RESPONSIBLE CARE AGREEMENT BETWEEN CEFIC & ECTA PROGRAMME FOR CHEMICALS TRANSPORT COMPANIES

THIS AGREEMENT IS CONCLUDED

BETWEEN

Cefic, the European Chemical Industry Council, AISBL, located Av E Van Nieuwenhuyse 4, Bte 1, 1160 Brussels, Belgium, represented by Mr Alain Perroy, Director General (HEREINAFTER Cefic),

AND

ECTA, European Chemical Transport Association, AISBL, located, Tervurenlaan 270, 1150 Brussels, Belgium, represented by Mr Antonio Montero, President (HEREINAFTER ECTA).

BACKGROUND

Responsible Care (HEREINAFTER RC) is a world-wide initiative developed by the Chemical Industry and is a commitment to continuous improvement in all aspects of safety, security, health and environmental performance. RC enables businesses to make a strong contribution to Sustainable Development.

The International Council of Chemical Associations (HEREINAFTER ICCA) has laid down the fundamental features of RC and sets the prime objectives of the programme for the chemical industry. The Programme includes eight Fundamental Features:

1. Establish and implement a set of Guiding Principles that member companies sign;
2. Adoption of a title and logo that are consistent with RC;
3. Implement management practices through a series of systems, codes, policies or guidance documents to assist companies in achieving a better performance;
4. Develop a set of performance indicators against which improvements can be measured;
5. Communicate with interested parties;
6. Share best practices through information networks;
7. Encourage all association member companies to commit to and participate in RC;
8. Introduce and apply systematic procedures to verify the implementation of the measurable elements of RC by member companies.

ICCA supports the extension of RC throughout the chemical community and to sectors allied with the chemical manufacturing industry (such as: chemicals distributors, traders, users, transport companies). With their support to the RC Global Charter launched in 2006 chemical industry companies and associations commit themselves to promote the RC ethic, principles and practices along their value chains.

Cefic, as a member of ICCA ensures that its members' national federation programmes in Europe conform to with these Fundamental Features and objectives. A further task of Cefic is to control the use of the logo of RC in Europe. Cefic is the owner of all trademarks registered concerning the RC logos in Europe.

ECTA is a non-profit organisation created in 1999 to unite chemical transport companies involved in European land transport of chemicals in their efforts to improve HSSE management in chemical logistics in close cooperation with the chemical manufacturing industry. ECTA together with Cefic has since then developed in joint working groups several

sets of "Best Practice Guidelines for Chemical Logistics". In addition, ECTA contributes actively to the development of SQAS.

ECTA is willing to develop in line with the Fundamental Features a RC Programme for Chemical Transport Companies to be managed by ECTA in close co-ordination with Cefic.

The shared objective for ECTA and Cefic is to enhance RC throughout the chemical supply chain.

THE PARTIES HAVE AGREED THE FOLLOWING

ARTICLE 1 - ECTA RC Programme Governance Structures

1.1 Leadership and commitment

- An RC purpose statement will be included in the ECTA statutes and/or by-laws which reflects the RC intent and the performance expectations (e.g. striving for zero accidents);
- Transport companies willing to join the ECTA RC programme will need to sign a letter demonstrating their commitment to the Core Principles of RC for chemical transport companies (see Annex 1). Transport companies that adhere to the programme should commit to inform their contractors about the RC principles (existence and content).
- A RC implementation guide will be issued by ECTA, following written approval by Cefic, to its RC member companies. The ECTA/EPCA/Cefic Guidelines entitled "Recommendations on Safety, Health and Environmental Management Practices for Logistics Service Providers (2002)" will form the basis of the implementation guide. The areas listed in Annex 2 will be covered in this implementation guide.

1.2 Organisation

- ECTA will appoint a formal RC Co-ordinator with a clear role description;
- Each ECTA RC member company will appoint a company RC co-ordinator;
- ECTA will create a RC Steering Team to prepare and implement the annual ECTA RC plan and to review progress. The annual RC plan will be formally adopted by the ECTA Board;
- Each year the ECTA Board will formally review the results of the annual RC plan (including its implementation) and will carry out a general evaluation of its RC programme;
- A platform will be put in place for formal co-ordination and resolution of issues between ECTA and Cefic and for exchange of information on new initiatives and events. This platform will be open to representatives from national chemical industry RC programmes.

1.3 Performance

- ECTA RC members will have all their operating units assessed every 3 years through the system of their choice, for example SQAS (see Article 4) or any equivalent system;
- By analyzing the SQAS data of the chemical transport industry, through queries across the SQAS database, ECTA will identify common strengths, weaknesses and areas for improvement of the chemical transport industry sector and develop a general transport industry annual improvement plan to be incorporated in the ECTA annual RC plan;
- Individual ECTA RC members will develop and commit to a company annual RC plan that is based on the elements contained in the general ECTA annual RC plan and on issues identified in their individual SQAS assessments or other equivalent assessments;
- ECTA RC members will collect annual performance data (see annex 3) on selected KPIs (see annex 4) and report these to ECTA;
- ECTA will collect annually performance data on selected KPI's from its RC members (see annex 4) and consolidate these data;

- ECTA will publish an annual RC Report containing highlights and success stories as well as the consolidated European KPIs data;
- ECTA and Cefic will agree on a system allowing ECTA to carry out a verification of the implementation of the RC principles by its RC members;

ARTICLE 2 - Relationship between the ECTA RC Programmes and Cefic National Associations' RC programmes

ECTA will provide to Cefic the following information to be circulated by Cefic to its National Associations:

- A copy of the ECTA RC Programme and Implementation Guide;
- The list of the transport companies that have joined the ECTA RC Programme. It being understood that the choice of a transport company is based entirely on the individual decision-making of each chemical company. This is based on their own criteria, which may or may not include membership of ECTA and adherence to the ECTA RC Programme.
- The name of the RC Coordinator of each ECTA RC member company;
- The consolidated annual European KPI performance data;
- A copy of the ECTA annual RC report and annual RC plan;
- Information on new ECTA guidelines, publications, workshops and other events.

The signatories acknowledge the important role of the national chemical industry associations in the governance of Responsible Care for the chemical industry at national level. The signatories agree to cooperate on the governance of Responsible Care in a harmonized way throughout Europe. To that effect ECTA will coordinate communication of all national Responsible Care data acquired under the Cefic-ECTA Responsible Care agreement with the relevant national chemical industry associations.

In case of a substantial conflict between a specific ECTA member company's individual annual Responsible Care Action plan and the national chemical industry RC requirements of the country where the ECTA member company is headquartered, ECTA will assist in aligning specific national requests.

ARTICLE 3 – RC Logo and right to use the logo

By signing the present agreement ECTA obtains from Cefic the right to use the RC registered logos which are and remain under the ownership of Cefic. This right is granted, in Europe, on the following conditions:

3.1 Cefic grants ECTA the right to allow its member transport companies that have signed up to the ECTA RC Programme to use the RC name and logo in line with the directives published by Cefic as attached as Annex 5 to the present agreement "*Regulations on the use and control of the collective trademarks RC*". These may be amended or replaced at any time by Cefic.

Cefic may withdraw its authorisation of use of logos granted to ECTA hereunder in the event of ECTA failing, in a significant way, to comply with key contractual terms and conditions provided for hereunder. To that effect Cefic will send, by registered mail, a prior notice to ECTA substantiating ECTA's non compliance and why this non compliance, in Cefic's view, jeopardizes the common goals and implementation of the present agreement and the objectives and rules of RC. ECTA will have 3 months to remedy the situation and in case of failure to do so to the satisfaction of Cefic, the issue will be brought before to the ICCA RC Leadership Group, as referred to in art. 5.4 hereof.

3.2 ECTA will ensure that transport companies committing to the ECTA RC Programme will

respect the Cefic guidelines and conditions on the use of the name and logo as attached to the present agreement as Annex 5. Failure to do so could result in exclusion of that company from the ECTA programme.

If a member of ECTA breaches any Cefic and/or ECTA provisions on the use of the logos or declines to comply with them or in any way uses the trademarks or allows them to be used in an unauthorised or misleading manner, ECTA will deny the use of the logo to that member.

The right to use the logos will be restored as soon as the reason for the denial is no longer valid.

3.3 Typically, transport companies will be allowed to use the RC logos on letterheads, websites, corporate signage, flags and badges for personnel and on legally required reports to authorities. Equally, the use of the logos will not be permitted on the signage on lorries, trailers and tanks, or on any product advertising, or on a product or product packaging and/or by third parties such as sub-contractors and cleaning stations.

ARTICLE 4 – SQAS

SQAS was developed by Cefic in liaison with involved sectors, including the transport industry. It is based on the following founding principles developed by Cefic for all SQAS modules: objectivity, neutrality, transparency and open access to the system for users.

The choice of whether to use SQAS and/or any other assessment system, and the choice of transport companies will be that of each company acting independently and on its own. ECTA will apply Cefic guidance on competition law attached as Annex 6 *"Guidance on Competition Compliance for SQAS".*

ARTICLE 5 – MISCELLANEOUS

5.1 Joint review

Both parties will work closely to improve the RC programme regarding transport companies. In addition, parties will jointly review on an annual basis the implementation progress and consistency of their programme, as mentioned above in Article 1.2.

Both parties agree to liaise and inform each other of any issue or event which might affect the quality or the integrity of the RC initiative and/or the use of RC logos.

5.2 Competition law compliance

ECTA and Cefic are respectively responsible for ensuring compliance of their RC programme, including the application of SQAS, with regard to competition law for their respective sector.

5.3 Duration of the present agreement and termination

The present agreement is concluded for an indefinite duration. It may be terminated immediately if parties do not adhere to the obligations stated herein.

In addition, each party reserves the right to terminate the present agreement giving to the other party six months prior written notice.

5.4 Dispute resolution and applicable law

In case of disagreement between the parties concerning the use of the logo and/or the application of the procedures, as laid down in the present agreement and its annexes, the matter will be at first presented to the ICCA RC Leadership Group which, after having heard and taken into account the arguments used in defence of ECTA, will take the final decision.

Should this decision not be acceptable to either party, then the most diligent party can bring the case before a Brussels court.

This agreement is exclusively governed by Belgian law.

DONE IN MANCHESTER ON 23 OCTOBER 2008, IN THREE ORIGINALS, EACH PARTY HAVING RECEIVED ITS OWN ORIGINAL

A MONTERO
ECTA President

A PERROY
Cefic Director General

ANNEX 1 - ECTA RC Core Principles
We, chemical transport companies, will:

1. Continuously improve the environmental, health and safety performance of our transport operations of chemical goods so as to avoid harm to people and the environment.
2. Ensure that proper care is taken to protect the safety and health of all people involved in our chemical transport operations.
3. Minimize the environmental impact of our transport activities
4. Use resources and fuel efficiently and minimize waste.
5. Take adequate measures to ensure the security of our operations.
6. Collect data and report openly on our performance, achievements and shortcomings.
7. Listen, engage and work with people to understand and address their concerns and expectations.
8. Cooperate with governments, international institutions, organizations and authorities in the development and implementation of effective regulations and standards to improve transport safety.
9. Encourage the responsible management of all those who are involved in providing a service to us, in particular transport sub-contractors and cleaning stations.

ANNEX 2 - ECTA RC Implementation Guide
The following areas will be covered in this implementation guide (see also ECTA/EPCA/Cefic Guidelines entitled "Recommendations on Safety, Health and Environmental Management Practices for Logistics Service Providers - 2002" :

1. Commitment and awareness of HSE policies;
2. Data, information and regulations;
3. Risk assessment and reduction;

3. Risk assessment and reduction;
4. Selection and monitoring of subcontractors;
5. Specification and maintenance of equipment;
6. Environmental performance of equipment;
7. Training and behaviour based safety;
8. Reporting and evaluation of incidents and accidents;
9. Emergency response;
10. Control of operations;
11. Auditing;
12. Security.

ANNEX 3 - ECTA RC - Collection of data on performance indicators (KPIs)

- Each ECTA member company entering the RC Programme commits to report to ECTA on an annual basis the data on key performance indicators (KPIs) - see annex 4.

- ECTA member companies within the RC Programme will ensure that the data collection of the KPIs is part of their management system.

- ECTA will organize the annual collection of the KPI data from its member companies and consolidate the data on a Euro-wide basis, respecting the confidentiality of the information.

- ECTA will publish the performance data, consolidated on a Euro-wide basis in its annual RC Report.

- ECTA will annually provide to Cefic the Euro-wide performance data.

- Individual transport companies may communicate their own performance data with their stakeholders.

ANNEX 4 - ECTA RC – Key Performance indicators (KPIs)

General Information

- Number of km per year invoiced by the RC Company for chemical goods transportation (including empty legs etc- see attached definition of transport)
  - by own vehicles
  - by integrated sub-contractors
- Number of trucks deployed and number of drivers
  - number of own trucks and trucks from integrated sub-contractors
  - number of own drivers.
- Estimated percentage split of shipments by mode of transport:
  - Road
  - Intermodal road/rail
  - intermodal road/barge
  - Intermodal road/sea.

Key Performance Indicators

1. Number of incidents during transport and loading/unloading per year per million km
   - by own vehicles
   - by integrated sub-contractors

2. Total number of training days of drivers per year.

3. Percentage split of trucks between the EURO 1 to 5 categories

- own trucks
- integrated subcontractors' trucks.

4. Fuel consumption per tonnekm (road transport)

5. CO_2 emissions per tonnekm (road transport)

Definitions
Transport : The "in-transit" road and intermodal transport of chemicals between the site of a supplying chemical company and that of the final destination, and to and from cleaning stations, excluding the transport and loading/unloading activities at the premises of the supplying chemical company and the final destination.

Chemicals : All chemical products, including samples, raw materials, intermediates, wastes, etc., whether or not classified as dangerous according to the UN Recommendations for the Transport of Dangerous Goods.

Reporting criteria of transport incidents
All incidents during the transport of chemicals, meeting one or more of the following criteria should be reported:

a. Death – Injury - Death or injury (of the driver or other people involved in the accident), where the injury
   - requires intensive medical treatment, or
   - requires a stay in hospital of at least one day, or
   - results in the inability to work for at least three consecutive days irrespective of whether or not the chemical product contributed to the death and/or injury.

b. Loss of product - Any release of product of
   - more than 50 kg/l of dangerous goods (classification according to the UN Recommendations for the Transport of Dangerous Goods), or
   - more than 1000 kg/l of non-dangerous goods.

c. Material damage or environmental damage - Any damage exceeding 50,000 Euro, to the property of any party, resulting from the transport incident, irrespective of whether or not the chemical product contributed to the damage.

d. Involvement of authorities - Direct involvement of the authorities or emergency services in the transport incident or the evacuation of persons or closure of public traffic routes caused by the transport incident.

ANNEX 5 - Cefic Regulations on the use and control of the collective trademarks Responsible Care

ANNEX 6 - Guidance on Competition Compliance for SQAS

Cefic Guidelines on reporting transport incidents

1. Background

Under its Responsible Care initiative, the chemical industry is committed to continuously improve the Health, Safety and Environmental performance of its transportation activities whereby the prevention of incidents is highly important.
Internal reporting of transport incidents is already common practice in most chemical companies and offers individual companies a solid basis for carrying out risk assessments and taking remedial actions. Common industry reporting criteria are however necessary to demonstrate performance improvements to the public in a comprehensive way.

2. Objective

These guidelines intend to promote the reporting of transport incident data according to common definitions and criteria. This approach should lead to consistent reporting by individual companies, by national chemical federations at national level and by Cefic at European level.
This will contribute to an improved exchange of information and will stimulate continuous reduction of chemical transport incidents.

3. Definitions and criteria

3.1. Definitions

Transport

The "in-transit" transport by all modes of transport (air - rail – road – sea – inland waterway – pipeline) of chemicals between the site of a supplying chemical company and that of the final destination, excluding the transport and loading/unloading activities at the premises of the supplying chemical company and the final destination.

Chemicals

All chemical products, including not only finished products, but also samples, raw materials, intermediates, wastes, etc., whether or not classified as dangerous according to the UN Recommendations for the Transport of Dangerous Goods.

3.2. Reporting criteria

All incidents during the transport of chemicals, meeting one or more of the following criteria, should be reported:

a. Death - Injury
Death or injury, where the injury
- requires intensive medical treatment, or
- requires a stay in hospital of at least one day, or
- results in the inability to work for at least three consecutive days

irrespective of whether or not the chemical product contributed to the death and/or injury.

b. Loss of product
Any release of product of
- more than 50 kg/l of dangerous goods (classification according to the UN Recommendations for the Transport of Dangerous Goods), or
- more than 1000 kg/l of non-dangerous goods.

c. Material damage or environmental damage
Any damage exceeding 50,000 Euro, to the property of any party (including environmental clean up), resulting from the transport incident, irrespective of whether or not the chemical product contributed to the damage.

d. Involvement of authorities
Direct involvement of the authorities or emergency services in the transport incident or the evacuation of persons or closure of public traffic routes for at least three hours caused by the transport incident.

4. Collection and reporting process

4.1. Data to be collected

The following data should be reported:

- The total number of transport incidents by transport mode, split by bulk (tanks, tank containers) and packaged (cans, drums, bags, IBCs, etc.)
- The total number of transport incidents with product loss (see paragraph 3.2.b)
- The total volume (tonnage) transported by each transport mode .

See section 4.4 for suggested format of data collection.

4.2. Reporting

The reporting process should consist of the following steps:

Step 1: Each shipping point of a chemical company collects the incident data for all transport shipments originating from this shipping point.

Step 2: Each chemical company collects the data for all its shipping points and reports the aggregated data per country to the respective national chemical federations.

Step 3: The national chemical federations report the incident data and volumes, aggregated at national level, to Cefic.

4.3. Indicators of performance

The following indicators of performance should be used
- number of incidents per transport mode
- number of incidents per 1 million tonnes carried per transport mode

4.4. Suggested format for data collection

Mode of Transport	**Number of incidents**				**Total volume transported (tonnes)**
	Bulk	**Packaged**	**Total**	**Total with product loss (see 3.2.b)**	
Air					
Rail					
Road					
Sea					
Inland waterway					
Pipeline					
Total					

February 2009

The ICCA Guidelines for the use and protection of Responsible Care® Trademarks

1. Introduction

The Responsible Care Logo visualizes the principles of the Responsible Care Initiative which are included in the Responsible Care Global Charter.
The Responsible Care Logo is the common brand for national associations and member companies to identify their participation in this initiative.

Responsible Care® is an initiative of the global chemical industry in accordance with the ICCA Responsible Care Global Charter. In this initiative national associations and their member companies commit

- to work together to continuously improve the health, safety and environmental performance and its communications with the public,
- to do business responsibly and
- to improve product stewardship.

This Guideline sets the basic rules for use and protection of the Responsible Care® Trademarks. It also encourages ICCA member associations and their member companies to use it for the industry recognition and public awareness that reflects the Responsible Care principles visually.

The ICCA RCLG Secretariat and ICCA members share responsibility for the use and protection of Responsible Care® trademarks in accordance with the following rules.

The adoption of a title and logo that make up the Trademarks clearly identify national initiatives as being consistent with and part of the concept of Responsible Care®. The establishment of an identifiable symbol allows the public to immediately recognize the chemical industry's commitment to the Responsible Care principles.

It is expected that all national associations which run a Responsible Care programme and their member companies which are committed to the initiative will move towards the exclusive use of the English logotype "Responsible Care" to maximize the identity of the initiative worldwide.

2. The Responsible Care Logo

The visual identity of the global Responsible Care initiative is covered by:

a. The logo without wording

The visual representation is of two hands pointing upwards cupped around a collection of symbols which represent a hypothetical chemical structure. The logo expresses the key message of sound management of chemicals under the Responsible Care principles which are included within the Global Responsible Care Charter (Appendix 1: ICCA Global Charter, 1. Core Principles).

b. The logo with wording

This is visually represented by the logo as described above together with the appropriate wording in close association with the logo itself. The logotype will be the words "Responsible Care" written in English or other descriptions in other languages to meet local needs. The use of association names/Association Letters/acronyms is not allowed. (Appendix 2: Examples of the Logo).

c. Reproduction of the Logo

Obligation:

The shape of the logo should never be altered in any way.
The reproductions must always be from the approved versions:
- through photographic means from an original pattern or
- through electronic file which can be sourced from the associations.

Preference:

Although the logo was originally used in green (Pantone colour 347 coated) the logo and logo with logotype have been registered in black and white. These can be reproduced in either black on white, white on black, in Pantone 347 coated or colours decided by the user. For electronic publishing it is recommended to use html code #009B48 or RGB 0-155-72.[1]

The Font of the wording should be Times New Roman, bold, as shown in Appendix 2: Examples of the Logo with wording.
The wording can also be done in a font that meets national association, company or local needs.

[1] for this paragraph written permission necessary by Yossi Cohen, Pantone, Inc.,Carlstadt, NJ

3. Responsibilities of Associations
3. 1. Registration of Responsible Care® Trademarks

National Chemical Associations that are members of the ICCA and those associations which run Responsible Care programmes that are recognised by the ICCA through the ICCA Responsible Care Leadership Group, are granted the right to use the logo in their own country, and are committed to develop their respective national programme to implement in their turn, Responsible Care with the companies acting in their territories.

Registration is the basis for the protection of Responsible Care Trademarks.

General

Associations should provide for protection of the logo(s) in their own territory. As a consequence, they must register the logo(s) in their own country as a trademark(s). They are also responsible for the protection and correct use of the logo(s) in their own country and license their participating member companies to use them properly.

Registration of the trademarks in a few key classes, e.g. 1, 16, 35, 41 and 42 that are relevant to the use made, are strongly recommended for the protection of the Responsible Care Trademarks. (For the names of these classes, see the WIPO Web site: www.wipo.int).

Europe / European Union

In Europe, Cefic, the European Chemical Industry Council, has been entrusted by the ICCA with the role of granting its members, namely the national chemical industry federations across Europe, whether members or associated members, the right to use the Responsible Care logo, after having satisfied itself that the programme developed by the national association meets the Responsible Care philosophy, is in accordance with the ICCA Global Charter and is correctly and adequately implementing the eight fundamental features of the initiative

In Europe Cefic has registered the logo as 2 trademarks (one with the words in English, and one without the words), in all countries into which it has a national federation: the EU (27 countries), Norway, Switzerland, Turkey and Croatia.

3. 2. Procedures of Implementation and Conditions

Since February 2005 the ICCA Responsible Care Global Charter describes the vision and mission of Responsible Care worldwide. The Global Charter fundamental feature No 2 describes the common administrative procedures for the use and protection of Responsible Care trademarks for a national programme as follows: "Adopt a title and logo that are consistent with Responsible Care".

This in mind, the **ICCA RCLG**

- reviews international standard of national Responsible Care programmes,
- communicates intentions internally to ICCA and gets feedback from the ICCA Steering Committee,
- develops rules for use of name and logo *(this paper),*
- communicates rules to associations for their member companies.

Implementing this, **national associations**

- observe established rules and monitors observance. (See also 3.3. Supervision)

Therefore each national association should develop rules for the correct use of the logo and name in their language and to prevent its misuse. This is the assurance of their commitment to the initiative and the only way to assure that the national and international use of the logo as a communication tool can be optimized.

Use of the Responsible Care logo is restricted to

a) the national associations for their field of activity;
b) the companies,
   - which are members of national associations and who are formally committed to the Responsible Care Principles (e.g. by CEO signature), for the use of the Responsible Care Logo in the field of activity of these national associations;
   - who have significant operations within a country, from the date of entry into force of their membership in the national association of this country;
   - in countries without national Responsible Care programmes or without significant operations, based on the membership in national Responsible Care programmes.

3. 3. Supervision of the use and withdrawal conditions

Under the supervision of the ICCA RCLG secretariat, member associations need to use their powers to take measures to prevent misuse of the Responsible Care trademarks.

ICCA RCLG secretariat can withdraw the authorization to use the Responsible Care logo if a national association or its member company acts contrary to the Responsible Care principles or the rules of ICCA as applicable. Misuse can be reported by member companies to their national associations.

Under the supervision of the ICCA RCLG secretariat, member associations will take the necessary steps in case of infringement by a third party which is not authorized to use the Responsible Care Logo.

In Europe these conditions are enacted by Cefic in conjunction with its national associations.

4. Instances of use for companies

The **member companies** of a national Responsible Care programme are **allowed and encouraged** to incorporate the Responsible Care logo to identify the company as a Responsible Care company in corporate or product advertising in the following instances:

- on their letterhead according to the guidelines supplied by the national federations;

- on legally required reports to authorities, when deemed relevant;

- on information materials to improve product stewardship and work in partnership with upstream suppliers and downstream chemical users, for example safety data sheets (SDS);

- on their web-site to identify themselves as a Responsible Care company;

- on print and electronic media, on other promotional material and in advertising which explains or promotes the Responsible Care Initiative;

- on a flag which identifies one of the company's Responsible Care sites;

- on corporate signage or storage tanks, warehouses, buildings or other facilities (the "Facilities") owned by or on a long term exclusive lease to the company, provided that the Facilities where the logos are displayed are under the direct control of the company and their respective corporate or trade name is also prominently displayed on the same Facilities;

- on vehicles including railway, vans, barges, pipelines, trucks, fire engines or tank trucks (the "Vehicles") owned by or on long term exclusive lease to the company provided that the company's corporate or trade name is also prominently displayed on the Vehicles.

The use of the Responsible Care logo is **not permitted**

- on any corporate or product advertising, or on a product or product packaging, in a manner which suggests, directly or indirectly, that a product is a "Responsible Care product";

- on any corporate effort to support or oppose governmental initiatives, including legislation or regulation, where such a position is clearly in opposition to Responsible Care guidelines and applying principles;

- on services provided by third parties (except chemical industrial parks,

if they are participants of a national Responsible Care programme) such as re-sellers or for-hire trucking companies;

- on waste containers, drums and barrels;

- on office equipment, except it promotes the spirit of Responsible Care.

It is possible to use the Responsible Care logo as a way to deliver industry messages by the inclusion of a strap line or slogan underneath but not closely attached to the logo. If such an approach is taken this should not interfere with or jeopardize logo protection.

Appendix 1: The ICCA Global Charter

ICCA-Internet:
http://www.icca-at-dubai.org/dbfiles/THE_GLOBAL_CHARTER.pdf

Appendix 2: Correct Uses of the Trademarks

Examples of correct uses to date:

Recommended colour:

Hex-/html-code: #009B48; RGB = 0-155-72 =

Appendix 3: Trade mark information EU

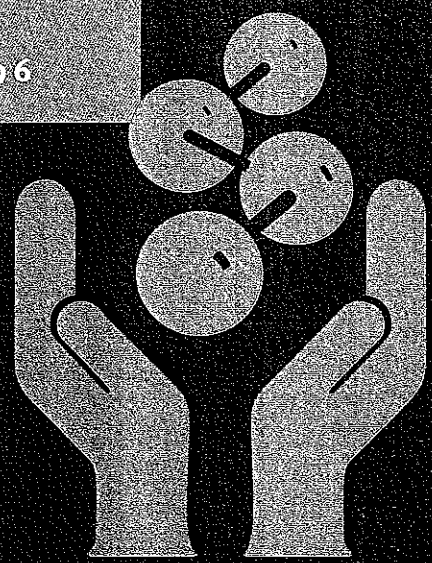
http://oami.europa.eu/en/default.htm to search for trade mark

Excerpt from Responsible Care trade mark, classification:

Nice Classification:	16
List of goods and services	All printed matters included in this class.
Nice Classification:	35
List of goods and services	Professional business consulting and business administration; advertising.
Nice Classification:	41
List of goods and services	Education and providing of training; organizing and conducting of conferences.
Nice Classification:	42
List of goods and services	Providing of information and advice destined for the chemical industry and related to the engagement of the chemical sector with regard to the safeguarding of the environment, health and security.

Regulations on the use and control of the collective trademarks "Responsible Care"

November 1996



CEFIC
EUROPEAN CHEMICAL INDUSTRY COUNCIL

Regulations on the use and control of the collective trademarks "Responsible Care"

1 Introduction

CEFIC, located in Brussels, avenue E Van Nieuwenhuyse 4, 1160 Brussels, Belgium, registered the Responsible Care logos for the use of which the following rules are applicable. These comprise also Appendix 1 (extracts of the CEFIC Statutes and By-laws) and Appendix 2 (visual representation of the two Collective Trademarks).

2 The Responsible Care logos

The present rules have for purpose to identify the essential characteristics of the two collective trademarks for Responsible Care (hereinafter RC) as well as the basic rules concerning the use and concerning the control on the use of these trademarks.

These rules govern the use of the following collective trademarks:
a) The visual representation of the RC logo
b) The RC logo with the wording "Responsible Care".

The logotype will be registered in black and white and can be reproduced in either black on white or in the colour decided by the user. In order to ensure an identity to the European RC programme, the use of the green colour (Pantone 347) is however recommended.

The logotype will be registered under the different designs as shown on the attached form (Appendix 2).

In order to benefit from the protection of the registration, the logotype should be used as such and should not be modified in any way. The reproductions must always be through photographic means from an original negative and can be made directly from the attached forms.

3 Proprietorship of the trademarks

These trademarks belong to CEFIC. The trademarks, which are known as the "RC logo", are the absolute property of CEFIC and will not be used by any person otherwise than in accordance with these rules.

4 Access to the use of the RC logo

4.1 Objectives of RC

One of the fundamental features of the RC initiative, adopted by the International Council of Chemical Associations (ICCA) in April 1991, requests the "adoption of a title and of a logo which clearly identify national programmes as being consistent with and part of the concept of Responsible Care".

CEFIC has been entrusted by the ICCA with the rôle of granting its members, namely the national chemical industry federations whether members or associated members (referred to as in Article 5 of the Statutes - hereinafter National Associations) the right to use the RC logo, originally designed by the Canadian Chemical Producers Association (CCPA), after having satisfied itself that the programme developed by the National Association meets the RC philosophy and its fundamental features.

Under the guidance and supervision of CEFIC, National Associations are responsible for the detailed implementation of RC in their countries and each RC programme incorporates these eight fundamental features:

- a formal commitment on behalf of each company to a set of Guiding Principles signed, in the majority of cases, by the chief executive officer;
- a series of codes, guidance notes and checklists to assist companies to implement the commitment;
- the progressive development of indicators against which improvements in performance can be measured;
- an ongoing process of communication on health, safety and environmental matters with interested parties outside the industry;
- provision of forums in which companies can share views and exchange experiences on implementation of the commitment;
- adoption of a title and a logo which clearly identify national programmes as being consistent with and part of the concept of RC;
- systematic procedures to verify the implementation of the measurable (or practical) elements of RC by member companies;
- consideration of how best to encourage all member companies to commit to and participate in RC.

The RC logo has been created with the purpose of:

- establishing an internationally identifiable symbol that will allow the public to immediately recognise the chemical industry's commitment to improve performance in health, safety and environment;
- identifying national programmes as being consistent with and part of the concept of RC.

4.2 Conditions of use

Clearly, use of the RC logo is restricted to the National Associations' members who are formally committed to the RC principles, e.g. by CEO signature. This is the assurance of their commitment to the programme and the only way to assure that the use of the logo as a communication tool can be optimised.

These companies are allowed and encouraged to incorporate the RC logo into:

- letterheads, envelopes, business cards;
- in-house company brochures, in particular as part of a company's communication programme to promote RC to its employees;
- brochures and other information material on the company and its operations, but without any reference to specified products;
- company gifts and promotional materials;
- office equipment and stationery, notebooks, briefcases, ...
- plaques and posters on office or plant buildings, under the condition that the logo cannot be associated with a specific product;
- legally required reports to authorities, when deemed relevant.

The use of the RC logo is not permitted on

- any material used in the advertising, marketing and distribution of specified products;
- product information, e.g. technical specification sheets, safety data sheets, TREMCARDS;
- any sort of product package;
- equipment for bulk storage or transport when the logo could be seen as relating to the product and not to the company.

No person shall use the RC logo except under and by virtue of a membership to CEFIC, unless otherwise decided by virtue of a specific prior written authorisation from CEFIC. Subject to the conditions set out in these rules, National Associations are authorised to use the RC logo as long as they remain member of CEFIC.

5 Supervision of the use and withdrawal conditions

National Associations will comply with such reasonable requests as CEFIC may take from time to time, including

- to submit such evidence as may reasonably be required,
- to permit CEFIC to verify the goods and services upon which the RC logo is being used,

so as to enable CEFIC to satisfy itself that these regulations are being complied with.

National Associations will forward annually to CEFIC a record of their use of the RC logo and forward examples of the way in which it has been used.

CEFIC can withdraw the authorisation to use the RC logo if a National Association acts contrary to the interest, the objective or the rules of CEFIC as applicable.

In case of improper or unjustified use by a National Association, CEFIC may withdraw the right of use. The right of use shall be restored as soon as the cause for its withdrawal has been remedied.

If a National Association breaches any of these regulations or declines to comply with them or in way uses the trademarks, or caused it to be used, in an unauthorised or misleading manner, his right to use the RC logo will be liable to be cancelled.

CEFIC will take the necessary steps in case of infringement by a third which is not authorised to use the RC logo.

Appendices fully integrated to these Regulations:

Appendix 1: extracts of the CEFIC Statutes and By-laws
Appendix 2: visual representation of the two Collective Trademarks

RECOMMENDATIONS ON SAFETY, HEALTH AND ENVIRONMENTAL MANAGEMENT

Joint ECTA-EPCA-CEFIC Working Group

PRACTICES FOR LOGISTICS SERVICE PROVIDERS

ECTA

EPCA

cefic

Responsible Care

ISSUE 1 • April 2002

ISSUE 1 - April 2002

Recommendations on Safety, Health and Environmental Management Practices for Logistics Service Providers

CONTENT OF BOOKLET

OBJECTIVE & SCOPE

Logistics service providers need to have management systems in place to ensure that the risks arising from the transport of chemicals have been fully identified and are being properly controlled and managed.

The recommendations on safe management practices contained in this booklet address the different elements of the management systems that chemical logistics service providers should have in place in order to ensure that the transport and associated handling of chemicals is unlikely to have adverse safety, health and environmental (SHE) impacts.

Implementation of these recommendations should result in a continuous improvement in the safety and environmental performance of the logistics service providers.

These recommendations apply to the transport of chemicals by the different modes of transport. They also apply to other distribution activities associated with the transport of chemicals, carried out by logistics service providers, such as storage, loading and unloading and to any subcontractors who are working on a contract basis for logistics service providers.

Implementation of the current recommendations on SHE management practices will fulfil most of the requirements of the Safety and Quality Assessment Systems (SQAS) developed by CEFIC.

Safe Management Practices

1. Commitment & Awareness of SHE-Policies

Management Practice

The logistics service providers should have clear safety, health and environmental policies in place, which emphasize the paramount importance of safety and the protection of employees, customers, the public and the environment from the adverse effects of all logistics operations, whether carried out by or on behalf of the company.

Guiding Principles

The policies should outline the organisation, arrangements and responsibilities for achieving the required results and should be known and understood by all employees. Prime responsibility should lie with line management who should be required to demonstrate a high level of commitment to safety, health and environmental protection not only in terms of logistic operations but also in terms of personal behaviour. Management must lead by example in order to influence positively workers attitude and behaviour and to continuously improve the safety culture within the company.

The Policies should:

- be signed either by the Chief Operating Executive on the site, or alternatively by the Chairman or Managing Director of the company, reflecting the fact that the overall responsibility for SHE rests at the top of the organisation.
- be reviewed at regular intervals, or following any major change in company organisation.
- recognise the importance that individuals play in achieving successful implementation.
- be supported with goals and targets.

2. Data, Information & Regulations

Management Practice

The logistics service provider needs to ensure that he has an effective system in place for the receipt and collection of appropriate technical product data from the shipper for all the products he is handling. A system should be in place to ensure that any changes in these technical data are taken into account.

The logistics service provider also needs to have a system in place for the interpretation and application of all relevant national and international regulations and industry codes covering transport and related operations, as well as for monitoring and implementing of any changes in these regulations and codes.

Guiding Principles

Within the organisation of any logistics service provider, a qualified person should be designated to interpret and disseminate SHE information relating to all products that are handled. This information should be used as the basis for the selection of appropriate transport equipment, provision of training, safe operating procedures and the labelling of vehicles.

The data should be reviewed whenever there are changes in regulatory or product technical data, in classification and any consequential changes communicated to relevant personnel.
It is the task of the Dangerous Goods Safety Adviser, under the responsibility of the head of the undertaking, to facilitate by

all appropriate means and actions that all the transport activities and related loading or unloading of dangerous goods are carried out in accordance with the applicable rules and in the safest possible way.

3. Risk Assessment & Reduction

Management Practice

A system should be in place with which it is possible to assess and reduce potential risks in the logistics chain. The system should identify, evaluate and continuously reduce potential risks by taking into consideration the hazards of chemical products during the operations of containing, packing, handling, transporting and storing them. The system should take into account all risks of possible accidents, which may cause human and environmental exposure at production plants, final customer sites, storage facilities and during transport movements.

Guiding Principles

As part of the risk assessment process all operations should be classified into groups according to their potential risk to adversely affect people and the environment. The methodologies which are used to assess the risk vary considerably.

The result of the assessment, whatever method is chosen, enables all operations to be ranked according to their risk level. The company should then determine the need for and the application of risk reduction measures.

Effective risk management should be regarded as a continuous process. The process should be repeated at regular intervals, based on practical experience and incident evaluation, to constantly improve the process. Higher risk activities should receive more frequent reviews. A risk assessment should also be carried out each time there is a significant change in the operational activities (e.g. handling of new products, use of new equipment, changes in operating procedures). All new projects should be evaluated at an early stage, to assess the acceptability of the risks compared with regular activities.

4. Selection & Monitoring of Subcontractors

Management Practice

The logistics service providers should have a system in place for selection and monitoring of their subcontractors.
This system should emphasize safety and environmental performance, regulatory compliance, equipment maintenance and training. Furthermore it should ensure regular review of safety and environmental performance and the implementation of necessary improvements.

Guiding Principles

Subcontractors should:

- be technically competent to carry out the work, using properly maintained equipment.
- have the commitment, resources and management structure to work according to the logistics service provider's SHE standards.
- have appropriate training arrangements for their personnel to provide them with a high degree of safety awareness.
- be able to demonstrate that they have the necessary skills and procedures to carry out the subcontracted work in a safe manner.
- have systems in place to ensure that operations comply fully with relevant legislation and industry standards.
- have systems in place for accident/incident reporting.

In order to ensure the implementation of the above requirements, various systems have been developed for the auditing, selection and monitoring of subcontractor; e.g. Safety and Quality Assessment System (SQAS), developed by the European Chemical Industry Council (CEFIC).

5. Specification & Maintenance of Equipment

Management Practice

A system should be in place, which ensures that all equipment is appropriate for the (chemical) products which are stored, handled and transported. All equipment must comply with the relevant legal requirements and must be maintained in proper condition. A system should be in place for immediate reporting and prompt correction of any equipment defects.

Guiding Principles

A system should be in place requiring a written specification for purchase or lease of any equipment. These written specifications should take into account the joint CEFIC/ECTA/EPCA 'Guidelines for Standardisation of Road Transport Equipment' and the joint CEFIC/ECTA/EPCA 'Requirements for the design, construction and testing of standard rail tank cars for the carriage of liquid chemicals in bulk' - to be published in 2002.

Effective maintenance programmes should be in place, which require that all equipment (owned, leased or subcontracted) is adequately maintained to prevent and detect defects before they cause accidents or breakdowns.

6. Training

Management Practice

A system should be in place to ensure that the training needs of all employees are identified and satisfied in an appropriate and adequate manner so that all operations are carried out safely and with proper regard for environmental protection.

Guiding Principles

Systems should ensure that the training needs are regularly reviewed so that all employees are competent at all times to carry out the duties for which they are responsible. In particular, it should be reviewed whenever there are significant changes in the work carried out or in the equipment to be used.

Training must take account of any statutory regulations but should also reflect industry codes or standards relevant to the work.

A designated person within the company should co-ordinate and manage the provision of training and maintain appropriate training records.

7. Reporting & Evaluation of Incidents & Accidents

Management Practice

A system should be in place for the recording of all accidents, incidents and potentially hazardous situations, and for identifying and implementing preventive measures.

Guiding Principles

There should be a written reporting procedure to ensure the proper logging of all accidents and incidents, and communication to all parties concerned. Ownership and stewardship of the reporting system should rest with a nominated senior manager within the company. The system should be well understood by all personnel and by all subcontractors to ensure that all incidents/accidents are reported.

Each accident or incident should be investigated. In addition to the identification of the immediate cause, the root cause of the accident or incident should also be ascertained. Corrective actions should be identified to prevent a recurrence of similar events.

All accident/incident reports should be periodically analysed to search for trends and common causes. Identification of trends allows additional improvements to be developed.

Similar principles apply to the investigation and reporting of potentially hazardous situations.

Employees and all subcontractors should be encouraged to make use of the reporting system as a means for continuous improvement.

The reporting system should take into account the joint CEFIC/EPCA/ECTA 'Guidelines for Standardised Delivery Performance Measurement'- Issue 2 April 2002.

8. Emergency Response

Management Practice

A system should be in place to enable a rapid and effective response to any accidents occurring during logistics operations.

Guiding Principles

The logistics service providers should have an emergency plan for responding to any accident. This emergency plan should contain:

- action to be taken in case of different types of emergencies.
- individual responsibilities.
- arrangements for handling incoming emergency calls.
- arrangements for 24 hours coverage.
- training requirements of the responsible personnel.
- the specific arrangements required by individual customers.
- a list of the different parties to be informed with their contact details (customers, authorities,....).

Exercises should be held at appropriate intervals to test communications and practical response.

Ownership of the Emergency Response Plan should rest with a nominated person, who should be responsible for ensuring that the plan is kept up to date, that individuals are trained as required, that training records are kept, that emergency equipment is regularly checked for completeness and continued suitability and that exercises are held at appropriate intervals.

9. Control of Operations

Management Practice

Systems should be in place to ensure that day-to-day operations are carried out in compliance with legislation, industry codes and standards, to protect people and to minimise impact on the environment.

Guiding Principles

The company should identify and prepare an inventory of all the operations that are carried out. Each operation should be broken down into its individual tasks. Procedures should be developed for each task and the responsibility for completing that task should be clearly defined.

The operating procedures should cover the selection of proper equipment for handling the products taking into account their hazards and relevant national or international legislation and the precautions to be taken both in normal and emergency situations.

Where the operation involves interfaces with third parties, procedures should ensure full alignment.

Procedures should be updated whenever changes occur in the legislation or in industry codes and standards.
Procedures should be regularly reviewed, covering all aspects of the operation.

10. Auditing

Management Practice

A process should be in place for the regular internal auditing of the SHE management system. Deficiencies observed during audits should be recorded, their implications assessed, and remedial actions prioritised and implemented.

Guiding Principles

The objectives of auditing can be summarised as follows:

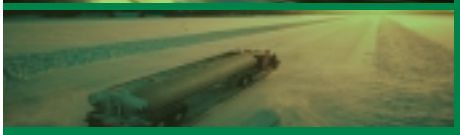
- to review the implementation of company SHE policies.
- to verify compliance with legislation, industry codes and standards.
- to promote awareness of SHE protection.
- to assess the SHE performance.

Auditing is an integral part of the management process. The responsibility for auditing and implementing remedial measures rests with line management, although specialists can assist in developing audit procedures and in auditing.

An audit plan should be developed which is appropriate to the size and scope of the company's operations.
This should incorporate all aspects of the company's SHE management system.

The internal audits should be carried out by people trained in auditing and evaluating techniques. A significant portion of auditing can be carried out by the local management. On occasion, it may be appropriate to have external audits by auditors who are independent of the location or even of the company to be audited.

Based on the recommendations of the audit report, there should be an action plan with follow up to which line management is fully committed.



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