissions.
1.4.5.1.5. Documented and annually audited emergency systems must be in place and regularly tested to ensure that failure of waste or emissions treatment systems results in:

a. immediate identification of treatment failure;
b. immediate shut off of release lines to ensure no uncontrolled release of non-treated waste or emissions to the environment.

1.4.5.1.6. Processors must have evidence of continual work towards the implementation of best management practices and best available technology economically achievable.
1.4.5.1.7. The same levels of treatment of waste, emissions and effluents are required, regardless of the allocated sensitivity of the release zone, ensuring that no polluting substances

are released into the natural environment, municipal systems or any other disposal or release route.

1.4.5.2. Solid waste

1.4.5.2.1. Production must not contribute to landfill, except for temporary arrangements (up to six months) and with fully reasoned explanations as to why it is unavoidable. Landfilling disposal of solid waste should be limited to a minimum.

1.4.5.2.2. Unavoidable landfill waste must not have any associated environmental impact from persistent pollutants, and leaching characteristics must be assessed in an HRA.

1.4.5.2.3. All potentially leaching landfill components must be ASL approved and may only be present at safe concentrations, according to ASL database and HRA outcomes.

1.4.5.2.4. Effective and documented waste management systems must be in place, with a clear HRA defining why waste production is unavoidable and including the details of the exceptional circumstances and an annually reviewed management plan. Suitable systems must be in place and audited to assure no release of solid hazardous waste occurs at any stage of sourcing, production, usage or disposal.

1.4.5.2.4. Basic characterisation of solid waste is required to gather all necessary information for safe disposal and audit, including:

a. source and origin of the waste;
b. information on the process that produced the waste;
c. description and characteristics of raw materials and products;
d. description of any waste treatment applied;
e. appearance of the waste (smell, colour and physical form);
f. code, according to the European List of Wastes (Commission Decision 2001/118/EC).

1.4.5.3. Waste water

1.4.5.3.1. Waste water run-offs must be effectively treated and controlled to ensure that discharged effluents meet the limits established by the Organics Council ®and are in line with both Environmental Protection Act 2002 and Clean Water Act regulations and any other relevant effluent discharge regulation in the place of production.
1.4.5.3.2. Waste water must meet the following limits, in accordance with Environmental Protection Act 2002 regulations:

Parameter	**Unit**	**Maximum permissible limit**	
		Land/ Underground	**Surface watercourses**

Total coliforms	MPN per 100 ml	-	<400
Escherichia coli	MPN per 100 ml	<1000	<200
Free chlorine	mg/l	-	0.5
Total suspended solids	mg/l	45	35
Reactive phosphorus	mg/l	10	1
Temperature	^{0}C	40	
pH	-	5-9	
Chemical oxygen demand	mg/l	120	
Biochemical oxygen demand	mg/l	40	
Note: while ASL safety test report data on aquatic toxicity is still pending for the substances below, the temporary thresholds displayed apply.			
Chloride	mg/l	750	
Sulphate	mg/l	750	
Sulphide	mg/l	0.002	
Ammoniacal nitrogen	mg/l	1	
Nitrate as N	mg/l	10	
Total Kjeldahl nitrogen	mg/l	25	
Nitrite as N	mg/l	1	
Aluminium	mg/l	5	
Arsenic	mg/l	0.1	
Beryllium	mg/l	0.1	
Boron	mg/l	0.75	
Cadmium	mg/l	0.01	
Cobalt	mg/l	0.05	

Copper	mg/l	0.5
Iron	mg/l	2.0
Lithium	mg/l	2.5
Manganese	mg/l	0.2
Molybdenum	mg/l	0.01
Nickel	mg/l	0.1
Selenium	mg/l	0.02
Sodium	mg/l	200
Total chromium	mg/l	0.05
Vanadium	mg/l	0.1
Zinc	mg/l	2
Banned waste water substances		
Lead	mg/l	0
Mercury	mg/l	0
Oil and grease	mg/l	0
Total pesticides	mg/l	0
Total organic halides	mg/l	0
Cyanide (as CN^-) or free cyanide	mg/l	0
Phenols	mg/l	0
Detergents (as linear alkylate sulfonate)	mg/l	0

1.4.5.4. Atmospheric emissions

1.4.5.4.1. Transport emissions are permitted where the delivery from further afield is the only feasible source, and a local alternative is not available.

1.4.5.4.2. Fluorinated greenhouse gases (FGHGs) are strictly banned in any newly procured equipment and designed processes for certified product production, and a climate-friendly alternative must be adopted. A continual process of replacement should focus on removing any FGHGs from the production process.

1.4.5.4.3. Both the external atmospheric emissions and internal air quality in the production site must meet the following limits, in accordance with Organics Council ® standard requirements, as well as Directive 2008/50/EC, based on the Clean Air Act, EU national emission ceilings and any other relevant emissions regulations in the place of production:

Pollutant	Concentration	Averaging period
Fine particles (PM2.5)	10 µg/m3	24 hours
	3 µg/m3	1 year
Sulphur dioxide	350 µg/m3	1 hour
	125 µg/m3	24 hours
Nitrogen dioxide	200 µg/m3	1 hour
	40 µg/m3	1 year
PM10	15 µg/m3	24 hours
	5 µg/m3	1 year
Lead	0	~
Carbon monoxide	10 mg/m3/	24 hours
Benzene	0	~
Ozone	120 µg/m3	Maximum 8 hours mean daily
Arsenic	3 ng/m3	1 year
Cadmium	3 ng/m3	1 year
Nickel	3 ng/m3	1 year

Mercury	0	~
Polycyclic aromatic hydrocarbons	0	~
Total aerosol limit	1 mg/m^3	24 hours
Combustible dust	5 g/m3	24 hours

1.5. Social fairness

1.5.1. Employment

1.5.1.1. Employers must promote and annually assess employees' professional development and training in the workplace to ensure that the staff are fully and effectively trained in the skills required.
1.5.1.2. Employers must ensure that all employees and apprentices are paid at least a living wage and that wages are annually reviewed to ensure that they continue to meet the living wage requirements in the region.
1.5.1.3. Employers are responsible for the health and safety of the employees and must therefore perform health checks and monitor where any potential work-related health risks may be present. A system of regular (at least annual) audits should be in place to ensure that the relevant health checks are carried out, with a defined protocol for action if any adverse health effects are identified and including root cause analysis and preventative and protective measures.
1.5.1.4. Employers must ensure that appropriate and sufficient insurance is in place to protect workers in case of injuries at work and cover other health-associated aspects.
1.5.1.5. Employers must ensure a fair and diverse workplace by not discriminating against job applicants or employees due to:

a. age;
b. sex;
c. race;
d. disability;
e. pregnancy;
f. marital status;
g. sexual orientation;
h. gender reassignment;
i. religious background;
j. class.

1.5.1.6. The responsible person should provide evidence that social responsibility guidance ISO 26000 has been reviewed and incorporated into all working aspects wherever feasible.

1.5.2. Operations

1.5.2.1. Organisations must be transparent and honest in all their activities, ensuring that fair operating practices are maintained.
1.5.2.2. Failure to provide all the information required for an audit will result in automatic failure of any certification assessment.
1.5.2.3. An anti-corruption operation method must be applied within the workplace and to any aspect of purchasing, trading and all services associated with the licensed product or processor.

1.5.3. Customer support

1.5.3.1. A protocolled system must be in place to effectively manage consumer complaints, including:

a. initial response within seven days of receipt of the complaint;
b. internal investigation of the complaint with outcome response to the customer within twenty-eight days.

1.5.3.2. Where allegations or complaints are substantiated and data has been requested regarding the complaint, the non-proprietary data shall be released to the public within twenty-eight days via the dedicated proprietary means.
1.5.3.3. Where consumer data is collected and stored, data protection and privacy must be maintained.

1.6. Product claims

1.6.1. The responsible person must ensure fair product marketing, using factual and unbiased information that meets the regulatory requirements of the intended market.

1.6.2. In all marketing, labelling and advertising of certified products, no text, images or any other signs shall imply that the product has characteristics or functions it does not possess.

1.6.3. The PDR must determine all reasoning and data justifying the use of a claim, with a product-in-use evaluation (internal or external), reliability trials and shelf-life tests performed by a validated testing body.

1.7. Labelling

1.7.1. Certified products must display clearly on the labels, as a minimum, but not limited to:

a. name or registered name and address of the responsible person and the country of origin;
b. the nominal content at the time of packaging, either by weight or volume;
c. the date until which the product, when stored as per guidance, is safe for retail or use (e.g., ‘best used before the end of’ or ‘sell by’). The date must be clearly displayed in a durable and permanent manner, in the form of month/year or day/month/year, with a clear indication of any conditions required to guarantee this stability. Indication of the date of ‘sell/use by’ shall not be mandatory for products with a minimum durability of more than thirty months, where an indication of the period of time after opening or of use

must be provided instead, for which the product is guaranteed to be safe for public and environmental health.

d. all precautions for safe use;
e. batch number;
f. ingredients and materials;
g. recycling info requirements and any deposit value one may recover upon return, including where to return to;
h. where it is impossible for practical reasons to label the information mentioned above, such information shall be mentioned on an enclosed or attached leaflet, label, tape, tag or card;
i. to meet end-of-life requirements, the product label must state clearly: 'For recycling - dismantle product into individual parts by material type'.

1.7.3. To confirm which aspects of the product are conforming to this regulation, fully or partially:

a. if the whole product (content and packaging) conforms to this regulation, then the usage on the label of the approval trademark belonging to the body certificating regulation conformity does not need to differentiate what is licenced (e.g., only the content or only the packaging) or use the third-party approval trademarks in general;
b. if only individual parts (packaging or content) conform to this regulation, then the usage on the label of the approval trademark belonging to the body certificating regulation conformity must differentiate between the product content and its packaging parts and use the third-party approval trademarks together with a note specifying whether the product content or its packaging conforms to this regulation.

1.7.4. The responsible person may use the accredited certification body's logo or trademarks, in line with the body's licensing standards, only directly on certified end products or, when no end products are certified, only in marketing material (e.g., for processing inputs) to annotate any such licenced inputs immediately next to the input specification in the marketing material.

1.7.5. The responsible person must not use the logo in connection with any activity that is unlawful, libellous, defamatory, obscene or disparaging about the Organics Council ® or any associated certifying bodies or their certified products or services, or in any way that infringes the intellectual property or rights of any product, person or entity.

1.7.6. Labelling, marketing and advertising of products may specify that no tests have been carried out on animals.

1.7.7. Product energy efficiency must be displayed on product packaging or, where packaging is absent, must be visibly displayed on a non-removable sticker or tag to the product, ensuring that the information is clearly visible for the end-user. Product energy efficiency must also be clearly stated in end-user marketing material and any other marketing methods applied.

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v.7 to v.8 changes:

Term 'manufacturer/s' changed to 'processor/s';