

Grüner Strom-Label

Criteria List 2021



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List of Abbreviations

EEG	German Renewable Energy Sources Act (Erneuerbare-Energien-Gesetz)
EnWG	Energy Industry Act (Energiewirtschaftsgesetz)
kWh	Kilowatt-hour
KWK	Cogeneration (Kraft-Wärme-Kopplung)
KWKG	Renewable Energy Law and the Cogeneration Protection Law (Kraft-Wärme-Kopplungsgesetz)
KWKK	Trigeneration (Kraft-Wärme-Kälte-Kopplung)
PEM	Proton-Exchange Membrane or Polymer Electrolyte Membrane
PV	Photovoltaics

1 PURPOSE OF THE GRÜNER STROM LABEL CERTIFICATION

1.1 Aim of the Grüner Strom Label association and the *Grüner Strom* label

The vision of the Grüner Strom Label association (Grüner Strom Label e.V.) is a 100 percent renewable energy supply in all sectors and at all levels. The energy supply should be nature-friendly, decentralised, citizen-centred, fair, and free of pollutants.

Against the background of this vision, the association pursues the goal of creating transparency in the green electricity market by certifying recommendable green electricity products for consumers in accordance with the criteria following hereinafter.¹ The label certifies electricity products produced entirely from renewable energy and for which a fixed amount per kilowatt-hour (kWh) is invested in the ecologically sustainable development of renewable energy. Thereby, impulses are provided that spur the increased use of renewable energy resources, which meet highest environmental standards.

1.2 Funding instruments of the *Grüner Strom* label

The support of energy transition projects through investment grants is the most important funding instrument of the label. The funding is used to subsidise the construction of facilities for the provision of renewable energy, the promotion of innovative measures in support of the necessary infrastructure conversion to a completely renewable energy system, as well as the promotion of energy-saving measures.

The funds should be applied as effectively as possible for market penetration of energy from renewable sources (as an additional spur). Additionally, achievable revenues for said funded measures are taken into account in the process (e.g. statutory feed-in tariffs pursuant to the German Renewable Energy Sources Act (Erneuerbare Energien Gesetz – EEG), self-consumption, direct sales and distribution to customers).

2 ELECTRICITY PRODUCT REQUIREMENTS

2.1 Labelling agreement

Prerequisite for an award of the label is the conclusion of a labelling agreement between the label user (energy suppliers) and the body awarding the label (Grüner Strom Label e.V.). After the grant of the label there will be a review of the continued fulfilment of the obligations specified below, on an annual or biennial basis.

2.2 Funding amounts

An electricity product will be certified under the condition that the respective energy supplier charges a fixed amount per kWh and uses it either for funding the construction and operation of facilities for the provision of renewable energy, the conversion of infrastructures to a fully renewable energy system or for the promotion of energy-saving measures in accordance with the criteria described in Chapter 3.

After the deduction of administrative expenses and other additional costs, and in relation to the amount of *Grüner Strom* certified Green Electricity delivered to customers, the funding must,

- amount to a minimum of 0.5 euro cent (hereinafter 'cent') per kWh (net).
- In the case of customers with annual consumption of between 10,000 kWh and 100,000 kWh the amount charged must be at least 0.4 cent/kWh (net).
- In the case of customers with annual consumption of between 100,000 and 3,000,000 kWh the minimum amount charged must be 0.2 cent/kWh (net).

¹ These replace the last valid criteria list of 2015 in accordance with developments on the market for green electricity since then.

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- In the case of customers with consumption exceeding 3,000,000 kWh/year the minimum amount charged must be 0.1 cent/kWh (net).

These minimum funding amounts are attested by Grüner Strom Label e.V. Energy suppliers can request from Grüner Strom Label e.V. to attest higher funding amounts.

For customers with various places of consumption the aggregate of the annual total consumption of all individual units of consumption may be used to measure the minimum funding amount charged.

The above-mentioned funding amount applies to the portion of *Grüner Strom* certified green electricity.

2.2.1 Sales campaigns

Upon prior approval by Grüner Strom Label e.V., providers may offer sales campaigns to customers with annual consumption up to 100,000 kWh. The minimum funding amount according to annual consumption may be reduced by 50 percent for new customers acquired by such campaigns for the first contract period. After the expiry of this period, minimum funding amounts must be raised to regular levels as laid down in Art. 2.2.

2.3 Procurement of electricity

Green electricity must be designated as electricity supplied from renewable energy sources pursuant to the Energiewirtschaftsgesetz (the German “energy economy law” (EnWG). Guarantees of origin must be used which specify the source of the renewable electricity generation. These are issued by the “Guarantees of Origin Registry” of the Umweltbundesamt, the German Federal Environmental Agency, where they must be submitted for cancellation. In addition to the statutory regulations, the following restrictions apply with the *Grüner Strom* label:

- Only guarantees of origin are permissible in whose system data the marking "No support" is entered.
- The guarantee of origin alone is not sufficient evidence to qualify electricity for recognition as green electricity. It must be presented linked to the amount of electricity on which it is based. This must either be documented in the guarantee of origin or must be supported by way of other reasonable evidence.
- Electricity from biomass and sewage sludge is only recognised if the respective criteria defined by the *Grünes Gas* label are met.²
- Electricity from sewage gas and from combustion plants, which run on a mix of fuels, will not be accepted.

2.4 Optional certification of electricity procurement quality

Additionally, a label user can request from Grüner Strom Label e.V. to attest attributes associated with the delivery of renewable electricity and to specify from the following options that a defined percentage of the electricity delivered to customers under the certified product originates from

- German power stations
- regional power stations
- facilities of the label user, or facilities in which the label user or a subsidiary is directly involved,
- direct sales and distribution from facilities deemed eligible for the EEG.

² The criteria of the *Grünes Gas* label are available at www.gruenesgas.info. Electricity from biomass or sewage sludge must be submitted in advance to Grüner Strom Label e.V. for individual assessment. Any costs associated with the case-by-case assessment must be borne by the label user.

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The label user must provide reasonable evidence to support one or more of these attributes in accordance with the provisions set out in the Guide to the *Grüner Strom* label Criteria List.³

3 CONDITIONS FOR USE OF FUNDS

3.1 Requirements for the funding projects

The prospective energy supply must be of entirely renewable origin, nature-friendly, citizen-centred and thus resistant to disruptions, as well as economically favourable in the long term. These goals are to be achieved by construction of increasingly decentralised facilities for the generation, storage, and distribution of renewable energy.

Against this backdrop, the *Grüner Strom* label funding will preferentially support projects that are particularly well suited to these objectives. For example, the construction of photovoltaic (PV) systems on buildings is preferred over solar open space systems, and the construction of onshore wind power plants is given preference over offshore wind power plants.

For the above-mentioned goals, fluctuations in energy generation are to be balanced out more decentralised in the future than they are today. For this reason, funding from the *Grüner Strom* label will as well be used to support facilities for the decentralised, networked control of energy power plants and storage facilities.

Details on the design of the funding requirements can be found in the Guide to the *Grüner Strom* label Criteria List.

3.2 Funding options

Funding is provided to projects whose implementation (in accordance with the state of the art in science and technology) promotes the rapid conversion to a 100 percent renewable energy system.

The funding of projects must be approved in advance by Grüner Strom Label e.V., unless otherwise agreed or in case the guidelines stipulate that advance approval is not dispensable.

3.3 Funding areas

In accordance with Art. 2.2, the funding amounts can be used for

- Installations for the supply of renewable energy,
- The expansion of energy infrastructure and conversion towards a 100 percent renewable energy system,
- Mobility transition,
- Energy-efficient construction and conversion of energy-consuming facilities,
- Other funding projects related to energy transition,
- Energy transition projects in development cooperation,
- Nature conservation and species protection projects.

Details on the design of the funding requirements can be found in the Guide to the *Grüner Strom* label Criteria List.

3.4 Plants for renewable energy supply

The installations listed in the following chapters are generally eligible for funding under the conditions explained in the Guide to the *Grüner Strom* label Criteria List.

³ The Guide to the *Grüner Strom* label Criteria List is available at www.gruenerstrom.info. The document is available in German only.

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For all existing installations, improvements in environmental compatibility and energy efficiency are eligible for funding in accordance with the conditions set out in the Guide to the *Grüner Strom* label Criteria List.

3.4.1 Electricity generation plants with subsidies under the EEG/Renewable Energy Law and the Cogeneration Protection Law (Kraft-Wärme-Kopplungsgesetz – KWKG)

- Photovoltaics (building-mounted and open space),
- Wind power (onshore, offshore, small-scale systems),
- Hydropower (reactivation, modernisation),
- Biomass plants (biogas, solid biomass, vegetable oil),
- Deep geothermal power,
- Sewage gas plants.

The grant amount is determined as a flat-rate pro rata grant based on the investment costs or via standardised profitability calculations that consider all achievable revenues in addition to the capital and operating costs.

3.4.2 New electricity generation plants without support under the EEG/KWKG

Electricity from generation plants whose electricity is sold outside the EEG tariff must always be included in the electricity procurement for the *Grüner Strom* certified electricity product sold by the label user. This also applies to the installations listed in Art. 3.4.3. If the label user decides not to opt against it and if the justification submitted is not sufficiently reliable from *Grüner Strom* Label e.V.'s point of view, the eligibility for funding shall lapse.

Eligible installations are those which generate electricity from

- Wind power,
- biomass,
- photovoltaics.

3.4.3 Existing electricity generation plants after the end of EEG remuneration

Repowering is not an option for all plants that no longer receive remuneration under the EEG after 20 years. If continued operation is appropriate from a technical and ecological point of view, the further economic operation of these plants can be secured through subsidies from *Grüner Strom* funding.

Decisions on funding for the following types of plants are made based on the framework conditions formulated in the Guide to the *Grüner Strom* label Criteria List as part of a case-by-case assessment:

- Wind power,
- biomass,
- photovoltaics,
- hydropower.

A distinction is made between three types of operation that are eligible for funding:

- a. simple continued operation,
- b. continued operation of the plant with a new, ambitious operating concept,
- c. other system-serving/fluctuation-balancing operating modes, for example for sector coupling.

Depending on the type of operation, various funding options with flat-rate grants or subsidies based on economic efficiency are possible in accordance with the Guide to the *Grüner Strom* label Criteria List.

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3.4.4 Thermal generation of energy (heating/cooling)

The subsidy amount for renewable heating or cooling systems is determined as a flat-rate pro rata subsidy based on the investment costs. According to the conditions outlined in the Guide to the *Grüner Strom* label Criteria List, the following types of heat generation systems are generally eligible for subsidies:

- Waste heat,
- solar thermal energy,
- heat pumps,
- renewable cogeneration plants (Kraft-Wärme-Kopplungsanlagen – KWK-Anlagen),
- biomass boilers,
- geothermal energy.

Under the conditions explained in the Guide to the *Grüner Strom* label Criteria List, the following types of refrigeration systems are generally eligible:

- Systems that simultaneously produce electricity, heat, and cooling, known as trigeneration systems Kraft-Wärme-Kälte-Kopplung – KWKK)
- passive cooling systems,
- ad- and absorption refrigeration systems using renewable heat sources or waste heat.

3.4.5 Green Hydrogen production

The subsidy amount for hydrogen production plants is determined as a flat-rate pro rata subsidy based on the investment costs. In principle, at least the following plant types are eligible for subsidies if they are powered exclusively by surplus electricity from local renewable electricity generation plants:

- Alkaline electrolysis,
- PEM electrolysis,
- high-temperature electrolysis.

3.5 Expansion and conversion of energy infrastructure towards a 100 per cent renewable energy system

According to the conditions defined in the Guide to the *Grüner Strom* label Criteria List, the following measures for the expansion and conversion of energy infrastructure are generally eligible for funding:

- Energy storage systems (electricity, heat, electrochemical or chemical storage),
- heating grids,
- facilities for the system-serving/fluctuation-balancing operation of energy supply/energy consumption plants,
- modifications to the electricity distribution network for improved integration of renewable energies.

3.6 Transition to sustainable transport

Grüner Strom Label e.V. supports a fundamental change in mobility. With regards to passenger transport, this is achieved primarily via a reduction in motorised private transport. In addition, the use of electromobility is promoted for the remaining share of private transport that is inevitably required.

In the field of local public transport and goods traffic, the conversion to electrically powered vehicles is promoted as a matter of priority, in individual cases also the conversion to hydrogen-based drives.

Refuelling stations for hydrogen-based drives can be funded on a case-by-case basis for the exclusive refuelling of long-distance freight transport.

A general prerequisite for funding is the use of *Grüner Strom* certified green electricity products or Green Hydrogen.

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Projects for the transition to sustainable transport can be funded on a case-by-case basis with a flat-rate pro rata grant based on the investment and implementation costs. These include, for example:

- Establishment of private/public sharing of electric vehicles (prerequisite: use of *Grüner Strom* certified electricity),
- transaction costs for transition from vehicle delivery traffic to (electric/cargo) bicycles,
- additional costs for purchasing electric public transport vehicles instead of internal combustion engine vehicles,
- provision of multi-modal/intermodal mobility options,
- electric charging stations.

3.7 Construction and conversion of energy-saving facilities consuming electricity (energy efficiency projects)

The subsidy amount for energy efficiency projects is determined as a flat-rate pro-rata subsidy based on the investment costs.

According to the conditions specified in the Guide to the *Grüner Strom* label Criteria List, projects of the label user as well as individual commercial or large customers can be funded following an individual application. Projects of private customers can be funded within the framework of a customer support programme. Eligible new installations or conversions that are characterised by high energy efficiency include, for example:

- Process heating (industrial ovens, laundries, cooking appliances, etc.),
- cross-sectional technologies (air conditioning, cooling, pumps, etc.),
- lighting systems.

3.8 Further energy transition projects

3.8.1 Energy transition projects in Germany

- Customer support programmes,
- support for citizen energy projects and societies,
- information and educational events on energy transition and energy efficiency,
- information material for accompanying measures with regards to energy education,
- material for educational work on energy transition,
- information signs for installations under Art. 3.4 to 3.6 and 3.10,
- grants for micro-projects.

3.8.2 Energy transition projects in development cooperation

The primary geographic focus of funding projects is Germany. However, individual projects in emerging and developing countries can be funded to a limited extent.

These projects must exhibit the following basic characteristics:

- Basic supply of the population with energy from renewable sources,
- pilot character and multiplier effect,
- impulses for improving the framework conditions on site.

3.9 Nature conservation and species protection projects

Projects in nature conservation and species protection that are not directly related to measures according to Art. 3.4 to 3.8 are eligible for funding according to the requirements of the Guide to the *Grüner Strom*

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label Criteria List after a case-by-case assessment. Examples for this are the establishment of meadow orchards or flowering areas.

A demonstrable contribution to increasing or maintaining biodiversity is the most important prerequisite of any potential measure.

Only those funding amounts exceeding the minimum funding amounts listed in Art. 2.2 can be used to promote nature conservation and species protection projects.

3.10 Projects outside the scope of the funding areas mentioned above

Eligibility of funding for projects which are not listed in Art. 3.4 to 3.9 but correspond to the mission of Grüner Strom Label e.V. will be decided on a case-by-case basis.

3.11 Potential applications for subsidies

In general, funding is provided in the form of a *Grüner Strom* payment, either as an investment contribution for own projects or for third-party projects.

A transfer of subsidies to the *Grüner Strom* fund is also possible by prior agreement and subject to charges. The Grüner Strom Label e.V. uses these funds earmarked for the promotion of energy transition projects according to the specifications of this Criteria List.

Other funding concepts are only applicable in unavoidable exceptional cases and after prior agreement with Grüner Strom Label e.V.

Grüner Strom payments should primarily finance new plants that are built and operated by the provider itself or by non-profit organisations, public and charitable institutions, or citizens' operating companies and cooperatives. Grants to private individuals and companies must be awarded in a transparent procedure. Third parties receiving subsidies must themselves purchase *Grüner Strom* certified electricity.

3.12 Determination of the amount of grants

The amount of the grant is determined by standardised profitability calculations or as a flat-rate grant, which is usually based on the verifiable investment costs.

Profitability calculations consider all sources of income (EEG, KWKG, on-site marketing, direct marketing, etc.) and must consider the maximum permissible project interest rates specified in the Guide to the *Grüner Strom* label Criteria List.

If necessary, Grüner Strom Label e.V. can adjust the amount and type of grant calculation to the changing framework conditions of energy law/energy industry and state subsidy offers.

Subsidies received from third parties must always be stated.

3.13 Accounting for grants

Approved grants are booked in full as grant expenditure in the year of project completion. By agreement, grants may, in exceptional cases, also be booked as grant expenditure spread over several years.

Approved grants that exceed the certified investment obligations are offset as investment surpluses against the funding received in subsequent years.

4 ENERGY PROVIDER REQUIREMENTS

4.1 Involvement and corporate affiliations

The *Grüner Strom* label is not granted to companies whose actions negatively affect the generation and use of renewable energy.

Grüner Strom Label e.V.
Kaiserstraße 113 | 53113 Bonn
Tel.: +49 (0) 228 / 522 611-90
info@gruenerstromlabel.de
www.gruenerstromlabel.de

Vorstand: Marcus Bollmann (BUND)
Niklas Hausemann (EUROSOLAR)
Jürgen Reincke (NABU)
Geschäftsführer: Daniel Craffonara
Christian Knops

Sparda-Bank West eG
IBAN: DE30 3706 0590 0000 608980
BIC: GENODED1SPK
ST.-Nummer: 205/5774/0572
USt-IdNr.: DE209386855

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4.1.1 Involvement in nuclear power plants

The *Grüner Strom* label is not granted to companies directly involved in nuclear power plants i.e., operators of nuclear companies or companies with ownership interests/capital stock in nuclear operating companies.

4.1.2 Involvement in coal-fired power plants

The *Grüner Strom* label is not granted to any company that is still directly involved in a coal-fired power plant on the effective date of 1 January 2027 i.e., operates a coal-fired power plant itself or is invested in an operating company with ownership interests/capital stock.

4.1.3 Exemption regulations

For label users holding a minority interest in a coal-fired power plant without a determining influence and who have already had products certified with the *Grüner Strom* or *Grünes Gas* label before the entry into force of this criteria list (1st January 2021), an exemption from the obligation set out in Art. 4.1.2 is possible, based on a case-by-case assessment by Grüner Strom Label e.V.

Reasons and conditions for exemptions are available on Grüner Strom Label e.V.'s website. All exemptions, granted by Grüner Strom Label e.V. after a positive case-by-case assessment, are publicly announced.

4.1.4 Scope of requirements

The requirements for the energy provider formulated in Art. 4.1.1 and 4.1.2 shall apply equally to direct parent companies that hold more than 50 percent of the label user, as well as direct subsidiaries, in which the label user holds more than 50 percent. An exemption according to Art. 4.1.3 is not possible for parent companies and subsidiaries.

4.2 Accounting

Label users are obliged to set up a designated/separate accounting system for activities related to the supply of *Grüner Strom* certified green electricity.

In particular they must

- gather detailed and clear records that demonstrate the fulfilment of their obligations and that are attested and confirmed by their auditors⁴ or alternatively, are verified through an on-site inspection by Grüner Strom Label e.V.⁵,
- obligate the operators of renewable energy facilities, for which the funds were made available, and other recipients of proceeds, to meet such requirements,
- provide the necessary data and proof to Grüner Strom Label e.V. and, if requested, give access to documents as well as to generation facilities supported under the certification and other measures.

4.3 Product communication

Label users must present information on the certified product in transparent, clear, and understandable ways to their customers. They must use best efforts to market it, and in doing so, must show the logo of the *Grüner Strom* label pursuant to Art. 6.1.

The product information must specify the funding amount per kWh (net).

⁴ As an alternative to auditors, the label user can also apply to Grüner Strom Label e.V. for another suitable approved inspection body (Zugelassene Überwachungsstelle - ZÜS). In case of a positive review and approval by Grüner Strom Label e.V., a ZÜS can take over the testing of the core data.

⁵ The practical implementation of the certification process will always be monitored by an external institute.

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If the label user sells multiple products with different subsidy amounts, or if the products have different subsidy amounts staggered according to annual sales volumes, these subsidy amounts must be indicated clearly and differentiated in the product communication.

Additionally, label users are obligated to public disclosure of the following data about the renewable energy facilities:

- sites,
- dates of commissioning,
- data on capacity.

Equivalent information on the funding of other measures is to be publicly disclosed.

4.4 Testing of the funding

Compliance with the obligations regarding uses of funding are reviewed for each calendar year. The supporting evidence attested and confirmed by the auditors or, alternatively, by Grüner Strom Label e.V. must be furnished latest by June 30th of the following calendar year. Grüner Strom Label e.V. must be notified of preliminary data by January 31st respectively.

4.5 Deadline for the use of the funding

The financial obligation to support new facilities, which results from the fixed amount of funding per kWh sold during the calendar year, must be met by the end of the second year following thereafter. Funds that have not been applied by then in accordance with the criteria list at hand, must be transferred to Grüner Strom Label e.V. Grüner Strom Label e.V. will use these funds earmarked for the promotion of energy transition projects, according to the specifications in this criteria list and in a timely fashion.

5 AWARD AND WITHDRAWAL OF THE LABEL

5.1 Issue and withdrawal

The *Grüner Strom* label is typically granted for two years. In case of material breach of the labelling agreement and/or the requirements contained in the present criteria list, the *Grüner Strom* label will be withdrawn with immediate effect. A breach is material, among other things:

- (1) in the general case of misuse, and in particular in the case of manipulation of data
- (2) if the obligations under Art. 4.1 to 4.1.4 are not met
- (3) if the obligation under Art. 4.5 is not met in three consecutive years.

The withdrawal will be publicly disclosed.

5.2 Disbursement of unused funding

In the event of termination of the label agreement between the label user and Grüner Strom Label e.V. or withdrawal of the label in accordance with Art. 5.1, unused subsidy amounts determined in accordance with Art. 2.2 must be paid to Grüner Strom Label e.V. who shall use them in accordance with Art. 4.5.

6 USE OF THE LABEL AND DISTRIBUTION TO CUSTOMERS

6.1 Label users may only mention and show the *Grüner Strom* label in their product information with a clear link to the certified product. When displaying the label, the names of the supporting associations behind Grüner Strom Label e.V. may also be mentioned. No license to the supporting organisations' logos is

Grüner Strom Label e.V.
Kaiserstraße 113 | 53113 Bonn
Tel.: +49 (0) 228 / 522 611-90
info@gruenerstromlabel.de
www.gruenerstromlabel.de

Vorstand: Marcus Bollmann (BUND)
Niklas Hausemann (EUROSOLAR)
Jürgen Reincke (NABU)
Geschäftsführer: Daniel Craffonara
Christian Knops

Sparda-Bank West eG
IBAN: DE30 3706 0590 0000 608980
BIC: GENODED1SPK
ST.-Nummer: 205/5774/0572
USt-IdNr.: DE209386855

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granted to label users. In addition, the currently valid terms of use of the logo, which are made available by Grüner Strom Label e.V., apply.

6.2 Label users are authorised to grant the *Grüner Strom* label to customers of their certified product for one year, or for the duration of the respective power supply contract.

7 THE CRITERIA LIST IN FORCE AND TRANSITIONAL ARRANGEMENT

7.1 This version of the criteria list is in effect until it is replaced by a new version.

7.2 All references to overarching statutory regulations are based on currently valid versions at the time of issuing the criteria list at hand (January 1, 2021).

7.3 In case of changes to statutory regulations that are of relevance to the present criteria list, Grüner Strom Label e.V. reserves the right to adapt the concerned articles in this criteria list accordingly.

7.4 A transitional period, ending December 31, 2021, for compliance with this criteria list, applies to label users who entered into a labelling agreement before January 1, 2021 based on former criteria lists.