

General Technical Conditions of Purchase No. 12

for the supply of new or used machines, devices, including tools,
and for general overhauls, rebuildings, etc.

§ 1 Workplace immissions protection, accident prevention

(1) The machines/devices must comply with work protection and accident prevention rules and also conform to the latest technological standards. A Declaration of Conformity must be enclosed with all machines/devices. All machines/devices must be provided with the CE conformity label (CE symbol). All machines must comply with EMC rules.

(2) Machines/devices must be so configured such that no environmental impacts within the meaning of the Federal Immissions Protection Law (a law to protect against harmful environmental effects due to air pollution, noise, shocks and similar processes) can occur.

(3) The continuous sound level (l_{eq}) in the operating location must not exceed 80 dB (A) at ear level and at 1 to 1.5 m above the factory floor at a distance of 1 m from the machine and should contain no dominant individual frequencies. During functional testing (checkout) in the supplier's factory and after startup in the plant of Envases, the machine is checked by Envases for compliance with the required values. The manufacturer is obliged to specify the noise level in the instruction manual and also in the offer.

(4) If machines/devices are provided with a noise protection enclosure, it must conform to VDI Guidelines (VDI-2711). Before fabrication of the noise protection enclosure, the drawings must be submitted to us for comment. For ventilators installed in noise protection enclosures, the operating voltage of 230/400 V must be coordinated with us. The interior of the noise protection enclosure must be provided with illumination.

(5) For ventilators and machines with ventilators, the dB (A) level at a distance of 1 m from the exit opening above the canopy must be 55 dB (A) or less, and in the low frequency range, from 31.5 to 500 Hz.

(6) Machines/devices are tested and accepted after start-up with respect to safety. All defects so identified, and if necessary, even those leading to rejection, must be immediately corrected by the supplier at its own expense.

§ 2 Completion, acceptance

(1) If sample materials/parts are required for the production or checkout of a machine, device, or tool, the supplier must order these sufficiently ahead of time in order that completion is not delayed.

(2) Envases reserves the right to conduct a functional test (workplace checkout) at the supplier's plant. The equipment will be accepted following installation/commissioning at the HPG plant in accordance with the criteria of the technical/performance specification.

§ 3 Outfitting/equipping

(1) Electrical

(a) Standards

The following specifications apply for all machines and systems supplied to the Envases Packaging Group.

Possible exceptions require the written consent of Envases.

EN61439: Directive for low voltage switchgear combinations

EN60204-1: Electrical equipment of machines (VDE0113-1)

EN62061: Machine safety, functional safety requirements for electrical and electronic control systems

EN13849-1: Machine safety, safety-related components of control systems

(b) Supply and control voltage

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§ 4 Offer, documentation

During the development of the offer for a machine, device, or tool, this GTCP No. 12 is fundamentally to be taken into account. Deviations from this must be mentioned explicitly in the offer.

A detailed spare parts price list is to be enclosed with the offer.

(1) Two copies, in German, of the latest versions of the operating and maintenance instructions, Declaration of Conformity, spare parts list as per DIN 24420 with drawings of the individual wear parts, and a list of the designations of the original manufacturers, are to be included with the delivered equipment.

(2) A manufacturer's endorsement according to Section 5, par. 4 of the accident prevention regulation "Electrical facilities and operating devices" (VBG 4) must be included with each delivered machine/device which releases Envases from the inspection according to Section 5, par. 1, No. 1 VBG 4.

§ 5 General

(1) If Envases has agreed to pay the production costs, the original drawings created become property of Envases after delivery. If parts are fabricated according to drawings of Envases, then any possible corrections must be recorded on the drawings. The drawings must be returned to Envases in each and every case when the parts are delivered.

(2) The aforesaid conditions are not valid if Envases agrees in writing other terms at the time of the order.

(3) The consent of Envases must always be obtained in the event of unavoidable exceptions to the specified conditions.

(4) "General overhaul" means, for used machines, that all moving machine parts, and therefore those particularly susceptible to wear and tear, are replaced or reworked such that their life expectancy is the same as that of new parts, or at least approximates it very closely.

§ 6 Final Stipulations

(1) German law shall be applicable to these conditions.

(2) As far as it is legally permitted Öhringen is the exclusive court of jurisdiction for all disputes arising from or in connection with these conditions and the implementation thereof. Envases shall also be entitled to file a suit at the domicile of the supplier.

(3) Should one or more conditions be or become either wholly or partially ineffective or null and void, or should these conditions contain a loophole, the effectiveness of the remaining conditions shall not be affected by this. The Contractual Parties hereby agree now that any ineffective condition or any condition that should become ineffective in the course of its implementation is to be replaced by one that comes closest as possible to the ineffective condition or any condition that should become ineffective in the course of its implementation is to be replaced by one that comes closest as possible to the ineffective condition from an economic point of view.