

Explanation of communication by non-participants – version 4, 30-12-2021

When can a Better Life participant deliver to non-participants

Sometimes participants in the Better Life scheme want to deliver to companies that are not participants. In order to clarify the relevant regulations, this document indicates when it is possible to deliver to non-participating companies and the conditions under which this is permitted. Two types of products are assumed:

1. Products in consumer packaging or end-user packaging
2. Bulk products

1. Definitions

Definition of consumer packaging: A consumer packaging is an individual packaging that is offered to the consumer and opened by the consumer.

Definition of end user packaging: An end user packaging is a form of packaging that is delivered to the end user, for example, a restaurant or catering company or a butcher, the contents of which are too large to be designated as consumer packaging, but which satisfy the complete labelling requirement as described in the 1169/2011.

2. Possibilities products in consumer packaging or end user packaging

- a) Processor's own brand – BLL products may be included in the flyer or folder. No other communication about BLL is permitted other than the BLL logo shown on the product. Buyer (non-participant) issues a statement (Annex A: Declaration of no communication about the Better Life label) or the participant states on **the invoice and packing slip* that no communication must be made about the Better Life label**, other than the Better Life label shown on the packaging.
Supplementary: When delivering to a retailer, a declaration of no active communication about the Better Life label must always be signed. When delivering to food service, hotels, restaurant and catering companies and users where it cannot be expected that the Better Life label is visible to the final consumer, a statement on the invoice and packing slip* is sufficient.
- b) Customer's own brand – Customer must enter into a contract with the BLLF and be registered as a participant in the BLL register.
- c) Wholesaler 2b/ trader 2c and processors - Buyer/customer (non-participant) issues a statement (Annex A: Declaration of no communication about the Better Life label) or the participant states on **the invoice and packing slip* that no communication must be made about the Better Life label**, other than the Better Life label shown on the packaging.
Supplementary: When delivering to a retailer, a declaration of no active communication about the Better Life label must always be signed.

3. Possibilities for bulk products

Bulk products are products for further processing. These bulk products are delivered to wholesaler 2b/ trader 2c and processors including central butcheries and processing counters in the supermarket. Based on the various company types, the following conditions apply when delivering to non-participants:

- a) Abattoir, processor or packing station - must receive a signed declaration of no communication (Annex A: declaration of no communication), if downgrading is impossible. No communication about the Better Life label must be shown on the packing slip and the invoice.
- b) Wholesaler 2b/ trader 2c and processors - can receive a signed declaration of no communication or the participant states on **the invoice and packing slip* that no communication must be made about the Better Life label**, other than the Better Life label shown on the packaging.

4. Examples

Some examples of texts that may be used on the invoice and packing slip are shown below:

- *Customers who buy products with the Better Life label may only communicate about this label if they have been approved or certified for participation by the Better Life label Foundation. Customers who are not approved or certified for participation in the Better Life label scheme are not permitted to communicate about the Better Life label other than the Better Life logo shown on the product packaging.*
- *Have you been approved for the Better Life label by the Better Life label Foundation? If so, you may actively communicate about this label. If not, you may not communicate in any way about the Better Life label. For more information, see <https://beterleven.dierenbescherming.nl/zakelijk>*
- *When your company has been approved by the Better Life label Foundation, you can communicate about the Better Life label (BLL). Other companies are not permitted to communicate about BLL, other than the BLL logo shown on the product packaging.*
- *Communicating about the Better Life label is only permitted for participants approved or certified by the Better Life Label Foundation. In all other cases, only the Better Life logo in its original, unchanged form may be displayed on the delivered product packaging. For more information, see: <https://beterleven.dierenbescherming.nl/zakelijk>*

An example of the packing slip and invoice must always be submitted to the BLLF for approval before it is used. Submit a copy at 'Declaration of no communication' in the BLL portal.

Appendix A: Declaration of no communication about the Better Life label

[Company Name]

[Address]

[Postcode Place]

[Date/Place]

Declaration of no communication about the Better Life label

Dear Sir/Madam,

As a legal representative of [company name], I hereby declare on behalf of [company name] that we will not communicate in any way about the Better Life products we buy from [customer name + address + place]/ participants in the Better Life label scheme*, other than the Better Life label logo shown on the product packaging and which, in regards to the scope, corresponds to that supplied to us by [name of supplier]. The Better Life logo, as registered by the Dutch Society for the Protection of Animals, may not and will not be deviated from in any way ** (colours, visual elements etc.)

If we have a reason for wanting to communicate about the Better Life label, we will submit an application for participation to use the Better Life label to the Better Life label Foundation. Until the application has been approved, we will not communicate about the Better Life label.

This declaration is in accordance with the “Explanation of communication by non-participants” – Version 30 December 2021, which is amended to this declaration.

We are aware that legal action may be taken to prevent the unlawful use of the Better Life label, in any case due to infringement of trademark rights and any damage to, or damage to the image of, the trademark owner and its associated participants.

This declaration has been drawn up entirely truthfully, and my company will act in full accordance with the contents of this declaration. In case of any doubt or if there are any questions about the application of this declaration, the Better Life label Foundation will be contacted for advice.

Yours faithfully,

[Signature]

[Company name]

[Name]

[Position]

Annex: ‘Explanation of communication by non-participants’ – version 30 December 2021

* Delete as appropriate.

** the certification mark Better Life of the Dutch Society for the Protection of Animals filed with the Benelux Office for Intellectual Property under registration number 0968002.