



PRESS RELEASE

WARNING: DESPITE ITL LOSING TEXAS CASE, EUROBENT STILL USES NON-GCCM PERFORMANCE DATA FOR TILTEX

13TH MARCH 2023

In the consent judgment ordered by Judge Rosenthal of the United States District Court for the Southern District of Texas, on the 29th December 2022, it was confirmed that ITL® (a distributor of Tiltex) had published and supplied false and misleading performance data to its customers. Eurobent had supplied ITL® with the false data and also instructed a test house to modify standards in a way which substantially increase the compressive strength and bending strength of the Tiltex (branded ITL RCR®) samples tested.

The only internationally recognised GCCM specification standard is [ASTM D8364](#) Standard Specification for Geosynthetic Cementitious Composite Mat (GCCM) Materials. This standard specifies for all testing of cured GCCMs how the samples must be prepared including crucially how they should be hydrated. This is because using a lower water to powder ratio than is typically obtainable in field use will result in unrealistically high-performance data.

Despite the above consent judgment confirming that ITL®'s advertising of Compressive Strength and Bending Strength, of ITL RCR® (Tiltex) were false and misleading (**all of which were based on Tiltex performance data supplied by Eurobent to ITL® or testing commissioned by ITL® that was modified on the instruction of Eurobent**), Eurobent continues to (as of 11th January 2023):

a. **Advertise bending strengths and durability data using PN EN12467:2016-085.5.3, a standard (that was withdrawn in 2018) whose scope is limited to pre-set cement flat sheets used for “wall and ceiling finishes”. This standard was not for testing materials used in erosion control. In particular, EN12467 is for testing factory hardened flat sheet material therefore it does not specify how GCCM samples must be set. Consequently, manufacturers submit pre-hardened samples for the tests. These samples can be prepared with a very low water to powder ratio in order to achieve unrepresentatively high-performance results.** In the consent judgment it is confirmed that in 2020, when ITL® retained a US laboratory to test ITL RCR®, Eurobent instructed the lab to modify the preparation of GCCM samples from the method required by ASTM D8030 (Standard Practice for Sample Preparation for GCCM). Instead of hydrating the samples by immersion for the specified 24 hours, **Eurobent instructed the lab to be “careful that there is not too much water,” and provided specific (lower) amounts of water for hydrating the samples. This results in samples that have significantly better performance in bending and durability tests.** The labs' test report stated that it used D8030, “modified per manufacturer's directions” to prepare samples for its testing of ITL RCR® (Tiltex).

b. **Advertise Compressive Strengths using a standard designed for mortars (PN EN196-1), which does not describe how to measure the compressive strength of a GCCM. Specifically, this standard does not measure the water to cementitious powder ratio as controlled by the GCCM, allowing testing at very low water to powder ratios that will yield higher compressive strength values.** In the consent judgement it is confirmed that in 2020, when ITL® retained a US laboratory to test ITL RCR®, **Eurobent instructed the lab to modify preparation of the GCCM test material. Eurobent instructed the lab to prepare samples of cementitious material using an artificially low water to cementitious material ratio of .18 (rather than using [ASTM D8329](#)), this would give much higher strengths. The lab followed these instructions (i.e., it did**

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not determine the ratio using **ASTM D8329** and instead prepared samples using a ratio of .18) and reported that samples cured for 28 days at this artificially low water to powder ratio had an average compressive strength of 49.8 MPa (7,222 psi). Eurobent had advised ITL® that **ASTM D8329** would determine a water to cementitious material ratio of .53 for ITL RCR® and that it would have resulted in much lower compressive strength values. Eurobent continue to claim a compressive strength of 40MPa. The 28-day Compressive Strength of only 27.2MPa was obtained when, as part of the US litigation, Concrete Canvas commissioned TRI to conduct compressive testing to **ASTM D8329** on samples of ITL RCR® (Tiltex).

c. This data is supplied to customers directly in documents called Tiltex Drop IN, Tiltex vs. CC comparison and on a Technical Datasheet (T12) that is not published on the Tiltexsystem.com website.

There is an unrelated ongoing patent infringement case in Poland in which Concrete Canvas Technology Ltd. is suing Eurobent for patent infringement. In its judgment of 11th February 2021, The District Court in Świdnica (Poland) held Eurobent to have violated a preliminary injunction on 18 occasions, **ordering it to pay a substantial compulsory sum of PLN 4,500,000 (€1,000,000)**, a record amount for this type of case in the Polish Courts, to Concrete Canvas Technology Ltd. It was also notable that **Eurobent refused to comply with an earlier court order to supply financial and other records. The District Court also found Eurobent's grounds for this further violation of a court order to be without merit.** Eurobent appealed this order and the court in the 2nd Instance rejected Eurobent's appeal on 14 September 2021. The decision is final and cannot be appealed.

The results of testing samples of ITL RCR® (Tiltex) during the litigation process, to unmodified GCCM specific ASTM's, as specified in ASTM D8364 and conducted by TRI Environmental showed that **the performance of the ITL RCR® (Tiltex) samples tested did not reach the minimum performance values required for a Type I, II or III application of a GCCM when tested in accordance with the standards and criteria in the GCCM Specification standard ASTM D8364.** Type I applications have the lowest requirements and include but are not limited to: erosion control, weed suppression, slope protection, berm protection, and remediation of concrete hydraulic structures. Type II GCCM applications would include all Type I applications, and applications that would have abrasion and wear requirements greater than Type I. Type II GCCM applications include but are not limited to: channel lining, berm protection, armouring, slope protection (any angle and run length), culvert invert lining and concrete overlay, and remediation of concrete hydraulic structures and Type III GCCM applications include all Type I and Type II applications that require additional flexural strength of the GCCM material due to unsuitable (that is, loose) subgrades.

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