



10.7.2018

## **DRAFT OPINION**

of the Committee on Industry, Research and Energy

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council  
on the reduction of the impact of certain plastic products on the environment  
(COM(2018)0340 – C8-0218/2018 – 2018/0172(COD))

Rapporteur for opinion: Barbara Kappel



## SHORT JUSTIFICATION

Prevention and reduction of plastic marine litter from single use plastic products (SUP) and fishing gear containing plastic are complementing specific measures on microplastics envisaged under the EU Plastics Strategy. After addressing plastic bags in 2015, 10 SUP products and fishing gear (so called macroplastics) were identified to account for 70% of the marine litter in Europe. It is important that the EU takes appropriate measures to tackle the environmental aspects of marine littering by reducing the amount of plastics in oceans and on beaches, whilst providing a stronger focus on the broader context of plastics transition to a circular economy.

Marine littering is a global problem that reaches far beyond the EU borders and only a global agreement will be able to fully address the challenge to our planet. As studies show, 80% of marine litter originates from only 20 countries, whereas none of them is an EU member state. The rapporteur therefore calls for a global approach to combat plastic pollution and urges for necessary measures on the level of G7 and G20, as well as the implementation of the UN Sustainable Development Goals. Furthermore, multinational lenders and international financiers should focus their engagement on measures to reduce marine litter by targeting waste management programs in the framework of the circular economy.

In addition consumer awareness constitutes a crucial element for a successful reduction of SUP products. The rapporteur is convinced that public awareness campaigns and education are instrumental to achieve lasting results with regards to measures imposed on Member States and industry.

Commission analysis estimates that its proposed options covering a ban of certain SUP plastics and reduction targets, Extended Producer Responsibility (EPR), product design measures and gear return-incentives to fishers would save 2.6 million tonnes of CO<sub>2</sub> equivalent and avoid environmental damages equivalent to €11 billion. Compliance costs for businesses amount to €2 billion and waste management to €510 million. Consumers would save around €6.5 billion, whereas a deposit refund or equivalent system would cost consumers an additional €1.4 billion. Commission estimates that the additional cost for the fishing industry will amount to 0.16% of revenue in the best case scenario. However, Commission does not provide data of the implementation costs of EPR fully transferred to the end consumer.

The rapporteur wishes to emphasise that as a general principle the policy option of « banning » certain types of products should be a last resort. Indeed, it would be preferable to see an approach based on increasing standards which should, as a consequence, crowd certain polluting products out of the market but would at the same time promote R&D and innovation into more cost-effectively recyclable, biodegradable or harmless products. These new standards should be implemented within a reasonable timeframe to ensure that SMEs can adapt their business model, as a vast majority of the 50,000 companies representing the plastic converters sector in the EU are SMEs.

Tackling marine litter can create economic opportunities. Businesses can boost their competitiveness through innovation and R&D by contributing to a resource-efficient, decarbonised economy. Investments into marine litter prevention, sustainable alternative materials, products and business models can help create jobs and strengthen technical and scientific skills. While the initiative to reduce SUP plastics is welcomed, a balanced approach

to ensure proportionality is needed.

## AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 12

###### *Text proposed by the Commission*

(12) For other single-use plastic products, suitable and more sustainable alternatives that are also affordable are readily available. In order to limit the adverse impact of such products on the environment, Member States should be required to prohibit their placing on the Union market. By doing so, the use of those readily available and more sustainable alternatives as well as innovative solutions towards more sustainable business models, re-use alternatives and substitution of materials would be promoted.

###### *Amendment*

(12) For other single-use plastic products, suitable and more sustainable alternatives that are also affordable are readily available. In order to limit the adverse impact of such products on the environment, Member States should be required to prohibit ***or to define the minimum sustainability criteria for*** their placing on the Union market. By doing so, the use of those readily available and more sustainable alternatives as well as innovative solutions towards more sustainable business models, re-use alternatives and substitution of materials would be promoted.

Or. en

###### *Justification*

*As a general principle the policy option of « banning » certain types of products should be a last resort. Indeed, it would be preferable to see an approach based on increasing standards which should, as a consequence, put certain polluting products out of the market but would at the same time promote R&D and innovation into raising the sustainability of any item placed on the market making the product more cost-effectively recyclable, biodegradable or harmless when littered.*

### Amendment 2

#### Proposal for a directive

##### Recital 14

*Text proposed by the Commission*

(14) Certain single-use plastic products end up in the environment as a result of inappropriate disposal through sewers or other inappropriate release into the environment. Therefore, single-use plastic products that are frequently disposed of through sewers otherwise inappropriately disposed of should be subject to marking requirements. The marking should inform consumers about appropriate waste disposal options and/or waste disposal options to be avoided and/or about the negative environmental impacts of litter as a result of inappropriate disposal. ***The Commission should be empowered to establish a harmonised format for the marking and when doing so should, where appropriate, test the perception of the proposed marking with representative groups of consumers to ensure that it is effective and clearly understandable.***

*Amendment*

(14) Certain single-use plastic products end up in the environment as a result of inappropriate disposal through sewers or other inappropriate release into the environment. Therefore, single-use plastic products that are frequently disposed of through sewers otherwise inappropriately disposed of should be subject to marking requirements. The marking should inform consumers about appropriate waste disposal options and/or waste disposal options to be avoided and/or about the negative environmental impacts of litter as a result of inappropriate disposal.

Or. en

*Justification*

*There is no “one size fits all” way to inform EU consumers. Since the obligation for awareness raising falls on Member States it should be up to them to decide the most adequate format.*

**Amendment 3**

**Proposal for a directive  
Recital 15**

*Text proposed by the Commission*

(15) With regard to single-use plastic products for which there are no readily available suitable and more sustainable alternatives, Member States should, in line with the polluter pays principle, also introduce extended producer responsibility schemes to cover the costs of waste

*Amendment*

(15) With regard to single-use plastic products for which there are no readily available suitable and more sustainable alternatives, Member States should, in line with the polluter pays principle, also introduce extended producer responsibility schemes to cover the costs of waste

management and clean-up of litter as well as the costs of awareness-raising measures to prevent and reduce such litter.

management and clean-up of litter as well as the costs of awareness-raising measures to prevent and reduce such litter ***while ensuring that those additional costs are not fully passed on to consumers.***

Or. en

#### *Justification*

*While the initiative to reduce as much as possible the presence of single use plastics is welcomed, a fair balance needs to be stricken between measures in order to ensure disproportionate penalties are not imposed on citizens and the fishing industry.*

#### **Amendment 4**

##### **Proposal for a directive Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15 a) At Union level, there is currently no accepted scientific standard on marine biodegradability, which highlights the urgency for the Commission to ask the European Committee for Standardization to develop a separate standard for marine biodegradability.***

Or. en

#### **Amendment 5**

##### **Proposal for a directive Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) In order to prevent littering and other inappropriate forms of disposal resulting in marine litter containing plastic, consumers need to be properly informed about the most appropriate waste disposal options available and/or waste disposal options to be avoided, best practices with regard to waste disposal and the

(18) In order to prevent littering and other inappropriate forms of disposal resulting in marine litter containing plastic, consumers need to be properly informed about the most appropriate waste disposal options available and/or waste disposal options to be avoided, best practices with regard to waste disposal and the

environmental impact of bad disposal practices as well as about the plastic content in certain single-use plastic products and fishing gear. Therefore, Member States should be required to take awareness raising measures ensuring that such information is given to the consumers.

***The information should not contain any promotional content encouraging the use of the single-use plastic products.*** Member States should be able to choose the measures which are most appropriate based on the nature of the product or its use. Producers of single-use plastic products and fishing gear containing plastic should cover the costs of the awareness raising measures as part of their extended producer responsibility obligation.

environmental impact of bad disposal practices as well as about the plastic content in certain single-use plastic products and fishing gear. Therefore, Member States should be required to take awareness raising measures ensuring that such information is given to the consumers. Member States should be able to choose the measures which are most appropriate based on the nature of the product or its use. Producers of single-use plastic products and fishing gear containing plastic should cover the costs of the awareness raising measures as part of their extended producer responsibility obligation.

Or. en

#### *Justification*

*Overly interventionist. It falls into sense that Member States reinforcing the need to reduce consumption will not be promoting it in the same message.*

### **Amendment 6**

#### **Proposal for a directive Article 7 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

***(c) the presence of plastics in the product.***

***deleted***

Or. en

#### *Justification*

*Presence of plastic as such gives no relevant information. Plastics as such is not a substance to ban or warn against.*

## Amendment 7

### Proposal for a directive Article 7 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. *The Commission shall, by ... [12 months before the end-date for transposition of this Directive] adopt an implementing act laying down the specifications for the marking referred to in paragraph 1. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 16(2).*

*deleted*

Or. en

#### *Justification*

*There is no “one size fits all” way to inform EU consumers. Since the obligation for awareness raising falls on Member States it should be up to them to decide the most adequate format.*

## Amendment 8

### Proposal for a directive Article 10 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) the available re-use systems and waste management options for those products and fishing gear containing plastic as well as best practices in sound waste management carried out in accordance with Article 13 of Directive 2008/98/EC;

(a) the available re-use systems, **where appropriate and ensuring that no brand is given free publicity**, and waste management options for those products and fishing gear containing plastic as well as best practices in sound waste management carried out in accordance with Article 13 of Directive 2008/98/EC;

Or. en

#### *Justification*

*Not all articles on the Annex have a suitable re-use systems and it should not become an advertisement for other products either.*

