

Green Choice Philippines GUIDELINES FOR AWARDING THE SEAL OF APPROVAL

Section 1. The Green Choice Programme

I. BACKGROUND

The continuous development of policies and systems that aim to care for the environment and the creation of effective instruments for their implementation is a major responsibility of our government. While the world does not necessarily demand compliance to environmental standards related primarily to testing and measuring pollution through the International Standards Organization (ISO) 14000 series, the Philippines has already adopted these systems to provide an option for concerned entities to abide by sound environmental practices and procedures.

Standards of the ISO 14000 series are concerned with complex environmentally-oriented management, which includes Environmental Labelling, often called as Ecolabelling. A voluntary application with a third party certification body, the programme usually identifies products that have less environmental impact, sets up environmental requirements and awards a special label to products that meet these standards. It is seen as an important market instrument used to complement mandatory laws and regulations for environmental protection set by the government.

The National Ecolabelling Programme-Green Choice Philippines (NELP-GCP) is the government's response to our need to change consumer preferences and practices, initiating a demand for environmental responsiveness from all sectors of society.

When Republic Act No. 9003, also known as the "Ecological Solid Waste Management Act of 2000," was approved on 26 January 2001, the Ecolabelling Programme (ELP) of the Philippines was given a legal basis. Article 4 of Section 27 states that "DTI shall formulate and implement a coding system for packaging materials and products to facilitate waste recycling and reuse." The Department of Trade and Industry (DTI), through its Bureau of Product Standards (BPS) and the Private Sector Participation in Managing the Environment – Environmental Management System Module (PRIME Module 3), adopted a plan for the development of the National Product Ecolabelling Programme.

The NELP-GCP intends to guide consumers to choose products that are environmentally sound; to encourage manufacturers to adopt processes and supply products that have less adverse environmental impacts; and to use the label as a "market-based instrument" to complement the government's environmental policy.

II. THE GREEN CHOICE PHILIPPINES LOGO

The ELP logo is a sphere divided into two parts. The dark blue left side represents the Earth, symbolizing the global nature of the movement. The green right side features a dark green leaf that embodies nature. At the center is a drop of clean water and a bloom that also symbolizes nature. A green band encircles the sphere where the name "Green Choice Philippines" appears. The environmental consideration that the product category hopes to effect will appear below the Green Choice logo.

Section 2. General Procedures of the Green Choice Philippines

I. PURPOSE

In general, Green Choice Philippines endeavors to uplift consumers' consciousness on the environmental features of products and services. The logo is awarded to products and services that are certified to be less harmful to the environment, attesting environmental leadership. Hence, if consumers purchase environmentally preferable products and services due to label information, it is hoped that market forces will encourage producers and manufacturers to change their production and business processes to reduce environmental harm.

II. SCOPE

Products that are sold in the Philippines, regardless of their country of manufacture, can apply for a Green Choice License for the product category whose certification criteria have already been developed or not yet developed through a panel review process.

The application, and the eventual License, shall be product and facility-specific. Separate applications shall be made for products covered by separate criteria. Likewise, separate applications shall be filed for same products but manufactured at different plant sites or products different in brand.

III. TIME FRAME

The process will take approximately 1 to 2 months, from the processing, site visits and product testing, evaluation and validation to the approval of the ELP Board and awarding of the Green Choice Philippines License.

IV. REQUIREMENTS FOR AWARDING GREEN CHOICE SEAL LICENSE TO A PRODUCT/SERVICE

- a. The applicant must be a manufacturer, importer or distributor of the product in good standing. For non-manufacturer applicants, the manufacturer's written consent must be presented.
- b. The applicant must submit a Letter of Intent and fill up the Application Form and pay the corresponding processing fee (see annex 1).
- c. Products must meet the requirements and criteria set forth in the *Criteria for Certification*.
- d. Applicant shall be able to confirm its capability to manufacture products consistently conforming to the criteria of a specific product category.
- e. Applicant and product manufacturer (in case the manufacturer is not the applicant, a written consent of the manufacturer must be presented) shall comply with existing environmental laws, regulations and other related legislations.
- f. Laws on quality, health, and safety must also be met. However, the ELP Program has the right not to issue the Green Choice Philippines License despite quality, health, and safety compliance if the product causes environmental problems.
- g. The Program Administrator has the right to request for supporting documents i.e. test results to verify applicant's claims.

V. DOCUMENTS REQUIRED FOR APPLICATION

- a. Letter of Intent
- b. Filled out application form (one form for each product applied)
- c. Articles of Incorporation or Business Name and/or Sub-Contracting Agreement
- d. Company Profile and/or Annual Report
- e. Verified true copy of the Official Receipt of payment for processing fee
- f. Verified true copy of the various test results that may be required as part of the specified product criteria.
- g. A sample product with the product catalog indicating its technical specifications. A color photograph of the product shall also be included.
- h. Any other document or material that may be required to supplement the information regarding the product or for the periodic audit of its compliance to the criteria set forth.

The application should be mailed or delivered directly to this address:

The NELP-GCP Administrator
Philippine Center for Environmental Protection and Sustainable Development, Inc.
DAP Bldg., San Miguel Avenue, Ortigas Center, Pasig City

VI. GREEN CHOICE PHILIPPINES PROCEDURES ON AWARDING OF SEAL OF APPROVAL

Evaluation of the application will be done according to the guidelines of the NELP-GCP. The product evaluation shall be based on the documents submitted. The Program Administrator may require the applicant to present additional documents or materials if deemed necessary to facilitate better evaluation.

The application for the license to use the Green Choice Philippines Logo shall be made upon submission of the GCP Form 1, in triplicate, which may be obtained from the Programme Administrator. It shall include an undertaking by the Applicant to abide by the Terms and Conditions of the License. The application shall be duly subscribed and sworn to by the applicant, or his duly authorized management representative, and shall be filed only with the Programme Administrator.

The Programme Administrator shall conduct an evaluation based on the requirements outlined in the Criteria for Awarding the Seal of Approval. The Programme Administrator may request for a third party expert examination, costs of which shall be borne by the applicant. The Programme experts will conduct site visits or review results of product tests to validate claims of the applicant.

In case the product testing, evaluation and validation results failed to meet the criteria set for the product category, the applicant is given 90 days to resolve the results and thereafter submit the product for re-evaluation.

It is expected and required that the applicant, in all stages of the evaluation, to cooperate with any activities pertaining to determining conformance to the product criteria. The applicant shall make available to the Programme Administrator and/or designated representatives and auditors, such information and product samples as may be required for the evaluation of its application, or for the periodic audit of its environmental performance.

After evaluation, the Program Administrator shall then make a recommendation to the ELP Board.

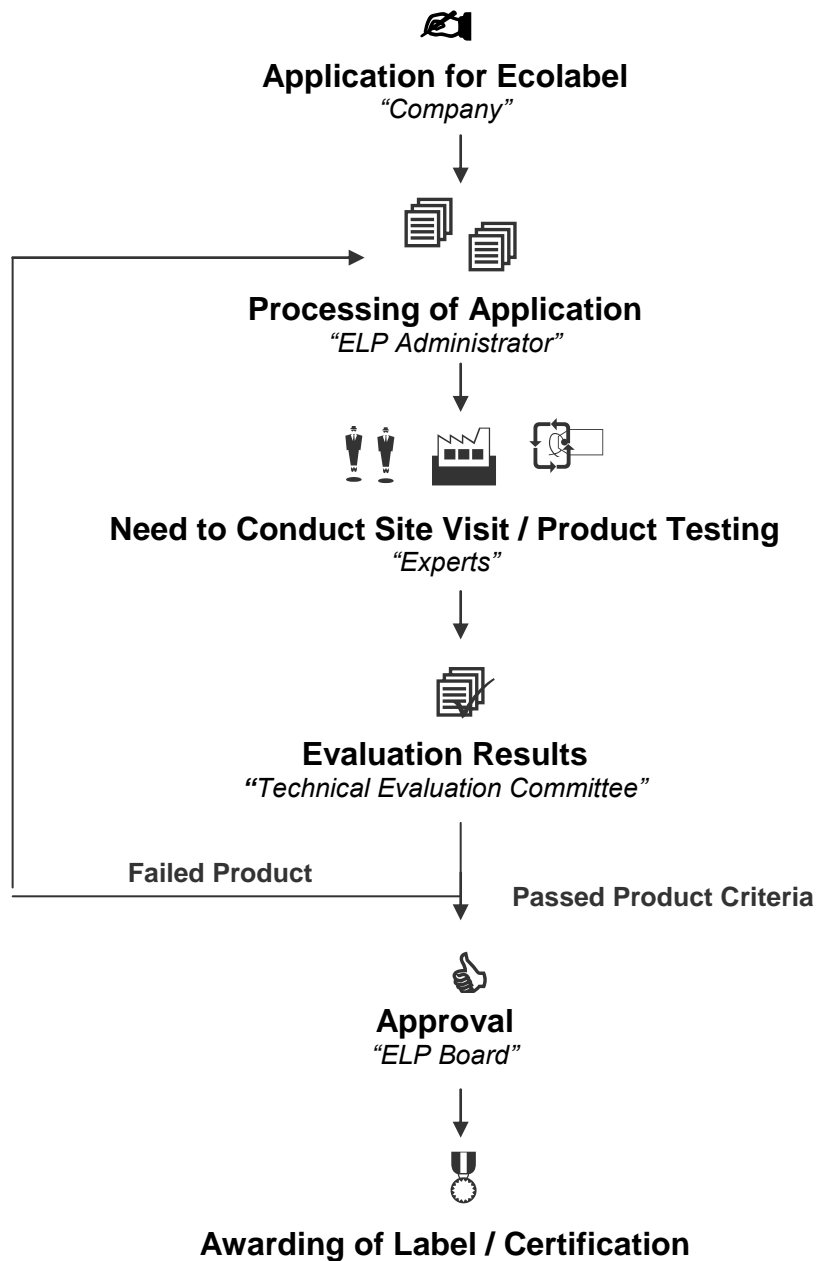


Figure 1. NELP-GCP Application Process

VII. NOTIFICATION

The NELP-GCP Board, after the recommendation from the Programme Administrator, shall notify the applicant of the results with a formal correspondence. The NELP-GCP Board shall issue the License or other notification deemed appropriate.

VIII. USE OF GREEN CHOICE LOGO

A “Use of the Green Choice Philippines Logo” contract shall be signed between the Applicant and the NELP-GCP Board. The right to use the logo shall be for a period of 3 years from date of issuance of the Green Choice License and shall be subjected to annual re-audits and when a formal complaint against the use of the Green Choice Logo arises.

An applicant awarded with the Green Choice Philippines License qualifies to use the Green Choice Philippines Logo. Successful applicants will receive a Green Choice Philippines Contract for the Use of the Green Choice Logo together with the notification of the result of the examination, and will be required to enter into this agreement with Green Choice Philippines within one (1) month of receipt of notice. This License signed by the NELP-GCP Board recognizes the product’s compliance to the Green Choice Philippines product requirements.

Terms for Use of the Green Choice Philippines Logo shall be complied with, including all relevant laws and regulations, as well as specifications provided in the guidelines for usage of the Green Choice Philippines Logo.

IX. SUSPENSION, WITHDRAWAL OR CANCELLATION OF LICENSE

The NELP-GCP has the right to suspend, withdraw or cancel the Applicant’s Contract to Use the Logo on any or all of the following grounds:

- a. That the product bearing the Green Choice Philippines Logo fails to conform to the requirements of specific criteria through surveillance audit and market monitoring among others.
- b. That the licensee fails to comply with the Terms and Conditions of the license.
- c. That the licensee fails to enter into the Contract for the Use of Green Choice Logo within one (1) month of receipt of the notification
- d. That the licensee made false statements in connection with its application for or maintenance of the license.
- e. That the licensee violates any relevant environmental, quality, health and safety laws.
- f. That the ELP Board reasonably determines that suspension, withdrawal or cancellation of license is necessary for the appropriate implementation of the Green Choice Philippines Program.

The license shall be suspended, withdrawn or cancelled after the NELP-GCP Board has served the licensee a notification, stating therein the grounds for the contemplated action, granting the licensee the opportunity to be heard within fifteen (15) days from the date of receipt of notice.

In case when cancellation of license occurs, the applicant is compelled to remove all products bearing the Green Choice Logo from all distribution and commercial outlets within 15 days of receipt of notice.

X. FEES AND CHARGES

Fees and charges are to be paid by the local and foreign companies to Green Choice Philippines, unless otherwise stated, shall be in accordance with the Schedule of Fees. The fees and charges are subject to changes as may be necessary.

In the event of any untoward incident, the company shall be legally liable and responsible for the auditor during the entire duration of the audit.

XI. CONFIDENTIALITY

All information, either documented or verbal, disclosed to Green Choice Philippines shall be regarded as confidential and shall not be made available to a third party other than the members of the Green Choice Philippines Programme personnel without the prior written consent of the applicant. Where information is required by law to be disclosed to a third party, the company shall be promptly informed in writing of the information provided and the details of the legal situation that may be disclosed.

The NELP-GCP Body and the authorized auditors shall be compelled by confidentiality agreements.

XII. IMPARTIALITY

The Programme Administrator and its duly authorized auditors are to be free from any interest that might cause them to act in an impartial or non-discriminatory manner. If an individual or their employing company has provided consulting services to the Green Choice Philippines Program, their services shall be documented and approved to ensure that the impartiality of the process is not compromised.

The applicant and the Programme Administrator's authorized auditors shall disclose to the Programme Administrator, prior to the evaluation, any existing, former, or envisaged link between themselves. Auditors shall sign a Work Order to signify their impartiality and agreement of confidentiality.

Annex 1

Fee Structure

| Item | Amount (PhP) | Remarks |
|---------------------------------------|---|---|
| 1. Processing Fee | | To cover the review process, desk review of application papers, a pre-certification audit and the certification audit |
| a. With existing NELP-GCP standard | 10,000. 00 | |
| b. Without existing NELP-GCP standard | 50,000.00 | |
| 2. Laboratory Testing(s) | As billed by testing laboratory(ies) | As per arrangement |
| 3. Transportation | As per arrangement | Only if necessary |
| 4. Board and Lodging | As per arrangement | Only if necessary |
| 5. Licensing fee for 3 years | Maximum of 500, 000. 00 Minimum of 50, 000. 00 | To be paid prior to the awarding of logo |
| 6. Annual fee | Maximum of 100, 000. 00 Minimum of 20, 000. 00 | To be paid upon the annual surveillance audit and continued used of logo |

| Product/Service Annual Sale (PhP) | Licensing Fee (PhP) | Annual Fee (PhP) |
|-----------------------------------|---------------------|------------------|
| 1.) 501 M and Up | 500, 000. 00 | 100, 000. 00 |
| 2.) 401 – 500 M | 400, 000. 00 | 80, 000. 00 |
| 3.) 301 – 400 M | 300, 000. 00 | 60, 000. 00 |
| 4.) 201 – 300 M | 200, 000. 00 | 40, 000. 00 |
| 5.) 101 – 200 M | 100, 000. 00 | 20, 000. 00 |
| 6.) 51 - 100 M | 75, 000. 00 | 20, 000. 00 |
| 7.) < 50 M | 50, 000. 00 | 20, 000. 00 |