

Toxics in Packaging Clearinghouse

www.toxicsinpackaging.org

Sample Purchasing Specification

Procurement Standard

All packages, packaging components, and packaged retail-ready products purchased by, distributed or sold on behalf of [name of company] must be demonstrated as being in full compliance with all requirements of the Model Toxics in Packaging Legislation [or state specific laws]. Nineteen U.S. states have passed legislation restricting the use of four metals in packaging and packaging components sold or distributed in the state. A Certificate of Compliance will be required of every supplier for each such item purchased, distributed or sold by [name of company].

Requirements:

- 1) Toxics in Packaging legislation prohibits the sale or distribution of any package, packaging component, or packaged retail-ready product to which any mercury, cadmium, lead, or hexavalent chromium has been **intentionally introduced**. (Packaging component includes coatings, inks, glues, labels, etc.)
- 2) The law further requires that the sum of the total of the **incidental presence** of mercury, cadmium, lead, or hexavalent chromium be under 100 parts per million for any package, packaging component, or packaged retail-ready product offered for distribution or sale. Incidental presence is defined as the presence of one or more of these regulated metals as an unintended or undesired component of a package or packaging component. A limited number of specific exemptions are available related to the use of recycled materials, federal health and safety requirements, glass packaging, and other very limited situations. For details, visit <https://toxicsinpackaging.org/model-legislation/exemptions/>.

Certification:

As a condition of doing business with [name of company] the supplier shall provide a Certificate of Compliance which covers each type of package, packaging component, or packaged retail-ready product supplied, distributed, or sold under this specification.