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AMENDMENTS

53 - 394

Draft report

João Albuquerque

(PE757.117v01-00)

Preventing plastic pellet losses to reduce microplastic pollution

Proposal for a regulation

(COM(2023)0645 – C9-0378/2023 – 2023/0373(COD))

Amendment 53
Stanislav Polčák

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and potentially harmful to human health. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil may have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of **organisms and animals** and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet in the aquatic environment may be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics' potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics' presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture

Amendment

(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and potentially harmful to human health; **in 2022 they were found in 75% of breast milk samples from mothers in Rome, and as early as 2020 scientists found them in placentas**. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil may have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of **animals, which mistake them for food**, and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet in the aquatic environment may be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics' potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption, **including bottled and tap water. Although the effects of**

as well as recreation and tourism in areas affected by the releases.

microplastics in food on human health have not yet been sufficiently investigated, their harmful effects may be considerable.

The growing awareness of microplastics' presence in the food chain can undermine consumer confidence, ***raise legitimate concerns among consumers*** and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases ***of microplastics into the environment.***

Or. cs

Amendment 54

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wieszik, Max Orville, Pascal Canfin

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and ***potentially*** harmful to human health. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil ***may*** have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of organisms and animals and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet in the aquatic environment may be

Amendment

(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and harmful to human health, ***particularly due to the presence of harmful chemical additives and other substances of concern added during the production and the conversion, such as phthalates, bisphenol A, or flame retardants^{1a}***. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly

measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics' potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics' presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases.

impossible to collect, and are known to be eaten by a range of organisms and animals and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet in the aquatic environment may be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics' potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics' presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases.

^{1a} 'Plastic giants polluting through the back door, The case for a regulatory supply-chain approach to stop plastic pellet pollution in the EU', Surfrider and Rethink Alliance 2020

Or. en

Justification

The inclusion of additives and substances of concerns is aligned with the definition of plastic pellets developed in the OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment, OSPAR 21/13/1, Annex 30.

Amendment 55

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Recital 3 a (new)

(3 a) Several accidents leading to pellet spill and loss have already been registered in the European Union, with transboundary impacts recorded in, inter alia, Spain, Portugal, France and the Netherlands, the most recent being the one occurring at the end of 2023 in the Cantabrian Sea and exponentially affecting the Spanish regions of Galicia, Asturias, Cantabria and the Basque Country, highlighting the urgent need for ambitious, holistic measures to significantly reduce the risk of pellet pollution across European supply chains whilst also strengthening pollution preparedness and response capabilities regarding pellet spills across EU territories and waters.

Or. en

Amendment 56

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The impacts of microplastic pollution on the environment and ***possibly*** on human health have raised concerns in most parts of the world. Some Member States have adopted or proposed dedicated measures. However, a patchwork of national restrictions could potentially hamper the functioning of the internal market.

Amendment

(4) The impacts of microplastic pollution on the environment and on human health have raised concerns in most parts of the world. Some Member States have adopted or proposed dedicated measures. However, a patchwork of national restrictions could potentially hamper the functioning of the internal market.

Or. en

Amendment 57

Stanislav Polčák

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Commission Regulation (EU) 2023/2055⁷ addresses microplastic pollution by imposing a restriction on the placing on the market of microplastics that are intentionally added to products (the ‘restriction’), as there is considerable microplastic pollution arising from the use of synthetic polymer microparticles on their own or intentionally present in products, and pollution poses an unacceptable risk to the environment.

Amendment

(6) Commission Regulation (EU) 2023/2055^[1] addresses microplastic pollution by imposing a restriction on the placing on the market of microplastics that are intentionally added to products (the ‘restriction’), as there is considerable microplastic pollution arising from the use of synthetic polymer microparticles on their own or intentionally present in products, and **this** pollution poses an unacceptable risk to the environment. **[1] Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles (OJ L 238, 27.9.2023, p. 67).**

⁷ *Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles (OJ L 238, 27.9.2023, p. 67).*

Or. cs

Amendment 58

Ska Keller, Ana Miranda

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) In 2021, the parties to the

Amendment

(7) In 2021, the parties to the

Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) adopted the non-binding Recommendation 2021/06⁸ to reduce the loss of plastic pellets into the marine environment by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain. Measures for minimizing the risk associated with the transport of plastic pellets by sea are under examination at the International Maritime Organization.

Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) adopted the non-binding Recommendation 2021/06⁸ to reduce the loss of plastic pellets into the marine environment by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain. Measures for minimizing the risk associated with the transport of plastic pellets by sea are under examination at the International Maritime Organization (*"IMO"*). ***In 2023, the Sub-Committee on Pollution Prevention and Response of the Marine Environment Protection Committee of the IMO agreed to prohibit the transport of plastic pellets in bulk in light of previous serious accidents. It is thus appropriate to implement such a prohibition for maritime transport in, to and from the Union. The Sub-Committee on Pollution Prevention and Response furthermore reported recommendations for the carriage of plastic pellets by sea in freight containers (for adoption by the Marine Environment Protection Committee in April 2024). It is thus appropriate to already foresee the implementation of these recommendations for maritime transport in, to and from the Union.***

⁸ OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment

⁸ OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment

Or. en

Justification

Maritime transport is a major form of transport of plastic pellets. Maritime accidents can lead to massive spills of plastic pellets. A single maritime container contains more than a billion plastic pellets. As such, a relatively small tonnage can already lead to major pollution. This is even worse in case of shipments in bulk. In line with relevant agreements in the context of the IMO, transport in bulk should be prohibited (MEPC, 3-7 July 2023). Moreover, recommendations that are foreseen for adoption by the IMO in April 2024 should already be included this regulation.

Amendment 59

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wieszik, Max Orville, Pascal Canfin

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7 a) Nearly 90% of the world's goods are transported by sea, including plastic pellets. However, poor handling practices or a lack of supervision of certain routine operations such as cleaning hulls or containers, can lead to these pellets leaking out and spilling into the ocean. Furthermore, many maritime pellet disasters have been reported, making maritime transport a high-risk activity of plastic pellet pollution. The impact of these losses is catastrophic for marine and coastal ecosystems as well as the species that compose them, and the extreme mobility of plastic pellets makes effective containment and clean-up operations difficult. The handling of these pellets is regulated at international level by the 1972 Convention for Safe Containers, and supplemented by the 2023 Sub-Committee on Carriage of Cargoes and Containers circular on the obligation to report lost containers, but they do not provide the guarantees needed to prevent pollution by plastic pellets. The inclusion of maritime transport in the scope of application, as well as provisions relating to the handling of pellets specific to this mode of transport, is therefore essential if the objectives of this regulation are to be achieved.

Or. en

Justification

These elements are developed in several international reports, including the Report 'Stemming the tide: putting an end to plastic pellet pollution' published by the NGO Fauna and Flora International in 2022' and the OSPAR Background document on pre-production

Amendment 60

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7 a) The handling of pellets is being discussed under the scope of international organizations such as the International Maritime Organization (IMO) in light of the significant risk of catastrophic pollution associated with maritime transport of plastic pellets. The IMO is in the process of developing mandatory measures, short-term voluntary measures and standardised protocols to contain and clean-up pellet spills from ships in to reduce the risk and impact of pellet pollution during maritime transport.

Or. en

Amendment 61

Stanislav Polčák

Proposal for a regulation

Recital 9

Text proposed by the Commission

Amendment

(9) Despite Union legislation concerning the prevention of waste, pollution, marine litter and chemicals, there are no specific Union rules preventing pellet losses as a source of microplastic pollution along the entire supply chain. Directive 2008/98/EC of the European Parliament and of the Council¹⁰ lays down basic waste management principles and imposes general obligations for Member States to take measures to prevent waste

(9) Despite Union legislation concerning the prevention of waste, pollution, marine litter and chemicals, there are no specific Union rules preventing pellet losses as a source of microplastic pollution along the entire supply chain. Directive 2008/98/EC of the European Parliament and of the Council^[1] lays down basic waste management principles and imposes general obligations for Member States to take measures to prevent

generation. Those general obligations should be complemented by addressing specific aspects and requirements for the careful handling of plastic pellets in order to *avoid them becoming* waste.

waste generation. Those general obligations should be complemented by addressing specific aspects and requirements for the careful handling of plastic pellets in order to *prevent them from escaping into the environment*. [1] *Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).*

¹⁰ *Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).*

Or. cs

Amendment 62

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) This Regulation provides for measures to prevent, contain and clean up plastic pellet pollution occurring following the entry into force of this text, but does not provide for measures to address existing pollution. Cleaning up soil, rivers and streams, and restoring degraded terrestrial, marine, littoral and coastal ecosystems is essential to achieving the 30% reduction target by 2030, according to the objectives set in the Nature Restoration Law, and the objectives of the Green Deal. The Commission should develop a set of measures to map and clean up these already polluted areas, and implement them either as part of a European strategy for depolluting microplastics, through

support and accompanying measures for Member States. More broadly, the Union should be involved in promoting solutions along the entire value chain, and should include this in the ongoing negotiations on the development of an international Treaty on Plastic Pollution, as well as in the upcoming 81st session of the Marine Environment Protection Committee of the International Maritime Organisation (IMO MEPC).

Or. en

Amendment 63
Ska Keller

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Commission Regulation (EU) 2023/2055 addresses losses of synthetic polymer microparticles for use at industrial sites i.e. plastic pellets as avoidable releases. For these releases, a reporting requirement for an estimated quantity of microplastics released to the environment on an annual basis is introduced. **While lacking** a methodology to estimate losses, this requirement will increase information on pellet losses and improve the quality of the information collected to assess the risks deriving from these microplastics in the future.

Amendment

(12) Commission Regulation (EU) 2023/2055 addresses losses of synthetic polymer microparticles for use at industrial sites i.e. plastic pellets as avoidable releases. For these releases, a reporting requirement for an estimated quantity of microplastics released to the environment on an annual basis is introduced. **However, this reporting requirement lacks a methodology to estimate losses, and only provides annual estimates. While** this requirement will increase information on pellet losses and improve the quality of the information collected to assess the risks deriving from these microplastics in the future, **it is not sufficient to have an overview of the specific nature of the losses and the causes thereof.**

Or. en

Amendment 64
João Albuquerque

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) The handling of pellets is being discussed under the scope of international organizations such as the International Maritime Organization (IMO) in light of the significant risk of catastrophic pollution associated with maritime transport of plastic pellets. In this context, the Union should follow closely the developments at IMO, and play a leading role in ensuring a high-level of environmental protection on this issue.

Or. en

Amendment 65
João Albuquerque

Proposal for a regulation
Recital 12 b (new)

Text proposed by the Commission

Amendment

(12 b) Whereas several accidents leading to pellet spills and loss have been registered in the Union with transboundary impacts, highlighting the urgent need for ambitious, holistic measures to significantly reduce the risk of pellet pollution while strengthening response capabilities to pellet spills across Union territories and waters.

Or. en

Amendment 66
Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation
Recital 13 a (new)

(13 a) In 2019, between 52,000 and 184,000 tonnes of pellets were lost to the environment in the Union. Hundreds of thousands of tons of pellets have been accumulating in the environment for years, and as pellets are difficult to differentiate, it is impossible to know which economic operators are involved in this leakage. Having a chemical marker at each major management stage, especially production and processing, would make it easier to identify the economic operators involved in the value chain in the event of unreported leakage into the environment.

Or. en

Justification

In connection with Article 17a NEW paragraph 1, the question of the traceability of pellets in the environment is a central issue, yet one that is absent from the Commission's proposal. A simple chemical marker affixed to pellets at major handling stages would make it much quicker and easier to identify the economic operators involved in the event of an observed or undeclared loss.

Amendment 67
João Albuquerque

Proposal for a regulation
Recital 15

*Text proposed by the Commission**Amendment*

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from **primary** containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the

reducing the transfer points) and by using **puncture-proof** packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.

transfer points) and by using **appropriate** packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.

Or. en

Amendment 68

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using puncture-proof packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.

Amendment

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using puncture-proof packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step ***with the aim of returning the affected spaces to their original condition.***

Or. en

Amendment 69

Ska Keller

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using puncture-proof packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.

Amendment

(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using **rigid** puncture-proof packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.

Or. en

Amendment 70
João Albuquerque

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) While the aim is to **prevent** plastic pellet losses to the environment for all economic operators, **EU carriers and non-EU carriers**, obligations for micro-, **small and medium-sized** enterprises should be adjusted to mitigate the burden on them.

Amendment

(16) While the aim is to **achieve zero** plastic pellet losses to the environment for all economic operators, obligations for micro **enterprises and** enterprises **that handle under 250 tonnes of pellets annually** should be adjusted to mitigate the burden on them.

Or. en

Amendment 71
Deirdre Clune

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) While the aim is to prevent plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, ***obligations for micro-, small and medium-sized enterprises should be adjusted to mitigate the burden on them.***

Amendment

(16) While the aim is to prevent plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, micro- ***and small-sized enterprises shall be exempted from the relevant obligations laid down in this regulation.***

Or. en

Amendment 72

Ska Keller

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) While the aim is to prevent plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, obligations for ***micro-, small and medium-sized enterprises*** should be adjusted to mitigate the burden on them.

Amendment

(16) While the aim is to prevent plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, obligations for ***micro-sized enterprises*** should be adjusted to mitigate the burden on them.

Or. en

Justification

According to the Commission's impact assessment ("IA"), more than half of the estimated pellet losses stem from "logistics" (see page 160 of the IA). Logistics comprise transport companies as well as intermediate facilities (= providers of storage and repackaging). Transporters as well as storage providers are mainly micro or small enterprises. It is important to find the right balance between necessary legal requirements and administrative burden. Obligations should only be mitigated for micro-enterprises.

Amendment 73

João Albuquerque

Proposal for a regulation

Recital 18

Text proposed by the Commission

Amendment

(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.

(18) In order to prevent **and achieve zero** plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.

Or. en

Amendment 74
Ska Keller

Proposal for a regulation
Recital 18

Text proposed by the Commission

Amendment

(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation **size and the scale of operations**.

(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the **nature of the** installation.

Or. en

Justification

A differentiation is only justified due to the different nature of the installations (e.g. a production site as compared to a mere storage site), but not due to the size of the site or the scale of its operations, unless specifically stated so in the Annex.

Amendment 75
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.

Amendment

(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment **and prevention** plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.

Or. en

Amendment 76

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) To enable competent authorities to verify compliance with the risk assessment plan's requirements, economic operators should provide the competent authority with the risk assessment plan they have conducted, together with a self-declaration of conformity.

Amendment

(19) To enable competent authorities to verify compliance with the risk assessment **and prevention** plan's requirements, economic operators should provide the competent authority with the risk assessment plan they have conducted, together with a self-declaration of conformity.

Or. en

Amendment 77

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) Economic operators should be able to choose the specific equipment to install

Amendment

(20) Economic operators should be able to choose the specific equipment to install

or the procedure to execute. Nevertheless, competent authorities, while verifying compliance, should be able to require economic operators to amend the risk assessment plan including by taking, in a given timeframe, any of the actions listed in this Regulation to ensure adequate implementation of the requirements of this Regulation.

or the procedure to execute. Nevertheless, competent authorities, while verifying compliance, should be able to require economic operators to amend the risk assessment **and prevention** plan including by taking, in a given timeframe, any of the actions listed in this Regulation to ensure adequate implementation of the requirements of this Regulation.

Or. en

Amendment 78

Ska Keller

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total **volume** handled. **To reduce burden on economic operators, the information on** estimates of quantities released **may be used** in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.

Amendment

(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total **quantity** handled. **The** estimates of quantities released in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055 **should be complemented by more detailed reporting requirements to be able to monitor the implementation of this Regulation.**

Or. en

Justification

The reporting requirements for plastic pellets under the Commission Regulation on the restriction of intentional microplastics only provided annual estimates on losses. This is not sufficient to be able to monitor the implementation of the Regulation. More detailed reporting requirements should therefore be set.

Amendment 79

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.

Amendment

(21) In order to evaluate the adequacy of the risk assessment **and prevention** plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.

Or. en

Amendment 80
João Albuquerque

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.

Amendment

(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume **produced and** handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.

Or. en

Amendment 81
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) Due to the characteristics of their activity, carriers should not be mandated to conduct a risk assessment plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.

Amendment

(22) Due to the characteristics of their activity, carriers should not be mandated to conduct a risk assessment **and prevention** plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.

Or. en

Amendment 82
Stanislav Polčák

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) Due to the characteristics of their activity, carriers should not be mandated to conduct a risk assessment plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.

Amendment

(22) Due to the characteristics of their activity, carriers should not be mandated to **develop and** conduct a risk assessment plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.

Or. cs

Amendment 83
João Albuquerque

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) The successful implementation of the actions required to prevent plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees. Economic operators and EU carriers should be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the requirements laid down in this Regulation. Economic operators and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.

Amendment

(23) The successful implementation of the actions required to prevent **and achieve zero** plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees. Economic operators and EU carriers should be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the requirements laid down in this Regulation. Economic operators and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.

Or. en

Amendment 84
Stanislav Polčák

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) The successful implementation of the actions required to prevent plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees. Economic operators and EU carriers should be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the

Amendment

(Does not affect the English version.)

requirements laid down in this Regulation. Economic operators and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.

Or. cs

Amendment 85 **Ska Keller**

Proposal for a regulation **Recital 24**

Text proposed by the Commission

(24) ***Medium and large-sized enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal assessment, and adopting a training programme addressing specific training needs and modalities. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a***

Amendment

(24) ***All installations should carry out an annual internal assessment, and adopting a training programme addressing specific training needs and modalities. Small, medium and large installations of all kinds, and micro enterprises conducting intermediary operations should be certified. Medium and large-sized enterprises are likely to handle higher quantities of pellets, which may bring higher risks of pellet losses to the environment. For these enterprises, certification should start earlier and be renewed more frequently. Certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure***

unique format in order to ensure homogeneous information.

homogeneous information.

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

Or. en

Amendment 86

João Albuquerque

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Medium and large-sized enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal assessment, and adopting a training programme addressing specific **training needs and modalities**. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Amendment

(24) Medium and large-sized enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal assessment, and adopting a **mandatory issues on prevention, practices, workers protection, clean-up technologies, use and maintenance of equipment, the execution of procedures, as well as the monitoring and reporting of pellet losses**. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the

The certificate should correspond to a unique format in order to ensure homogeneous information.

European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure homogeneous information.

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

Or. en

Amendment 87 **Stanislav Polčák**

Proposal for a regulation **Recital 24**

Text proposed by the Commission

(24) **Medium and large-sized** enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal assessment, and adopting a training programme addressing specific training needs and modalities. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance

Amendment

(24) Enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal assessment, and adopting a training programme addressing specific training needs and modalities. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance

with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure homogeneous information.

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹⁵ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure homogeneous information.

¹⁵ Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

Or. cs

Amendment 88

Ska Keller

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) ***Micro and small-sized enterprises, and medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled*** should be required to be subject to a self-declaration of conformity. They should ***also*** be given sufficient time to demonstrate their compliance.

Amendment

(25) ***All economic operators*** should be required to be subject to a self-declaration of conformity. They should be given sufficient time to demonstrate their compliance. ***The self-declaration should be renewed every year.***

Or. en

Justification

Correction of a mistake by the Commission: all economic operators are subject to a self-declaration, not just the bigger ones. Self-declarations should be renewed every year to facilitate compliance.

Amendment 89
Deirdre Clune

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) *Micro and small-sized enterprises, and medium and large-sized enterprises* operating installations where plastic pellets in quantities below **1 000** tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Amendment

(25) Medium and large-sized enterprises operating installations where plastic pellets in quantities below **2 000** tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Or. en

Amendment 90
Stanislav Polčák

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) *Micro and small-sized enterprises, and medium and large-sized enterprises* operating installations where plastic pellets in quantities below 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Amendment

(25) Enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Or. cs

Amendment 91
Andreas Glück, Ulrike Müller

Proposal for a regulation
Recital 25

Text proposed by the Commission

Amendment

(25) **Micro and small-sized enterprises, and medium and large-sized enterprises** operating installations where plastic pellets in quantities below 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

(25) Large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Or. en

Amendment 92

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Recital 25

Text proposed by the Commission

Amendment

(25) Micro and small-sized enterprises, and medium and large-sized enterprises operating installations where plastic pellets ***in quantities below 1 000 tonnes*** have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

(25) Micro and small-sized enterprises, and medium and large-sized enterprises operating installations where plastic pellets have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.

Or. en

Amendment 93

Deirdre Clune

Proposal for a regulation

Recital 32

Text proposed by the Commission

Amendment

(32) Micro, ***small and medium-sized enterprises (SMEs)*** in the pellet supply chain ***should comply with*** the relevant obligations laid down in this Regulation, ***however they could face proportionally***

(32) Micro ***and small-sized*** enterprises in the pellet supply chain ***shall be exempted from*** the relevant obligations laid down in this Regulation.

higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. en

Amendment 94
Andreas Glück, Ulrike Müller

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain *should comply with* the relevant obligations laid down in this Regulation, *however they could face proportionally higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk*

Amendment

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain *shall be exempted from* the relevant obligations laid down in this Regulation.

assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. en

Amendment 95
Karol Karski

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should ***comply with the relevant obligations*** laid down in this Regulation, ***however*** they could face proportionally higher costs and difficulties when complying with ***some of the obligations***. ***The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.***

Amendment

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should ***be exempted from the obligations*** laid down in this Regulation ***as*** they could face proportionally higher costs and difficulties when complying with the obligations ***laid down in this regulation***.

Or. en

Amendment 96
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) **in** the pellet supply chain should comply with the relevant obligations laid down in this Regulation, **however they could face proportionally higher costs and difficulties when complying with some of the obligations.** The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Amendment

(32) **As** micro, small and medium-sized enterprises (SMEs) **account for an important share of** the pellet supply chain, **they** should comply with the relevant obligations laid down in this Regulation. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. en

Amendment 97
João Albuquerque

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations.

Amendment

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations.

The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as specialised training to **micro enterprises and** SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. en

Amendment 98 **Stanislav Polčák**

Proposal for a regulation **Recital 32**

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face **proportionally higher** costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the

Amendment

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face **disproportionally high** costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member

assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

States, this could include technical and financial support as well as specialised training to *micro enterprises and* SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. cs

Amendment 99
Ska Keller

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical *and financial* support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Amendment

(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.

Or. en

Justification

Economic operators may rightly receive assistance in the form of access to finance, training and organisational and technical assistance. However, they should not receive financial support for compliance, all the more since the plastic industry itself has committed to

eliminate pellet losses.

Amendment 100

Karol Karski

Proposal for a regulation

Recital 32 a (new)

Text proposed by the Commission

Amendment

(32 a) The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements.

Or. en

Amendment 101

Ska Keller

Proposal for a regulation

Recital 33

Text proposed by the Commission

Amendment

(33) In order to facilitate common grounds to estimate the losses of plastic pellets to the environment, it is necessary to have a standardised methodology set in a harmonised standard that is adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council¹⁶.

(33) In order to facilitate common grounds to estimate the losses of plastic pellets to the environment, it is necessary to have a standardised methodology set in a harmonised standard that is adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council¹⁶. ***Pending the adoption of the standardised methodology, economic operators should indicate the methodology used when reporting losses of plastic pellets.***

¹⁶ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33)

¹⁶ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33)

Or. en

Justification

While it is of course preferable to have a standardised reporting methodology for pellet losses, absence of such a method should not lead to economic operators not reporting pending the adoption of the standardised methodology. It should therefore be clarified that pending the adoption of the standardised methodology, economic operators should indicate the methodology used when reporting losses of plastic pellets.

Amendment 102 **Stanislav Polčák**

Proposal for a regulation **Recital 36**

Text proposed by the Commission

(36) In order to ensure compliance, competent authorities should also take the necessary steps, including inspections and hearings when in possession of and based on relevant information, including substantiated complaints submitted by third parties. Third parties submitting a complaint should be able to demonstrate a sufficient interest or maintain the impairment of a right.

Amendment

(36) In order to ensure compliance, competent authorities should also take the necessary steps, including inspections and hearings when in possession of and based on relevant information, including substantiated complaints submitted by third parties. Third parties submitting a complaint should be able to demonstrate a sufficient interest or maintain the impairment of a right. ***NGOs that promote the protection of human health, the environment or consumers should be considered to have a sufficient interest.***

Or. cs

Amendment 103
Stanislav Polčák

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) In order to ensure that economic operators are effectively dissuaded from non-compliance with the requirements laid down in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties provided should be effective, proportionate and dissuasive. To facilitate a more consistent application of penalties, it is necessary to establish common criteria for determining the types and levels of penalties to be imposed in case of infringement. Those criteria should include, inter alia, the nature and gravity of the infringement as well as the economic benefits derived from the infringement in order to ensure that those responsible are deprived of those benefits.

Amendment

(38) In order to ensure that economic operators are effectively dissuaded from non-compliance with the requirements laid down in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties provided should be effective, proportionate and dissuasive. To facilitate a more consistent application of penalties, it is necessary to establish common criteria for determining the types and levels of penalties to be imposed in case of infringement. Those criteria should include, inter alia, the nature and gravity of the infringement as well as the economic benefits derived from the infringement in order to ensure that those responsible are **fully** deprived of those benefits. ***Account should also be taken of the responsible body's efforts to limit the potential negative impacts of the infringement on human health and the environment.***

Or. cs

Amendment 104
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the

Amendment

(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the

gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from the economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should, in case of an infringement committed by a legal person, represent at least 4% of the economic annual turnover in the Member *State concerned*.

gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from the economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should, in case of an infringement committed by a legal person, represent at least 4% of the economic annual turnover in the *Union*. ***In order to strengthen the deterrent effect of penalties, the competent authorities of the Member States should, once they have become final, make known each year the penalties imposed for infringements committed, the facts constituting such infringements and the identity of the operators responsible.***

Or. en

Amendment 105
Stanislav Polčák

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from ***the*** economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum

Amendment

(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from ***any*** economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum

amount of fines should, in case of an infringement committed by a legal person, represent at least 4% of the economic annual turnover in the Member State concerned.

amount of fines should, in case of an infringement committed by a legal person, represent at least 4% of the economic annual turnover in the Member State concerned.

Or. cs

Amendment 106
Michal Wiezik

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the **violation**. Therefore, it is necessary to adapt the **burden of proof** applicable to such situations. When an

Amendment

(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the **infringement**. Therefore, it is necessary to adapt the **rules** applicable to such situations. **Rebuttable**

individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.

presumptions are a common mechanism for alleviating a claimant's evidential difficulties, while preserving the rights of the defendant. Rebuttable presumptions are only applicable provided that certain conditions are fulfilled. In order to maintain a fair apportionment of risk, and to avoid a reversal of the burden of proof, a claimant should be required to demonstrate sufficiently relevant evidence that give rise to a presumption that the infringement has caused or contributed to the damage. In light of the evidentiary challenges faced by injured persons, especially in complex cases, the provision will achieve a fair balance for the individual suffering from human health damage and the defendant. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.

Or. en

Amendment 107
Stanislav Polčák

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to

Amendment

(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to

engage in proceedings, *as the Member States so determine*, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. Therefore, it is necessary to adapt the burden of proof applicable to such situations. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.

engage in proceedings, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. Therefore, it is necessary to adapt the burden of proof applicable to such situations. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.

Or. cs

Amendment 108
João Albuquerque

Proposal for a regulation
Recital 42 a (new)

Text proposed by the Commission

Amendment

(42 a) Considering the severe risks that pellet losses pose to the ecosystems, marine and land life, and to human health, especially when they degrade into microplastics, due to the potential hazardous properties of the polymers and additives plastic pellets are made of, restrictions of the manufacture, use or

placing on the market of hazardous polymers should be swiftly adopted in accordance with Article 68 of Regulation (EC) No 1907/2006, where the risk to human health or the environment is not adequately controlled.

Or. en

Amendment 109

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation lays down obligations for the handling of plastic pellets at all stages of the supply chain to prevent losses.

Amendment

1. This Regulation lays down obligations for the handling of plastic pellets at all stages of the supply chain to prevent losses *and, where appropriate, to take remedial action in case of losses.*

Or. en

Amendment 110

Ska Keller

Proposal for a regulation

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) economic operators handling plastic pellets in the Union in quantities above **5 tonnes** in the previous calendar year;

Amendment

(a) economic operators handling plastic pellets in the Union in quantities above **1 tonne** in the previous calendar year;

Or. en

Justification

EU chemicals law REACH requires registration of chemicals by manufacturers as of 1 tonne of annual production. 1 tonne of pellets equals about 50 million pellets, a significant amount. The tonnage threshold with regard to the overall scope of the new Regulation on preventing plastic pellet losses should be aligned with the REACH threshold for registration of chemicals.

Amendment 111

Deirdre Clune

Proposal for a regulation

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) economic operators handling plastic pellets in the Union in quantities above **5** tonnes in the previous calendar year;

Amendment

(a) economic operators handling plastic pellets in the Union in quantities above **10** tonnes in the previous calendar year;

Or. en

Amendment 112

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) economic operators handling plastic pellets in the Union in **quantities above 5 tonnes in** the previous calendar year;

Amendment

(a) economic operators handling plastic pellets in the Union in the previous calendar year;

Or. en

Amendment 113

Dolors Montserrat, Francisco José Millán Mon

Proposal for a regulation

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) EU carriers and non-EU carriers transporting plastic pellets in the Union.

Amendment

(b) EU carriers and non-EU carriers transporting plastic pellets in the Union, **including maritime transport.**

Or. es

Amendment 114

Pietro Fiocchi

Proposal for a regulation

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) EU carriers and non-EU carriers transporting plastic pellets in the Union.

Amendment

(b) EU carriers and non-EU carriers transporting plastic pellets in the Union ***in a professional capacity.***

Or. it

Amendment 115

Karol Karski

Proposal for a regulation

Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain shall be exempted from the obligations laid down in this regulation.

Or. en

Amendment 116

Ska Keller

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, ***having relatively uniform dimensions in a given lot***, that is used as feedstock in plastic product manufacturing operations;

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, ***regardless of its shape and form, including flakes and powders, to which additives may have been added***, that is used as feedstock in plastic product manufacturing ***or produced by recycling*** operations;

Justification

Flakes and powders have the same harmful impact on the environment as uniform pellets. It should be stated explicitly that the definition of plastic pellet includes flakes and powders in line with the definition of the OSPAR Convention. As plastic pellets may contain additives, this should be included in the definition to avoid misunderstandings. According to the IA, currently around 10% of the total production of pellets occurs during recycling of plastic waste. Recycling of plastic waste will increase in the future. It is thus important to include recycling into the definition of plastic pellets.

Amendment 117

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation**Article 2 – paragraph 1 – point a***Text proposed by the Commission*

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, *having relatively uniform dimensions in a given lot*, that is used as feedstock in plastic product manufacturing operations;

Amendment

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, *regardless of its shape or form, including flakes, dusts spherules and powders, to which additives may have been added*, that is used as feedstock in plastic product manufacturing *and recycling* operations;

Or. en

Amendment 118

Deirdre Clune

Proposal for a regulation**Article 2 – paragraph 1 – point a***Text proposed by the Commission*

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, that is used as feedstock in plastic product manufacturing operations;

Amendment

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot *such as cylinder, bead, flake or powder*, that is used as feedstock in plastic product manufacturing

operations;

Or. en

Amendment 119

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiek, Pascal Canfin

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, that is used as feedstock in plastic product manufacturing operations;

Amendment

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, **including powders and flakes**, that is used as feedstock in plastic product manufacturing operations;

Or. en

Justification

This amendment aims to clarify the types of pellets falling under the scope of the Regulation, by aligning the definition of ‘plastic pellets’ with the one in the OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment.

Amendment 120

João Albuquerque

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, that is used as feedstock in plastic product manufacturing operations;

Amendment

(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, that is used as feedstock in plastic product manufacturing **and recycling** operations;

Or. en

Amendment 121

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wieszik, Pascal Canfin

Proposal for a regulation

Article 2 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) 'plastic pellet dust': refers to the industrial residue from the grinding or processing of pellets, that is not used as feedstock in plastic product manufacturing operations.

Or. en

Justification

This amendment simply aims to clarify the difference between powders, flakes and pellets from virgin plastic and plastic pellet dust, which results from handling at different stages in the value chain. Pellet dust must be covered by this Regulation as well, to prevent it from spreading into the environment but does not fall into the definition given for 'pellets'.

Amendment 122

João Albuquerque

Proposal for a regulation

Article 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) 'spill' means a one-off escape of plastic pellets from **primary** containment;

(b) 'spill' means a one-off **or prolonged** escape of plastic pellets from containment;

Or. en

Amendment 123

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) ‘spill’ means a one-off escape of plastic pellets from **primary** containment;

(b) ‘spill’ means a one-off escape of plastic pellets from containment;

Or. en

Amendment 124
Stanislav Polčák

Proposal for a regulation
Article 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) ‘spill’ means a one-off escape of plastic pellets from **primary** containment;

(b) ‘spill’ means a one-off escape of plastic pellets from containment;

Or. cs

Amendment 125
Ska Keller, Ana Miranda

Proposal for a regulation
Article 2 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets **from** installation’s boundary to the environment or from road vehicles, rail wagons **or** inland waterway vessels transporting plastic pellets;

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets **at any stage of the supply chain, from any** installation’s boundary to the environment or from **any carrier, including** road vehicles, rail wagons, inland waterway vessels, **and maritime vessels**, transporting plastic pellets;

Or. en

Justification

Maritime transport is a major form of transport of plastic pellets. Maritime accidents can lead to massive spills of plastic pellets. A single maritime container contains more than a billion plastic pellets. As such, a relatively small tonnage can already lead to major pollution. Several such cases have been reported in the IA. The recent loss of a single (!) container containing plastic pellets off the Portuguese coast has led to a major ecological crisis on the

coast of Galicia. As such, losses from maritime vessels should be included in the scope of the regulation.

Amendment 126
Stanislav Polčák

Proposal for a regulation
Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets **from installation’s boundary to the environment or from road vehicles, rail wagons or inland waterway vessels** transporting plastic pellets;

Amendment

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets **into the environment from installation’s boundary or from vehicles** transporting plastic pellets;

Or. cs

Amendment 127
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets from installation’s boundary to the environment or from road vehicles, rail wagons or inland waterway vessels transporting plastic pellets;

Amendment

(c) ‘loss’ means a one-off or prolonged escape of plastic pellets from installation’s boundary to the environment or from road vehicles, rail wagons or **marine and** inland waterway vessels transporting plastic pellets;

Or. en

Amendment 128
Dolors Montserrat, Francisco José Millán Mon

Proposal for a regulation
Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘loss’ means a one-off or prolonged

Amendment

(c) ‘loss’ means a one-off or prolonged

escape of plastic pellets from installation's boundary to the environment or from **road vehicles, rail wagons or inland waterway vessels transporting plastic pellets**;

escape of plastic pellets from installation's boundary to the environment or from **the transport of plastic pellets, including maritime transport**;

Or. es

Amendment 129

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) 'loss' means a one-off or prolonged escape of plastic pellets from installation's boundary to the environment or from **road vehicles, rail wagons or inland waterway vessels** transporting plastic pellets;

Amendment

(c) 'loss' means a one-off or prolonged escape of plastic pellets **at any stage of the supply chain, including** from installation's boundary to the environment or from **any carrier** transporting plastic pellets;

Or. en

Amendment 130

João Albuquerque

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) 'loss' means a one-off or prolonged escape of plastic pellets from installation's boundary to the environment or from **road vehicles, rail wagons or inland waterway vessels** transporting plastic pellets;

Amendment

(c) 'loss' means a one-off or prolonged escape of plastic pellets **at any of the stage of the supply chain, including** from installation's boundary to the environment or from transporting plastic pellets;

Or. en

Amendment 131

Deirdre Clune

Proposal for a regulation

Article 2 – paragraph 1 – point d

Text proposed by the Commission

(d) ‘installation’ means any premises, structure, **environment** or place within which one or more economic activities involving the handling of plastic pellets are carried out;

Amendment

(d) ‘installation’ means any premises, structure, **industrial site** or place within which one or more economic activities involving the handling of plastic pellets are carried out;

Or. en

Amendment 132

Pietro Fiocchi

Proposal for a regulation

Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets **as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels**;

Amendment

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets **in a professional capacity**;

Or. it

Amendment 133

Ska Keller, Ana Miranda

Proposal for a regulation

Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons **or** inland waterway vessels;

Amendment

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using **any carrier, including** road vehicles, rail wagons, inland waterway vessels, **or maritime vessels**;

Or. en

Justification

Maritime transport is a major form of transport of plastic pellets. The notion of 'EU carriers' should explicitly include maritime vessels.

Amendment 134
Stanislav Polčák

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) 'EU carrier' means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity **by using road vehicles, rail wagons or inland waterway vessels**;

Amendment

(f) 'EU carrier' means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity **in the Union**;

Or. cs

Amendment 135
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) 'EU carrier' means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity **by using road vehicles, rail wagons or inland waterway vessels**;

Amendment

(f) 'EU carrier' means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity;

Or. en

Amendment 136
Dolors Montserrat, Francisco José Millán Mon

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity **by using road vehicles, rail wagons or inland waterway vessels**;

Amendment

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity, **including maritime transport**;

Or. es

Amendment 137
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels;

Amendment

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or **marine and** inland waterway vessels;

Or. en

Amendment 138
Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels;

Amendment

(f) ‘EU carrier’ means any natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons, **maritime** or inland waterway vessels;

Or. en

Justification

According to the report 'Stemming the tide: putting an end to plastic pellet pollution' by the NGO Fauna and Flora International, published in 2022, the shipping industry is considered to be a major source of plastic pellet pollution, particularly due to poor cargo handling, routine cleaning operations (e.g. of hulls and containers) and accidental spills. The inclusion of maritime transport in the scope of the Regulation is therefore essential to achieving its objectives.

Amendment 139 **Stanislav Polčák**

Proposal for a regulation **Article 2 – paragraph 1 – point g**

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union *by using road vehicles, rail wagons or inland waterway vessels*;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union;

Or. cs

Amendment 140 **Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp**

Proposal for a regulation **Article 2 – paragraph 1 – point g**

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union *by using road vehicles, rail wagons or inland waterway vessels*;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union;

Or. en

Amendment 141 **Ska Keller, Ana Miranda**

Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons **or** inland waterway vessels;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using **any carrier, including** road vehicles, rail wagons, inland waterway vessels, **and maritime vessels**;

Or. en

Justification

Maritime transport is a major form of transport of plastic pellets. Apart from intra-EU shipments, around 20% of overall EU plastic pellet production is imported or exported, respectively. Most of this is likely to happen via maritime transport. And the large majority of merchant vessels does not carry an EU flag and is thus a non-EU carrier. To ensure a level playing field, non-EU maritime vessels, when engaged in an economic activity in the Union, i.e. by calling in a European port, should abide by the same rules as EU carriers, as is also the case for all other non-EU carriers.

Amendment 142
Dolors Montserrat, Francisco José Millán Mon

Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union **by using road vehicles, rail wagons or inland waterway vessels**;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union, **including maritime transport**;

Or. es

Amendment 143
Sirpa Pietikäinen

Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or inland waterway vessels;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or **marine and** inland waterway vessels;

Or. en

Amendment 144

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or inland waterway vessels;

Amendment

(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons, **maritime** or inland waterway vessels;

Or. en

Justification

According to the report 'Stemming the tide: putting an end to plastic pellet pollution' by the NGO Fauna and Flora International, published in 2022, the shipping industry is considered to be a major source of plastic pellet pollution, particularly due to poor cargo handling, routine cleaning operations (e.g. of hulls and containers) and accidental spills. The inclusion of maritime transport in the scope of the Regulation is therefore essential to achieving its objectives.

Amendment 145

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) 'remedial measures' means any action, or combination of actions, including mitigating or interim measures to restore, rehabilitate or replace damaged natural resources and/or impaired services, or to provide an equivalent alternative to those resources or services as foreseen in Annex II of Directive 2004/35/EC^{1a}.

^{1a} <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004L0035>

Or. en

Amendment 146
Ska Keller, Ana Miranda

Proposal for a regulation
Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) "remedial measures" mean measures defined in Article 2(11) of Directive 2004/35/EC.

Or. en

Justification

Given the severe environmental damage that can be created by plastic pellet losses, provisions with regard to remedial measures need to be included in the new regulation. The definition of such measures should be taken from the Directive on environmental liability.

Amendment 147
Ska Keller

Proposal for a regulation

Article 2 – paragraph 1 – point l b (new)

Text proposed by the Commission

Amendment

(l b) 'intermediary operations' means storage and repacking

Or. en

Justification

According to the OSPAR background document on pre-production plastic pellets of 2018, intermediary operations are the biggest source of pellet losses. It is thus appropriate to include a specific definition for them so as to allow to differentiate between provisions applicable for such operations as compared to other operations.

Amendment 148 **Deirdre Clune**

Proposal for a regulation **Article 3 – paragraph 1**

Text proposed by the Commission

Amendment

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are **avoided**. Where losses occur, economic operators, EU carriers and non-EU carriers shall take **immediate** action to clean-up those losses.

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are **minimised**. Where losses occur, economic operators, EU carriers and non-EU carriers shall take **appropriate** action to clean-up those losses.

Or. en

Amendment 149 **Nicolás González Casares, César Luena, Javi López**

Proposal for a regulation **Article 3 – paragraph 1**

Text proposed by the Commission

Amendment

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to clean-up those losses **and return the**

clean-up those losses.

affected spaces to their original condition.

Or. en

Amendment 150

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wieszik, Pascal Canfin

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to clean-up those losses.

Amendment

1. Economic operators, EU carriers and non-EU carriers shall ensure that **spills and** losses are avoided. Where **spills and** losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to **contain and** clean-up those **spill and** losses.

Or. en

Justification

The scope of the Regulation applies to both losses and spills of pellets, as mentioned in recitals 18 and 22 and in paragraphs 6 and 8 of Article 4. Given the extreme mobility of plastic pellets, it is also imperative to put in place measures to contain losses before cleaning up.

Amendment 151

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to clean-up those losses.

Amendment

1. Economic operators, EU carriers and non-EU carriers shall ensure that losses **and spills** are avoided. Where losses **or spills** occur, economic operators, EU carriers and non-EU carriers shall take immediate action to clean-up those losses **or spills**.

Amendment 152

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Economic operators, EU carriers and non-EU carriers shall notify the competent authority of all spills and losses and subsequent actions taken in accordance with the form set out in Annex V.

Or. en

Amendment 153

Ska Keller

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Economic operators of installations producing pellets and of installations handling pellets shall eliminate all loss of pellets to the environment from the installation's boundary.

Or. en

Justification

The stated common goal of the Members of Plastic Europe is to eliminate all loss of pellets to the environment, see <https://plasticseurope.org/sustainability/circularity/waste-management-prevention/pellet-loss-prevention/>. This goal should be made legally binding. It is in line with OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment, which refers to the achievement of zero pellet loss goals via certification schemes.

Amendment 154

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 3 – paragraph 2

Text proposed by the Commission

2. Economic operators **and EU** carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and of when engaging in the transport of plastic pellets, as applicable.

Amendment

2. Economic operators, **EU carriers and non-EU** carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and of when engaging in the transport of plastic pellets, as applicable.

Or. en

Amendment 155

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation

Article 3 – paragraph 2

Text proposed by the Commission

2. Economic operators **and EU** carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and **of when engaging** in the transport of plastic pellets, as applicable.

Amendment

2. Economic operators, **EU carriers and non-EU** carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and **if they engage** in the transport of plastic pellets, as applicable.

Or. en

Amendment 156

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

3. Economic operators **and EU** carriers shall notify the competent

Amendment

3. Economic operators, **EU carriers and non-EU** carriers shall notify the

authorities of the Member State in which they are established of any significant change in their installations and activities related to handling of plastic pellets, including of any closure of an existing installation.

competent authorities of the Member State in which they are established of any significant change in their installations and activities related to handling of plastic pellets, including of any closure of an existing installation.

Or. en

Amendment 157

Ska Keller

Proposal for a regulation

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Economic operators shall, for the purposes of this Regulation, label all storage and transport containers containing plastic pellets as "hazardous for the aquatic environment, long term aquatic hazard category 2" as set out in Regulation (EC) No 1272/2008;

Or. en

Justification

It is of paramount importance that all containers are adequately labelled to facilitate handling to prevent losses. For the purposes of this Regulation, it should be decided that plastic pellets are to be labelled as hazardous for the aquatic environment, long term aquatic hazard category 3 according to the CLP Regulation. This classification comes with no pictogram, no signal word, but the hazard statement "harmful to aquatic life with long lasting effects" and a precautionary statement on disposal.

Amendment 158

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation

Article 3 – paragraph 4

Text proposed by the Commission

Amendment

4. Competent authorities shall establish and maintain a **public** register

4. Competent authorities shall establish and maintain a register containing

containing the information they have received in accordance with paragraphs 3 and 4.

the information they have received in accordance with paragraphs 2 and 3. ***The register shall avoid duplication with other existing EU and national environmental registration systems and protect confidential business information.***

Or. en

Amendment 159
Stanislav Polčák

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 and 4.

Amendment

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 and 4. ***The register shall be publicly available free of charge on a website.***

Or. cs

Amendment 160
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 and 4.

Amendment

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs ***1a, 2 and 3.***

Or. en

Amendment 161

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

**Proposal for a regulation
Article 3 – paragraph 4**

Text proposed by the Commission

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 *and* 4.

Amendment

4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 2 *and* 3.

Or. en

Justification

This amendment is purely technical and simply aims to correct a numerical error in the Commission's proposal.

Amendment 162

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

**Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 1 – introductory part**

Text proposed by the Commission

Economic operators shall take the following actions:

Amendment

Economic operators *and EU carriers* shall take the following actions:

Or. en

Amendment 163

Ska Keller

**Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 1 – point a**

Text proposed by the Commission

(a) establish a risk assessment plan for each installation in accordance with Annex I *taking into account the nature and size of the installation as well as the scale of*

Amendment

(a) establish a risk assessment plan for each installation in accordance with Annex I;

its operations;

Or. en

Justification

The flexibilities with regard to the nature and the size of the installation as well as the scale of its operations are more adequately specified in Annex I.

Amendment 164

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) establish a risk assessment plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;

Amendment

(a) establish a risk assessment plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations ***in the case of economic operators, and in accordance with Annex III in the case of carriers;***

Or. en

Amendment 165

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) establish a risk assessment plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;

Amendment

(a) establish a risk assessment ***and prevention*** plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;

Or. en

Amendment 166

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) install the equipment and execute the procedures described in the risk assessment plan referred to in point (a);

Amendment

(b) install the equipment *referred to in Annex I* and execute the procedures described in the risk assessment plan referred to in point (a);

Or. en

Justification

The reference to Annex I is implied in this paragraph but is not explicit, unlike the previous paragraph. This amendment therefore simply aims to clarify this reference.

Amendment 167

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) install the equipment and execute the procedures described in the risk assessment plan referred to in point (a);

Amendment

(b) install the equipment and execute the procedures described in the risk assessment *and prevention* plan referred to in point (a);

Or. en

Amendment 168

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

(c) notify the risk assessment plan referred to in point (a) to the competent authority of the Member State where the

Amendment

(c) notify the risk assessment *and prevention* plan referred to in point (a) to the competent authority of the Member

installation is located together with a self-declaration of conformity issued in accordance with the model form set out in Annex II.

State where the installation is located together with a self-declaration of conformity issued in accordance with the model form set out in Annex II.

Or. en

Amendment 169
Deirdre Clune

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities ***on demand***.

Amendment

Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities ***upon justified request***.

Or. en

Amendment 170
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Amendment

Economic operators shall keep the risk assessment plan up-to-date, taking into account, ***without undue delay***, in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Or. cs

Amendment 171

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Amendment

Economic operators shall keep the risk assessment **and prevention** plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Or. en

Amendment 172

João Albuquerque

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Economic operators shall **keep the** risk assessment plan **up-to-date**, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Amendment

Economic operators shall **update and notify their** risk assessment plan **annually**, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.

Or. en

Amendment 173

Ska Keller

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators **that are medium and large-sized enterprises operating installations where plastic**

Amendment

2. **By 31 March of each calendar year, all** economic operators shall **report to the competent authorities the** update of the

*pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall **notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.***

risk assessment plan *in case it was updated*, a renewal of the self-declaration of conformity *and their records pursuant to Article 8 for the previous calendar year.*

Or. en

Justification

Economic operators should report their records to the competent authorities on an annual basis as a means to ensure good application of the legislation and as means to keep competent authorities up to date.

Amendment 174

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators *that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall **notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.***

Amendment

2. ***Every year, all economic operators and EU carriers shall review, update and report to the competent authorities their records on their quantity of pellets handled, estimated losses, notification of updated risk assessment plan for each installation and a renewal of the self-declaration of conformity.***

Or. en

Amendment 175

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators **that are medium and large-sized enterprises operating installations** where plastic pellets in quantities **below** 1 000 tonnes have been handled in the previous calendar year **or that are micro or small-sized enterprises** shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.

Amendment

2. Economic operators where plastic pellets in quantities **above** 1 000 tonnes have been handled in the previous calendar year shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 2 years from the last notification. ***This obligation applies every 5 years for economic operators that are not micro-entreprises where plastic pellets in quantities below 1000 tonnes have been handled in the previous calendar year.***

Or. en

Justification

At present, the European Commission's text does not set out a precise timetable for economic operators managing more than 1,000 tonnes to notify the competent authorities, but only for large and medium-sized enterprises managing less than 1,000 tonnes and for micro and small enterprises. This proposed rewording of the paragraph will clarify this point: all companies will have to notify an update to the competent authorities, with companies managing more than 1,000 tonnes (whatever their size) notifying every two years and every five years for all companies managing less than 1000 tonnes, with the exemption of micro-entreprises.

Amendment 176

Andreas Glück, Ulrike Müller

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year **or that are micro or small-sized enterprises** shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority

Amendment

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.

every 5 years from the last notification.

Or. en

Amendment 177

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators that are **medium and large-sized enterprises** operating installations where plastic pellets in quantities below **1 000** tonnes have been handled in the previous calendar year or that are micro **or small-sized enterprises** shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every **5** years from the last notification.

Amendment

2. Economic operators that are operating installations where plastic pellets in quantities below **250** tonnes have been handled in the previous calendar year or that are micro enterprises shall notify an update of the risk assessment **and prevention** plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every **3** years from the last notification.

Or. en

Amendment 178

Deirdre Clune

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below **1 000** tonnes have been handled in the previous calendar year **or that are micro or small-sized enterprises** shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every **5** years from the last notification.

Amendment

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below **or equal to 2 000** tonnes have been handled in the previous calendar year shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every **5** years from the last notification.

Amendment 179
João Albuquerque

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.

Amendment

2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification, ***or in an event of changing its operations or significant incident, taking into account the particular weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.***

Amendment 180
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Economic operators that are ***medium and large-sized enterprises*** operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year ***or that are micro or small-sized enterprises*** shall notify an update of the risk assessment plan for each installation as

Amendment

2. Economic operators that are operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year shall notify an update of the risk assessment plan for each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the

well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.

last notification.

Or. cs

Amendment 181

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

3. Competent authorities **may** require economic operators to take the following actions:

Amendment

3. Competent authorities **shall ensure best practices and equipment are being used and shall** require economic operators to take the following actions:

Or. en

Amendment 182

Ska Keller

Proposal for a regulation

Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

3. Competent authorities **may** require economic operators to take the following actions:

Amendment

3. Competent authorities **shall** require economic operators to **use best practices and may** take the following actions:

Or. en

Justification

Best practices should be applied by all.

Amendment 183

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 3 – point a

Text proposed by the Commission

(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and that Annex I is complied with;

Amendment

(a) to change risk assessment **and prevention** plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and **affected spaces returned to their original condition and** that Annex I is complied with;

Or. en

Amendment 184
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 3 – point a

Text proposed by the Commission

(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and that Annex I is complied with;

Amendment

(a) **within a reasonable period of time determined by the competent authorities,** to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and that Annex I is complied with;

Or. cs

Amendment 185
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 4 – paragraph 3 – point a

Text proposed by the Commission

(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented **or**, where appropriate, contained and cleaned up and

Amendment

(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented **and**, where appropriate, contained and cleaned up and

that Annex I is complied with;

that Annex I is complied with;

Or. en

Amendment 186

Deirdre Clune

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register ***shall be publicly available on a website.***

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register ***must omit details of the risk assessment plans, especially processes and installations, as far as these details are justifiably of commercial relevance.***

Or. en

Amendment 187

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall ***be publicly available on a website.***

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall ***avoid duplication with other existing EU and national environmental registration systems and protect confidential business information.***

Or. en

Amendment 188
João Albuquerque

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity ***notified in accordance with paragraphs 1 and 2 of this Article***. The register shall be publicly available on a website.

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans, and self-declarations of conformity, ***loss and spill notifications, and audit summaries, including details of non-compliances identified and corrective actions requested***. The register shall be publicly available on a website.

Or. en

Amendment 189
Ska Keller

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available on a website.

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity, notified in accordance with paragraphs 1 and 2 of this Article, ***measures taken in case of non-compliance in accordance with Article 8(2)(c) and incidents and accidents reported in accordance with Article 9(1)***. The register shall be publicly available on a website.

Or. en

Justification

Measures taken by Member States in case of non-compliance and the reporting of incidents and accidents should also be included in the public register.

Amendment 190

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available on a website.

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment **and prevention** plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available on a website.

Or. en

Amendment 191

Stanislav Polčák

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available on a website.

Amendment

4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available **free of charge** on a website.

Or. cs

Amendment 192

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.

Amendment

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented during loading and unloading operations, transport journeys, **storage**, cleaning and maintenance operations. **Competent authorities may require economic operators to implement any actions listed in Annex III to ensure that the spill and losses can effectively be prevented.**

Or. en

Justification

EU and non-EU carriers are key actors to prevent pellet spills during transportation and storage should therefore be included. As such, the implementation of Annex III is crucial to ensure that pellet losses during transport are avoided. Inspired by the logic described in paragraph 2 of Article 4 of the present Regulation, the competent authorities will therefore have the opportunity to ensure that these measures are properly implemented by the economic actors.

Amendment 193

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented **during** loading and unloading operations, transport journeys, cleaning and maintenance operations.

Amendment

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented **for all handlers across the supply chain, for all** loading and unloading operations, transport journeys, **storage**, cleaning and maintenance operations.

Or. en

Amendment 194

Ska Keller, Ana Miranda

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. EU carriers and non-EU carriers shall ensure that the actions set out in **Annex III** are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.

Amendment

5. EU carriers and non-EU carriers shall ensure that the actions set out in **Annexes III and IIIA** are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.

Or. en

(Linked to the amendment by the same authors introducing a new Annex IIIA for maritime transport.)

Justification

Specific provisions should be laid down for maritime transport in a separate Annex in addition to the general requirements for EU and non-EU carriers.

Amendment 195

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented **during** loading and unloading operations, transport journeys, cleaning and maintenance operations.

Amendment

5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented **for all** loading and unloading operations, transport journeys, **storage**, cleaning and maintenance operations.

Or. en

Amendment 196

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 6 – introductory part

Text proposed by the Commission

6. When economic operators

Amendment

6. When economic operators

implement the actions set out in the risk assessment plan established in accordance with Annex I and the EU carriers and non-EU carriers implement the actions laid down in Annex III, they shall take action, in the following priority order:

implement the actions set out in the risk assessment **and prevention** plan established in accordance with Annex I and the EU carriers and non-EU carriers implement the actions laid down in Annex III, they shall take action, in the following priority order:

Or. en

Amendment 197

Ska Keller

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Economic operators **and EU** carriers shall have the following obligations:

Economic operators, **EU carriers and non-EU** carriers shall have the following obligations:

Or. en

Justification

Non-EU carriers are defined as carriers established in a third country that engage in transport of plastic pellets in the Union. To ensure a level playing field, non-EU carriers should be subject to the same requirements as EU carriers.

Amendment 198

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) ensure that their staff is trained according to their specific roles and responsibilities and that they are aware of and are able to use the relevant equipment and execute the procedures set out to ensure compliance with this Regulation;

(a) ensure that their staff is trained according to their specific roles and responsibilities and that they are aware of and are able to use the relevant equipment and execute the procedures set out to ensure compliance with this Regulation **and ensure the health protection of personnel involved in handling plastic**

pellets;

Or. en

Amendment 199

Deirdre Clune

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) keep records of **annually** estimated quantities of losses and of the total volume of plastic pellets handled.

(c) keep records of estimated quantities of losses and of the total volume of plastic pellets handled.

Or. en

Amendment 200

Ska Keller

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) keep records of annually estimated quantities of losses and of the total **volume** of plastic pellets handled.

(c) keep records of annually estimated quantities of losses **in accordance with Annex IVA** and of the total **quantity** of plastic pellets handled.

Or. en

Justification

Losses should be recorded in a dedicated loss form. Production quantities should also be recorded.

Amendment 201

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) keep records of annually estimated quantities of losses and of the total volume of plastic pellets handled.

(c) keep records of annually estimated quantities of **spills and** losses, and of the total volume of plastic pellets **produced and** handled.

Or. en

Amendment 202

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) keep records of annually estimated quantities of losses and of the total volume of plastic pellets handled.

(c) keep records of annually estimated quantities of **spills and** losses and of the total volume of plastic pellets handled.

Or. en

Justification

The scope of the Regulation applies to both losses and spills of pellets, as mentioned in recitals 18 and 22 and in paragraphs 6 and 8 of Article 4. Given the extreme mobility of plastic pellets, it is also imperative to put in place measures to contain losses before cleaning up.

Amendment 203

João Albuquerque

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) keep records of annually estimated quantities of losses and of the total volume of plastic pellets handled.

(c) keep records of annually estimated quantities of **spills and** losses and of the total volume of plastic pellets handled.

Or. en

Amendment 204
Deirdre Clune

Proposal for a regulation
Article 4 – paragraph 7 – subparagraph 2

Text proposed by the Commission

As from **six** months after the publication of the relevant harmonised standard in the Official Journal of the European Union or from the date of application of the implementing act referred to in Article 13(2) of this Regulation economic operators shall estimate the quantities of losses referred to in the first subparagraph, point (c) in accordance with the standardised methodology referred to in Article 13.

Amendment

As from **eighteen** months after the publication of the relevant harmonised standard in the Official Journal of the European Union or from the date of application of the implementing act referred to in Article 13(2) of this Regulation economic operators shall estimate the quantities of losses referred to in the first subparagraph, point (c) in accordance with the standardised methodology referred to in Article 13.

Or. en

Amendment 205
Deirdre Clune

Proposal for a regulation
Article 4 – paragraph 7 – subparagraph 3

Text proposed by the Commission

Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of five years and make them available to competent authorities and, where applicable, to certifiers **on demand**.

Amendment

Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of five years and make them available to competent authorities and, where applicable, to certifiers **upon justified request**.

Or. en

Amendment 206
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 3

Text proposed by the Commission

Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph **for a period of five years** and make them available to competent authorities and, **where applicable**, to certifiers on demand.

Amendment

Economic operators and EU carriers shall retain records referred to in points (b) and (c) of this paragraph and make them available to competent authorities and to certifiers on demand.

Or. en

Amendment 207

Stanislav Polčák

Proposal for a regulation

Article 4 – paragraph 7 – subparagraph 3

Text proposed by the Commission

Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of **five** years and make them available to competent authorities and, where applicable, to certifiers on demand.

Amendment

Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of **ten** years and make them available to competent authorities and, where applicable, to certifiers on demand.

Or. cs

Amendment 208

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, as soon as possible.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, **EU** carriers and non-EU carriers shall take corrective actions, as soon as possible **to restore the affected spaces to their original condition**.

Amendment 209

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, *as soon as possible*.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, **EU** carriers and non-EU carriers shall take corrective actions, *immediately*.

Or. en

Justification

The amendment stresses the need for immediate action to prevent the consequences of plastic pollution as far as possible.

Amendment 210

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, *as soon as possible*.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take *immediate* corrective actions.

Or. en

Amendment 211

Ska Keller

Proposal for a regulation

Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, ***as soon as possible***.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take ***immediate*** corrective actions.

Or. en

Justification

Plastic pellets are of light weight and buoyant. As such, losses can quickly spread widely. Corrective actions therefore need to be taken immediately to prevent further damages.

Amendment 212 João Albuquerque

Proposal for a regulation Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, ***as soon as possible***.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take ***immediate*** corrective actions.

Or. en

Amendment 213 Stanislav Polčák

Proposal for a regulation Article 4 – paragraph 8

Text proposed by the Commission

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, as soon as possible.

Amendment

8. Where an action taken for the prevention, containment and clean-up of spills and losses fails ***in whole or in part***, economic operators, carriers and non-EU carriers shall take ***appropriate*** corrective

actions, as soon as possible.

Or. cs

Amendment 214

Ska Keller

Proposal for a regulation

Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every year economic operators ***that are not micro or small-sized enterprises and that operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year*** shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:

Amendment

9. Every year economic operators shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:

Or. en

Justification

Uniform requirements should be imposed on all economic operators involved in the handling of plastic pellets to ensure a level playing field. All economic operators should make yearly internal assessments on the state of compliance of their installation.

Amendment 215

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every year economic operators ***that are not micro or small-sized enterprises and that operate installations where plastic pellets in quantities above 1 000 tonnes***

Amendment

9. Every year economic operators that operate installations where plastic pellets in quantities above 1 000 tonnes ***that are not micro enterprises*** have been handled in the

have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:

previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. ***This obligation applies every two years for economic operators that are not micro-entreprises where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar.*** The internal assessment may among others cover the following subjects:

Or. en

Justification

All the economic actors concerned must carry out internal assessments to ensure that the measures provided for in Annex I are effectively implemented. In order to give more flexibility, this amendment proposes to give more time to economic actors handling less than 1000 tonnes and explicitly exclude micro-entreprises.

Amendment 216

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every year economic operators ***that are not micro or small-sized enterprises and that operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year*** shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment ***may*** among others cover the following subjects:

Amendment

9. Every year economic operators shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I.

Every year, EU carriers shall carry out an internal assessment on the state of compliance of their operations with the requirements of the risk assessment plan in accordance with Annex III.

The internal assessment *shall* among others cover the following subjects:

Or. en

Amendment 217
Deirdre Clune

Proposal for a regulation
Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every *year* economic operators *that are not micro or small-sized enterprises and that* operate installations where plastic pellets in quantities above *1 000* tonnes have been handled in the previous *calendar year* shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:

Amendment

9. Every *five years* economic operators that operate installations where plastic pellets in quantities above *2 000* tonnes have been handled in the previous *5 years* shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:

Or. en

Amendment 218
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every year economic operators *that are not micro or small-sized enterprises and that* operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal

Amendment

9. Every year economic operators that operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment *should* among others cover the following subjects:

assessment *may* among others cover the following subjects:

Or. cs

Amendment 219

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 9 – introductory part

Text proposed by the Commission

9. Every year economic operators that are not micro *or small-sized* enterprises *and* that operate installations where plastic pellets in quantities above **1 000** tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment *may* among others cover the following subjects:

Amendment

9. Every year economic operators that are not micro enterprises *or* that operate installations where plastic pellets in quantities above **250** tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment *and prevention* plan laid down in Annex I. The internal assessment *shall* among others cover the following subjects:

Or. en

Amendment 220

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 9 – point b

Text proposed by the Commission

(b) the preventive, containment and clean up equipment and/or procedures implemented to avoid future losses, and their effectiveness;

Amendment

(b) the preventive, containment and clean up equipment and/or procedures implemented to avoid future losses, and *an evaluation of* their effectiveness;

Or. en

Amendment 221

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 4 – paragraph 9 – point c

Text proposed by the Commission

(c) discussions with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.

Amendment

(c) discussions with the personnel, **health protection measures for staff**, inspections of equipment and procedures in place and revision of any relevant documentation.

Or. en

Amendment 222

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 9 – point c

Text proposed by the Commission

(c) discussions with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.

Amendment

(c) discussions **and training sessions** with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.

Or. en

Amendment 223

João Albuquerque

Proposal for a regulation

Article 4 – paragraph 9 – point c

Text proposed by the Commission

(c) discussions with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.

Amendment

(c) discussions **and training sessions** with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.

Or. en

Amendment 224

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 9 – point c a (new)

Text proposed by the Commission

Amendment

(c a) Records of internal assessment shall be maintained and made available to competent authorities on demand. Any corrective actions must be included in the update of the risk assessment plan.

Or. en

Amendment 225

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 4 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9 a. Economic operators and EU carriers shall establish, implement and maintain a process to control the procurement of goods and services that use, process, manufacture, handle, store or transport pellets.

(a) Operators and EU carriers shall identify selection criteria relevant to responsible pellet handling, for the approval of the suppliers and subcontractors that provide it with these goods and services. Selection criteria may include certification or accreditation of suppliers and subcontractors to relevant international standards.

(b) Operators and EU carriers can ask suppliers and subcontractors to provide information on their pellet loss prevention performance, risk assessment plans and objectives. Economic operators shall work with suppliers and subcontractors to identify pellet loss risks arising from their activities and operations that impact the

organisation.

Or. en

Amendment 226
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9a. Operators shall keep a record of the internal assessment for ten years and make it available to the competent authorities and, where appropriate, certification bodies on request.

Or. cs

Amendment 227
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. By ... [OP: please insert the date = **24** months after the entry into force of this Regulation], and thereafter every **three** years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets **in quantities above 1 000 tonnes** have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

1. By ... [OP: please insert the date = **12** months after the entry into force of this Regulation], and thereafter every **two** years, economic operators that are **medium and** large-sized enterprises shall demonstrate that each installation where plastic pellets have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Amendment 228
Ska Keller

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every **three** years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets **in quantities above 1 000 tonnes** have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every **two** years, economic operators that are **medium and** large-sized enterprises shall demonstrate that each installation where plastic pellets have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Justification

According to OSPAR, certification should explicitly "Apply to organizations of all sizes, with no exemptions". It is therefore inappropriate to use a tonnage threshold. Medium-sized companies should be certified at the same frequency as large companies. A later date of application as well as a lower frequency of certification should only be applicable to small companies and to micro-enterprises that are conducting intermediary operations.

Amendment 229
Deirdre Clune

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. By ... [OP: please insert the date = **24** months after the entry into force of this Regulation], and thereafter every three years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above **1 000** tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

1. By ... [OP: please insert the date = **36** months after the entry into force of this Regulation], and thereafter every three years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above **2 000** tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment 230

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation**Article 5 – paragraph 1***Text proposed by the Commission*

1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every three years, economic operators **that are large-sized enterprises** shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every three years, economic operators **who are not micro-enterprises** shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Justification

The Commission's impact assessment reveals that there may be installations, which, although operated or controlled by medium-sized and large companies, have a production or processing capacity of less than 1,000 tonnes per year. On the other hand, despite their smaller size, certain small companies may handle more than 1,000 tonnes of pellets per year. The aim of this amendment is to ensure that each company, with the exemption of micro-enterprises has a certification procedure that is adapted to its pellet production or processing capacity.

Amendment 231

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation**Article 5 – paragraph 2***Text proposed by the Commission*

2. By ... [OP: please insert the date = **36** months after the entry into force of this Regulation], and thereafter every **four** years, economic operators that are

Amendment

2. By ... [OP: please insert the date = **24** months after the entry into force of this Regulation], and thereafter every **two** years, economic operators that are **small**

medium-sized enterprises shall demonstrate that each installation where plastic pellets **in quantities above 1 000 tonnes** have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

and micro enterprises shall demonstrate that each installation where plastic pellets have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Amendment 232 Ska Keller

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four years, economic operators that are **medium-sized** enterprises shall demonstrate that each installation where plastic pellets **in quantities above 1 000 tonnes** have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four years, economic operators that are **small enterprises, and micro enterprises that are conducting intermediary operations**, shall demonstrate that each installation where plastic pellets have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Justification

According to OSPAR, certification should explicitly "Apply to organizations of all sizes, with no exemptions". The biggest losses occur during intermediary operations (i.e. storage and repacking), which according to the IA involve a limited number of mainly micro and small companies. This is different from conversion, where according to the IA, small companies account for 16% of conversion, and tens of thousands of micro-companies for only 4% of conversion. Certification should therefore include all small enterprises, as well micro enterprises of intermediary operations.

Amendment 233 Deirdre Clune

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. By ... [OP: please insert the date = **36** months after the entry into force of this Regulation], and thereafter every four years, economic operators that are medium-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above **1 000** tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

2. By ... [OP: please insert the date = **48** months after the entry into force of this Regulation], and thereafter every four years, economic operators that are medium-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above **2 000** tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Amendment 234

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four years, economic operators **that are medium-sized** enterprises shall demonstrate that each installation where plastic pellets in quantities **above** 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Amendment

2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four years, economic operators **who are not micro or small** enterprises shall demonstrate that each installation where plastic pellets in quantities **below** 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.

Or. en

Justification

The Commission's impact assessment reveals that there may be installations, which, although operated or controlled by medium-sized and large companies, have a production or processing capacity of less than 1,000 tonnes per year. On the other hand, despite their smaller size, certain companies may handle more than 1,000 tonnes of pellets per year. The aim of this amendment is to ensure that each company, excluding micro and small

enterprises, has a certification procedure that is adapted to its pellet production or processing capacity.

Amendment 235
Stanislav Polčák

Proposal for a regulation
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By ... [OP: please insert date = 48 months after the entry into force of this Regulation] and every five years thereafter, operators that are micro or small enterprises shall demonstrate that each installation where plastic pellets in quantities greater than 1 000 tonnes were handled in the previous calendar year complies with the requirements set out in Annex I by obtaining a certificate issued by a certification body.

Or. cs

Amendment 236
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter at least every two years, EU carriers shall demonstrate that where plastic pellets have been handled in the previous calendar year, handling practices are compliant with the requirements set out in Annex III, by obtaining a certificate issued by a certifier.

Or. en

Amendment 237

Deirdre Clune

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. Certifiers **shall** carry out spot-checks to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.

Amendment

3. Certifiers **may** carry out spot-checks to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.

Or. en

Amendment 238

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. Certifiers shall carry out spot-checks to ensure that all measures included in the risk assessment plan carried out in accordance with **Annex I** are duly implemented.

Amendment

3. Certifiers shall carry out spot-checks, **visual inspections of sites, transport medium and immediate surrounding areas** to ensure that all measures included in the risk assessment plan carried out in accordance with **Annexes I and III** are duly implemented.

Or. en

Amendment 239

João Albuquerque

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. Certifiers shall carry out spot-checks to ensure that all measures included

Amendment

3. Certifiers shall carry out spot-checks **and inspection of sites, transport**

in the risk assessment plan carried out in accordance with Annex I are duly implemented.

medium and immediate surrounding areas to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.

Or. en

Amendment 240

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. Certifiers shall carry out spot-checks to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.

Amendment

3. Certifiers shall carry out spot-checks to ensure that all measures included in the risk assessment ***and prevention*** plan carried out in accordance with Annex I are duly implemented.

Or. en

Amendment 241

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 5 – paragraph 4 – point a

Text proposed by the Commission

(a) be issued in accordance with the model form set out in Annex IV and in electronic form;

Amendment

(a) be issued ***by third party certifiers*** in accordance with the model form set out in Annex IV and in electronic form;

Or. en

Amendment 242

Deirdre Clune

Proposal for a regulation

Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Competent authorities shall establish and maintain and keep up to date a register of certificates. The register shall be **publicly** available on a website.

Amendment

Competent authorities shall establish and maintain and keep up to date a register of certificates. **Such non-commercially sensitive information from** the register shall be **made publicaliy** available on a website.

Or. en

Amendment 243
Stanislav Polčák

Proposal for a regulation
Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Competent authorities shall establish and maintain and keep up to date a register of certificates. The register shall be publicly available on a website.

Amendment

Competent authorities shall establish and maintain and keep up to date a register of certificates. The register shall be publicly available **free of charge** on a website.

Or. cs

Amendment 244
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the

Amendment

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I **and Annex III** have been included

environmental management system of the economic operator and have been implemented.

in the environmental management system of the economic operator *or carrier* and have been implemented *on the ground, using a high level of verification processes such as mandatory on-site inspections and spot checks.*

Or. en

Amendment 245

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the environmental management system of the economic operator and have been implemented.

Amendment

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I *and Annex III* have been included in the environmental management system of the economic operator *or carrier* and have been implemented.

Or. en

Justification

This amendment simply aims to include the carriers in the certification system of EMAS to ensure fair conditions along the entire supply chain.

Amendment 246

Stanislav Polčák

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) **and (2)** of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the environmental management system of the economic operator and have been implemented.

Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1), **(2) and (2a)** of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been **fully** included in the environmental management system of the economic operator and have been implemented.

Or. cs

Amendment 247
Stanislav Polčák

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The accreditation of certifiers referred to in Article 3, point (k)(i) shall include an evaluation of compliance with the following requirements:

The accreditation of certifiers referred to in Article 2, point (k)(i) shall include an evaluation of compliance with the following requirements:

Or. cs

Amendment 248
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the certifier shall be independent of the economic operator;

(a) the certifier shall be **accredited and** independent of the economic operator;

Amendment 249
João Albuquerque

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) the certifier shall be independent of the economic operator;

Amendment

(a) the certifier shall be **accredited and** independent of the economic operator

Or. en

Amendment 250
Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. Competent authorities shall verify compliance of economic operators, EU carriers and non-EU carriers with the obligations laid down in this Regulation, taking into account the information provided in self-declarations of conformity referred to Article 4(1) and (2) and provided by certifiers in accordance with Article 5(5). The competent authorities shall carry out environmental inspections and other verification measures, following a risk-based approach.

Amendment

1. Competent authorities shall verify compliance of economic operators, EU carriers and non-EU carriers with the obligations laid down in this Regulation, taking into account the information provided in self-declarations of conformity referred to Article 4(1) and (2) and provided by certifiers in accordance with Article 5(5). The competent authorities shall carry out **randomized** environmental inspections and other verification measures, following a risk-based approach.

Or. en

Justification

The addition of the word 'randomized' avoids controls being announced in advance to economic operators, and therefore the provisions of this regulation being applied only during control periods.

Amendment 251
João Albuquerque

Proposal for a regulation
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. By 31 March ... [OP:Please insert the year following the year of the entry into force of this Regulation], and every year thereafter, each economic operator and carrier shall report, in accordance to Annex IV (a) (new) to the competent authority for the previous calendar year:

(a) the quantity of pellets produced and handled based on polymer type;

(b) the estimated quantity of spills and losses and the number of incidents and accidents.

Or. en

Amendment 252
Stanislav Polčák

Proposal for a regulation
Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. At the latest by ... [OP please insert the date = the first day of the month after four years following the date of entry into force of this Regulation] and every three years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation **during the previous calendar year**. The information shall include:

2. At the latest by ... [OP please insert the date = the first day of the month after four years following the date of entry into force of this Regulation] and every three years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation The information shall include:

Or. cs

Amendment 253

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. At the latest by ... [OP please insert the date = the first day of the month after **four** years following the date of entry into force of this Regulation] and every **three** years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation during the previous calendar year. The information shall include:

Amendment

2. At the latest by ... [OP please insert the date = the first day of the month after **three** years following the date of entry into force of this Regulation] and every **two** years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation during the previous calendar year. The information shall include:

Or. en

Amendment 254

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. At the latest by ... [OP please insert the date = the first day of the month after **four** years following the date of entry into force of this Regulation] and every **three** years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation during the previous calendar year. The information shall include:

Amendment

2. At the latest by ... [OP please insert the date = the first day of the month after **two** years following the date of entry into force of this Regulation] and every **two** years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the implementation of this Regulation during the previous calendar year. The information shall include:

Or. en

Amendment 255

Ska Keller

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the number of economic operators per size of enterprise according to Commission Recommendation 2003/361/EC and per economic activity, their installations, and of the EU carriers and their means of transport allocated to transporting plastic pellets;

(a) the number of economic operators per size of enterprise according to Commission Recommendation 2003/361/EC and per economic activity, their installations ***and the quantities of plastic pellets handled***, and of the EU carriers and their means of transport allocated to transporting plastic pellets ***and the quantities handled by them***;

Or. en

Justification

Competent authorities should also report on the quantities handled by economic operators.

Amendment 256

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the number of risk assessment plans, self-declarations notified pursuant to Article 4(1) and 4(2) and certificates notified pursuant to Article 5(5);

(b) the number of risk assessment ***and prevention*** plans, self-declarations notified pursuant to Article 4(1) and 4(2) and certificates notified pursuant to Article 5(5);

Or. en

Amendment 257

Ska Keller

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) the number and results of environmental inspections and other verification measures carried under paragraph 1 of this Article as well as the

(c) the number and results of environmental inspections and other verification measures carried under paragraph 1 of this Article as well as the

number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.

number of incidents and accidents reported in accordance with Article 9(1) and **Annex IVA, overall estimated losses, and** the measures taken in case of non-compliance with the obligations set out in this Regulation.

Or. en

Justification

Competent authorities should report the information received from economic operators on losses to the Commission.

Amendment 258
Deirdre Clune

Proposal for a regulation
Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) the number and results of environmental inspections and other **verification** measures carried under paragraph 1 of this Article as well as the number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.

Amendment

(c) the number and results of environmental inspections and other **conformity assessment** measures carried under paragraph 1 of this Article as well as the number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.

Or. en

Amendment 259
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Article 8 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Within 6 months of receiving the reports from the Member States, the Commission shall publish a report on the implementation of this Regulation in the

Union and on best practices observed in the Member States.

Or. en

Amendment 260
João Albuquerque

Proposal for a regulation
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Every three years, based on the reports of Member States referred to in paragraph 2, the Commission shall produce a synthesis report on compliance and reporting, setting out the qualitative and quantitative information on the implementation of this Regulation.

Or. en

Amendment 261
Ska Keller

Proposal for a regulation
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Every three years, based on the reports of Member States referred to in paragraph 2, the Commission shall produce a synthesis report on compliance and reporting, setting out the qualitative and quantitative information on the implementation of this Regulation.

Or. en

Justification

It is important that the Commission produces a synthesis report on the reporting by Member States so as to have a proper overview of the state of compliance with the provisions of the regulation.

Amendment 262

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wieszik, Pascal Canfin

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss ***significantly affecting human health or the environment***, economic operators, EU carriers and non-EU carriers shall immediately:

Amendment

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss, economic operators, EU carriers and non-EU carriers shall immediately:

Or. en

Justification

As soon as pellets are spilled into the environment, there is a danger to the environment and human health. Furthermore, specifying "significantly" presents a risk that certain economic operators might try to circumvent this obligation to act.

Amendment 263

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss ***significantly affecting human health or the environment***, economic operators, EU carriers and non-EU carriers shall immediately:

Amendment

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss ***or spill***, economic operators, EU carriers and non-EU carriers shall immediately:

Or. en

Amendment 264

Ska Keller

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, economic operators, EU carriers and non-EU carriers shall immediately:

Amendment

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, **and any event of an incidental or accidental loss of more than 20 kg of pellets**, economic operators, EU carriers and non-EU carriers shall immediately:

Or. en

Justification

To avoid that economic operators refrain from reporting because of a biased notion of what might represent a loss "significantly affecting human health or the environment", it should be clarified that events exceeding a certain threshold should be reported in any case. A loss of 20 kg of pellets is equivalent to one million pellets. As such, it is appropriate to require that all losses of more than 20 kg should be reported in any case irrespective of the effects on human health or the environment. This is also necessary to have a more reliable data base with regard to the quantity of losses.

Amendment 265 **Stanislav Polčák**

Proposal for a regulation **Article 9 – paragraph 1 – introductory part**

Text proposed by the Commission

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, economic operators, EU carriers and non-EU carriers shall immediately:

Amendment

1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting **or with the potential to significantly affect** human health or the environment, economic operators, EU carriers and non-EU carriers shall immediately:

Or. cs

Amendment 266 **Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp**

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) inform the competent authority in whose territory the incident or accident occurred and the *estimated* quantities of losses;

Amendment

(a) inform the competent authority in whose territory the incident or accident occurred and the quantities of losses ***or spills, in accordance with the form in Annex IV A;***

Or. en

Amendment 267
Ska Keller, Ana Miranda

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) inform the competent authority in whose territory the incident or accident occurred and the estimated quantities of losses;

Amendment

(a) inform the competent authority in whose territory the incident or accident occurred, ***as well as competent authority of territories likely to be affected,*** and the estimated quantities of losses ***using the form in Annex IV A;***

Or. en

Justification

Maritime accidents as well as accidents and incidents leading to pollution of rivers may lead to transboundary pollution. The economic operators should therefore not only inform the competent authority in whose territory the incident or accident occurred, but also the competent authorities of territories likely to be affected. A standard form should be used for such information.

Amendment 268
João Albuquerque

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) inform the competent authority in

Amendment

(a) inform the competent authority in

whose territory the incident or accident occurred and the estimated quantities of losses;

whose territory the incident or accident occurred and the estimated quantities of *spills and* losses *in accordance with the form in Annex IV (a) (new)*;

Or. en

Amendment 269
Stanislav Polčák

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) inform the competent authority in whose territory the incident or accident occurred and the estimated quantities of losses;

(a) inform the competent authority *of the state* in whose territory the incident or accident occurred and the estimated quantities of losses;

Or. cs

Amendment 270
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 9 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) take immediate measures to contain and clean-up incidental or accidental loss in an ecologically sensitive manner;

Or. en

Amendment 271
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) take measures to **limit** the health or environmental consequences **and to prevent further incidents or accidents.**

(b) take **remedial** measures to **mitigate the negative impacts of** the health or environmental consequences, **to restore and rehabilitate or replace damaged natural resources;**

Or. en

Amendment 272
Stanislav Polčák

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) take measures to limit the health or environmental consequences **and to prevent further incidents or accidents.**

(b) take measures to limit the health or environmental consequences, **including, where technically feasible, removing lost pellets as completely as possible.**

Or. cs

Amendment 273
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) take measures to limit the health or environmental consequences and to prevent further incidents or accidents.

(b) take measures to limit the health or environmental consequences, **to restore the affected areas to their original condition** and to prevent further incidents or accidents.

Or. en

Amendment 274
Ska Keller

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) take measures to **limit** the health or environmental consequences and to prevent further incidents or accidents.

Amendment

(b) take **all possible** measures to **minimise** the health or environmental consequences and to prevent further incidents or accidents.

Or. en

Justification

It is not sufficient to merely take measures to 'limit' the health or environmental consequences. Instead, all possible measures to 'minimise' the health or environmental consequences should be taken.

Amendment 275
Stanislav Polčák

Proposal for a regulation
Article 9 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) take measures to prevent further incidents or accidents.

Or. cs

Amendment 276
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 9 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) take measures to prevent further incidents or accidents.

Or. en

Amendment 277
Stanislav Polčák

Proposal for a regulation
Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. *The measures referred to in points (b) and (c) shall be notified by economic operators, EU carriers and third-country carriers to the competent authority of the state in whose territory the incident or accident occurred.*

Or. cs

Amendment 278

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authority in whose territory the incident or accident occurred shall require, *where necessary*, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to *limit* the health or environmental consequences *and* to prevent further incidents or accidents.

2. The competent authority in whose territory the incident or accident occurred shall require that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to *mitigate* the health or environmental consequences, to prevent further incidents or accidents, *and to restore the environment where spills or leaks do occur without generating additional negative environmental impacts in doing so.*

Or. en

Amendment 279
Ska Keller, Ana Miranda

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to **limit** the health or environmental consequences and to prevent further incidents or accidents.

Amendment

2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to **minimise** the health or environmental consequences and to prevent further incidents or accidents.

Or. en

Justification

In line with the amendment by the same author to paragraph 1 of this article, complementary measures should serve to 'minimise' the health or environmental consequences rather than to just 'limit' them.

Amendment 280
João Albuquerque

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to limit the health or environmental consequences and to prevent further incidents or accidents.

Amendment

2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures **and specific trainings** to limit the health or environmental consequences and to prevent further incidents or accidents.

Or. en

Amendment 281
Ska Keller, Ana Miranda

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. In case of an incidental or accidental loss significantly affecting human health or the environment, Articles 6 and 7 of Directive 2004/35/EC shall apply.

Or. en

Justification

The new Regulation should contain provisions on remedial measures. Such measures are set out in Directive 2004/35/EC on environmental liability. However, that Directive only applies for certain environmental damage. It applies with regard to damage to protected species and natural habitats, but not for wildlife as a whole. With regard to land damage, it only applies with regard to damage to human health. It should be clearly specified that Article 6 (remedial action) and Article 7 (determination of remedial measures) of Directive 2004/35/EC shall apply in case of significant damage.

Amendment 282

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation

Article 9 – paragraph 3

Text proposed by the Commission

Amendment

3. In the event of any incident or accident **significantly affecting human health or the environment** in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.

3. In the event of any incident or accident in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.

Or. en

Justification

As soon as pellets are spilled into the environment, there is a danger to the environment and human health. Furthermore, specifying "significantly" presents a risk that certain economic operators might try to circumvent this obligation to act.

Amendment 283

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 9 – paragraph 3

Text proposed by the Commission

3. In the event of any incident or accident **significantly** affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.

Amendment

3. In the event of any incident or accident affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State **and the Commission**.

Or. en

Amendment 284

Stanislav Polčák

Proposal for a regulation

Article 9 – paragraph 3

Text proposed by the Commission

3. In the event of any incident or accident significantly affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.

Amendment

3. In the event of any incident or accident significantly affecting **or with the potential to significantly affect** human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.

Or. cs

Amendment 285

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 10 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) take the measures necessary to ensure that compliance is restored within the shortest possible time;

(b) take the measures necessary to ensure that compliance is restored within the shortest possible time ***to prevent or minimise any imminent accident;***

Or. en

Amendment 286

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 10 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) fully restore the affected environment.

Or. en

Amendment 287

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the infringement of the rules laid down in this Regulation poses an immediate danger to human health or threatens to cause an immediate significant adverse effect upon the environment, the competent authority ***may*** suspend the operation of the installation until compliance is restored in accordance with paragraph 1, points (b) ***and (c)***.

2. Where the infringement of the rules laid down in this Regulation poses an immediate danger to human health or threatens to cause an immediate significant adverse effect upon the environment, the competent authority ***shall*** suspend the operation of the installation until compliance is restored in accordance with paragraph 1, points (b), ***(c) and (ca)***.

Or. en

Amendment 288

Deirdre Clune

Proposal for a regulation

Article 11 – paragraph 3 – point a

Text proposed by the Commission

(a) the power of access to **any** relevant documents, data or information related to an infringement of this Regulation, ***in any form or format and irrespective of their storage medium, or the place where they are stored, and the power to take or obtain copies thereof;***

Amendment

(a) the power of access to relevant documents, data or information related to an infringement of this Regulation;

Or. en

Amendment 289

Deirdre Clune

Proposal for a regulation

Article 11 – paragraph 3 – point b

Text proposed by the Commission

(b) the power to require any natural or legal person to provide any relevant information, data or documents, ***in any form or format and irrespective of their storage medium or the place where they are stored,*** for the purposes of establishing whether an infringement of this Regulation has occurred or is occurring and the details of such infringement;

Amendment

(b) the power to require any natural or legal person to provide any relevant information, data or documents, for the purposes of establishing whether an infringement of this Regulation has occurred or is occurring and the details of such infringement;

Or. en

Amendment 290

Deirdre Clune

Proposal for a regulation

Article 11 – paragraph 3 – point c

Text proposed by the Commission

(c) the power to start an inspection on

Amendment

(c) the power to start an inspection on

their own initiative to bring about the cessation or prohibition of infringements of this Regulation;

their own initiative to bring about the cessation or prohibition of infringements ***which pose a danger to human health or the environment*** of this Regulation;

Or. en

Amendment 291
Stanislav Polčák

Proposal for a regulation
Article 11 – paragraph 3 – point c

Text proposed by the Commission

(c) the power to start an inspection on their own initiative to bring about the cessation or prohibition of infringements ***of this Regulation***;

Amendment

(c) the power to start an inspection on their own initiative to ***verify compliance with this Regulation or, where appropriate, to*** bring about the cessation or prohibition of infringements ***thereof***;

Or. cs

Amendment 292
Stanislav Polčák

Proposal for a regulation
Article 11 – paragraph 5

Text proposed by the Commission

5. Where there is more than one competent authority in their territory, Member States shall ensure that appropriate communication and coordination mechanisms are established.

Amendment

5. Where there is more than one competent authority in their territory, Member States shall ensure that appropriate communication and coordination mechanisms are established ***between those authorities***.

Or. cs

Amendment 293
Deirdre Clune

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, **including micro, small and** medium-sized enterprises and in collaboration with competent authorities.

Amendment

1. The Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, **including** medium-sized enterprises and in collaboration with competent authorities.

Or. en

Amendment 294

Karol Karski

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, **including** micro, small and medium-sized enterprises and in collaboration with competent authorities.

Amendment

1. **12 months before the entry into force of this Regulation**, the Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, **and, in particular** micro, small and medium-sized enterprises and in collaboration with competent authorities. **Funds for vocational training, will be made available to develop training material in the form of guidance documents, courses material and podcast enabling to reach the whole targeted sector in each Member State language.**

Or. en

Amendment 295

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. The Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, including micro, small and medium-sized enterprises and in collaboration with competent authorities.

Amendment

1. ***By six months after the entry into force of this Regulation***, the Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation. ***This shall be done based on the Recommendation 2021/06 adopted by the parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) and*** in consultation with representatives of economic operators, carriers, and certifiers, including micro, small and medium-sized enterprises and ***civil society representatives and*** in collaboration with competent authorities.

Or. en

Amendment 296
Deirdre Clune

Proposal for a regulation
Article 12 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that economic operators and carriers, especially ***micro, small and*** medium-sized enterprises, get access to information and assistance regarding compliance with this Regulation.

Amendment

Member States shall ensure that economic operators and carriers especially medium-sized enterprises, get access to information and assistance regarding compliance with this Regulation.

Or. en

Amendment 297
Ska Keller

Proposal for a regulation
Article 12 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) financial support;

deleted

Or. en

Justification

Economic operators may rightly receive assistance in the form of access to finance, training and organisational and technical assistance. However, they should not receive financial support for compliance, all the more since the plastic industry itself has committed to eliminate pellet losses.

Amendment 298

Karol Karski

Proposal for a regulation

Article 12 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) financial support;

(a) financial support, *including through relevant EU-funds*;

Or. en

Amendment 299

Karol Karski

Proposal for a regulation

Article 12 – paragraph 2 – subparagraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(a a) *acquisition of equipment*

Or. en

Amendment 300

Andreas Glück, Ulrike Müller

Proposal for a regulation

Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain shall be exempted from the relevant obligations laid down in this Regulation.

Or. en

Amendment 301
Deirdre Clune

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Micro and small-sized enterprises (SMEs) in the pellet supply chain shall be exempted from the relevant obligations laid down in this regulation.

Or. en

Amendment 302
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

Amendment

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards **by an expert, multi-stakeholder working group** in accordance with the procedures established by Regulation (EU) No1025/2012.

Or. en

Amendment 303
João Albuquerque

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.

Amendment

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), **4(2) and Annex IV (a) (new)** a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.

Or. en

Amendment 304
Ska Keller

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.

Amendment

1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c) **and Annex IVA**, a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.

Or. en

Justification

Consequential amendment to the inclusion of a new Annex IVA.

Amendment 305
Deirdre Clune

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

2. *Where no European standardisation organisation accepts the request to draft a harmonised standard or where the Commission considers that the proposed standard does not satisfy the requirements which it aims to cover, the Commission shall establish the methodology referred to in paragraph 1 by means of an Implementing act.*

Amendment

2. *For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), the Commission shall request a methodology to estimate quantities of losses to be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.*

Or. en

Amendment 306

Karol Karski

Proposal for a regulation

Article 14

Text proposed by the Commission

Article 14

Complaint-handling and access to justice

1.

Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier is failing to comply with the provisions of this Regulation.

For the purposes of the first subparagraph, non-governmental entities or organisations promoting human health, environmental or consumer protection and meeting any requirements under national law shall be deemed to have a sufficient interest.

2. *Competent authorities shall assess the*

Amendment

deleted

substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3).

3. Competent authorities shall, as soon as possible, inform the person or organisation referred to in paragraph 1 that submitted the complaint of its decision to accede to or refuse the request for action put forward in the complaint and shall provide the reasons for it.

4. Member States shall ensure that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including injunctive relief where necessary.

5. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.

Or. en

Amendment 307
Stanislav Polčák

Proposal for a regulation
Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier is failing to comply with the provisions of this Regulation.

Amendment

Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier is failing to comply with the provisions of this Regulation, **and to request that appropriate action be taken.**

Or. cs

Amendment 308
Deirdre Clune

Proposal for a regulation
Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the purposes of the first subparagraph, non-governmental entities or organisations promoting human health, environmental or consumer protection and meeting any requirements under national law shall be deemed to have a sufficient interest.

Amendment

Member States may take measures to ensure that the individuals referred to in paragraph 1 have the right to mandate a not-for-profit body, organisation or association which has been properly constituted in accordance with the law of a Member State and is active in the field of the protection of human health or the environment, to claim compensation on their behalf. Member States shall ensure that a claim for compensation cannot be pursued twice, by the individuals affected and by the organisations referred to in this paragraph.

Or. en

Amendment 309
Stanislav Polčák

Proposal for a regulation
Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the purposes of the first subparagraph, non-governmental entities or organisations promoting human health, ***environmental or consumer protection*** and meeting any requirements under national law shall be deemed to have a sufficient interest.

Amendment

For the purposes of the first subparagraph, non-governmental entities or organisations promoting ***the protection of*** human health, ***the environment or consumers***, and meeting any requirements under national law shall be deemed to have a sufficient interest.

Or. cs

Amendment 310
João Albuquerque

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. Competent authorities shall assess the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3).

Amendment

2. Competent authorities shall assess the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3), ***Article 9 and Article 10(2)***.

Or. en

Amendment 311
Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. Competent authorities shall assess

Amendment

2. Competent authorities shall assess

the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3).

the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3), **9 and 10(2)**.

Or. en

Amendment 312
Stanislav Polčák

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including *injunctive relief* where necessary.

Amendment

4. Member States shall ensure that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, ***so that cost does not constitute an undue barrier to access to justice***, and shall provide adequate and effective remedies, including *interim measures*, where necessary.

Or. cs

Amendment 313
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council²³, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are applied. The penalties provided shall be effective, proportionate and dissuasive.

²³ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p.28).

Amendment

1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council²³, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are applied. The penalties provided shall be effective, proportionate and dissuasive. ***The commission of a serious or very serious infringement of this Regulation shall lead to the suspension of the operating authorisation for a period of at least one year. A very serious infringement of this Regulation may lead to the termination of the operating authorisation.***

²³ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p.28).

Or. en

Amendment 314
Massimiliano Salini, Francesca Peppucci

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

2. The penalties referred to in paragraph 1 shall include fines proportionate ***to the turnover of the legal person or to the income of the natural person having committed the infringement.*** The level of the fines shall be calculated in such a way as to make sure

that they effectively deprive the person responsible for the infringements of the economic benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements. ***In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the Member State concerned in the business year preceding the fining decision.***

benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements of the ***same nature.***

Or. en

Amendment 315

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of the economic benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the ***Member State concerned*** in the business year preceding the fining decision.

Amendment

2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of the economic benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the ***Union*** in the business year preceding the fining decision.

Or. en

Justification

This amendment makes it easier to calculate and take into account all the economic activities

of the player concerned, throughout the EU.

Amendment 316

Stanislav Polčák

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of *the* economic benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the Member State concerned in the business year preceding the fining decision.

Amendment

2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of *any* economic benefits derived from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the Member State concerned in the business year preceding the fining decision.

Or. cs

Amendment 317

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 15 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) The absence of remedial measures from the operator in case of incident;

Or. en

Amendment 318
Stanislav Polčák

Proposal for a regulation
Article 15 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) whether the responsible economic operator, EU or third-country carrier has done all that could reasonably be required of it to limit the potential adverse effects on human health and the environment of an infringement of this Regulation.

Or. cs

Amendment 319
Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Max Orville

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States must ensure that a percentage of fines collected is allocated to a fund in order to finance actions to limit pollution by plastic pellets. Such actions may include, but are not limited to:

a. Cleaning up areas polluted by plastic pellets

b. Promoting scientific work to study the impact of pellets on the environment and human health.

c. Developing alternative solutions

d. Implementing awareness programs

e. Financing training specifically designed for micro and small enterprises

Or. en

Justification

While there are tens of thousands of tonnes of pellets in the environment today, the financial

responsibility of economic operators in the value chain is very limited. Part of the money collected through financial penalties for non-compliance with the Regulation should therefore be allocated to clean-up measures or the promotion of scientific work on pellets.

Amendment 320

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. On an annual basis, the competent authorities of the Member States shall make known, once final, the penalties imposed for infringements committed, the facts constituting such infringements and the identity of the operators responsible.

Or. en

Amendment 321

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that, where damage to human health has occurred as a result of a infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.

1. Member States shall ensure that, where damage to human health ***or the environment*** has occurred as a result of a infringement of this Regulation, the individuals ***and neighbouring communities*** affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.

Or. en

Amendment 322

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that, where damage to human health has occurred as a result of a infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.

Amendment

1. Member States shall ensure that, where damage to human health ***or the environment*** has occurred as a result of a infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.

Or. en

Amendment 323

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment

deleted

Or. en

Amendment 324

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp, João Pimenta Lopes

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals **or ecosystems** affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Or. en

Amendment 325

Stanislav Polčák

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement **of this Regulation** leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

Amendment 326

Deirdre Clune

Proposal for a regulation

Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. *Where the claim for compensation referred to in paragraph 1 is supported by evidence from which a causal link may be presumed between the damage and the infringement, Member States shall ensure that the onus is on the person responsible for the infringement to prove that the infringement did not cause or contribute to the damage.* **deleted**

Or. en

Amendment 327

Andreas Glück, Ulrike Müller, Emma Wiesner

Proposal for a regulation

Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. *Where the claim for compensation referred to in paragraph 1 is supported by evidence from which a causal link may be presumed between the damage and the infringement, Member States shall ensure that the onus is on the person responsible for the infringement to prove that the infringement did not cause or contribute to the damage.* **deleted**

Or. en

Amendment 328

Massimiliano Salini, Francesca Peppucci

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. *Where the claim for compensation referred to in paragraph 1 is supported by evidence from which a causal link may be presumed between the damage and the infringement, Member States shall ensure that the onus is on the person responsible for the infringement to prove that the infringement did not cause or contribute to the damage.*

deleted

Or. en

Amendment 329
Michal Wiezik

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the claim for compensation referred to in paragraph 1 is supported by evidence from which *a causal link* may be presumed *between* the damage *and the infringement*, Member States shall *ensure that the onus is on* the person responsible for the infringement *to prove that the infringement did not cause or contribute to the damage.*

4. Where the claim for compensation referred to in paragraph 1 is supported by evidence from which *it* may be presumed *that the violation has caused or contributed to* the damage, Member States shall *grant* the person responsible for the infringement *the legal right to rebut the presumption.* .

Or. en

Amendment 330
Massimiliano Salini, Francesca Peppucci

Proposal for a regulation
Article 16 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States ***shall ensure that*** the limitation periods for bringing claims for compensation referred to in paragraph 1 ***are not shorter than 5 years***. Such periods shall not begin to run before the infringement has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a infringement pursuant to paragraph 1.

5. Member States ***may establish*** the limitation periods for bringing claims for compensation referred to in paragraph 1. Such periods shall not begin to run before the infringement has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a infringement pursuant to paragraph 1.

Or. en

Amendment 331

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 17 – paragraph 2 – point a

Text proposed by the Commission

(a) the experience gained from the implementation of obligations set out in Articles ***4 and 5***;

Amendment

(a) the experience gained from the implementation of obligations set out in Articles ***3, 4, 5, 8 and 9***;

Or. en

Amendment 332

João Albuquerque

Proposal for a regulation

Article 17 – paragraph 2 – point a

Text proposed by the Commission

(a) the experience gained from the implementation of obligations set out in Articles ***4 and 5***;

Amendment

(a) the experience gained from the implementation of obligations set out in Articles ***3, 4, 5, 8 and 9***;

Or. en

Amendment 333

Ska Keller

Proposal for a regulation
Article 17 – paragraph 2 – point a

Text proposed by the Commission

(a) the experience gained from the implementation of obligations set out in Articles **4 and 5**;

Amendment

(a) the experience gained from the implementation of obligations set out in Articles **3, 4, 5, 8 and 9**;

Or. en

Justification

The Commission empowerment to modify the Annexes should not be limited to the experience gained from the implementation of Article 4 (specific obligations) and Article 5 (certification), but also consider the experience with Article 3 (general obligations), Article 8 (verification of compliance and reporting) and Article 9 (incidents and accidents).

Amendment 334
Andreas Glück, Ulrike Müller

Proposal for a regulation
Article 17 – paragraph 2 – point d

Text proposed by the Commission

(d) the **specific needs of** micro, small and medium-sized enterprises.

Amendment

(d) the **exemptions provided to** micro, small and medium-sized enterprises.

Or. en

Amendment 335
Deirdre Clune

Proposal for a regulation
Article 17 – paragraph 2 – point d

Text proposed by the Commission

(d) the **specific needs of** micro, **small and medium-sized** enterprises.

Amendment

(d) the **exemptions provided to** micro **and small-sized** enterprises.

Or. en

Amendment 336

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 17 – paragraph 2 – point d

Text proposed by the Commission

(d) the specific needs of micro, ***small and medium-sized*** enterprises.

Amendment

(d) the specific needs of micro enterprises.

Or. en

Amendment 337

Ska Keller

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The Commission shall monitor the application of this Regulation and, no later than 31 December 2029, shall publish a comprehensive report on its overall application and effectiveness as well as the implementation of Annexes I and III by economic operators and carriers and shall submit, if appropriate, a legislative proposal to the European Parliament and to the Council to amend this Regulation.

Or. en

Amendment 338

João Albuquerque

Proposal for a regulation

Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17a

Review

The Commission shall monitor the application of this Regulation and, no

later than 31 December 2029, shall publish a comprehensive report on its overall application and effectiveness as well as the implementation of Annexes I and III by economic operators and carriers and shall submit, if appropriate, a legislative proposal to the European Parliament and to the Council to amend this Regulation.

Or. en

Amendment 339

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17a

Review clause

[OP: please insert the date = 8 years after the entry into force of this Regulation] the European Commission must present a report to the European Parliament and the Council on the implementation of the measures provided for in this Regulation and their effectiveness in preventing the leakage and loss of pellets into the environment. If applicable and based on the outcome of this Report, the European Commission may present a legislative proposal.

Or. en

Justification

This amendments aims to implement a review clause.

Amendment 340

Ska Keller

Proposal for a regulation
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18a

Review

The Commission shall monitor the application of this Regulation and, no later than 31 December 2031, shall publish a comprehensive report on its overall application and effectiveness as well as the implementation of Annexes I, III, IIIA and IVA by economic operators and carriers and shall submit, if appropriate, a legislative proposal to the European Parliament and to the Council to amend this Regulation.

Or. en

Justification

A review clause approximately five years after the date of application of the new regulation should be inserted.

Amendment 341

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation
Article 17 b (new)

Text proposed by the Commission

Amendment

Article 17b

Traceability

By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], the European Commission shall publish a Report on the possibility of introducing chemical traceability of plastic pellets. This Report shall at least consider :

a. The technical feasibility for an economic operator handling plastic pellets

to introduce a unique, differentiable and non-harmful, for the environment or health, chemical signature

b. Setting up a European database of all chemical signatures

c. In the event of loss or spillage of plastic pellets into the environment, the application of a financial penalty, compatible with the present Regulation, for the economic operators whose chemical signature is present on the pellets concerned.

The Commission shall, if appropriate, adopt a delegated act supplementing this Regulation to implement the chemical traceability.

Or. en

Justification

The introduction of a chemical signature can be done simply by adding an additive to the pellet that is specific to a producer or convertor (depending on the stage of the supply chain where it is added). In case of undeclared loss or spillage, it will allow the identification of the source of the pollution and the financing of the clean-up or, if applicable, a penalty.

Amendment 342

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

This Regulation shall apply [OP: please insert the date = **18** months after the entry into force of this Regulation]. However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].

Amendment

This Regulation shall apply [OP: please insert the date = **12** months after the entry into force of this Regulation]. However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].

Or. en

Amendment 343

Deirdre Clune

Proposal for a regulation
Article 19 – paragraph 2

Text proposed by the Commission

This Regulation shall apply [OP: please insert the date = 18 months after the entry into force of this Regulation]. **However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].**

Amendment

This Regulation shall apply [OP: please insert the date = 18 months after the entry into force of this Regulation].

Or. en

Amendment 344
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Annex I – subheading 1

Text proposed by the Commission

RISK ASSESSMENT PLAN FOR
INSTALLATIONS

Amendment

RISK ASSESSMENT **AND
PREVENTION** PLAN FOR
INSTALLATIONS

Or. en

Amendment 345
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Annex I – paragraph 1 – introductory part

Text proposed by the Commission

The risk assessment plan referred to in Article 4(1) shall contain the following elements:

Amendment

The risk assessment **and prevention** plan referred to in Article 4(1) shall contain the following elements:

Or. en

Amendment 346

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wieszik, Max Orville, Pascal Canfin

Proposal for a regulation
Annex I – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) the number of tonnes of plastic pellets handled per year.

Or. en

Justification

This information provides a clear indication of whether the economic operator is covered by the flexibilities granted to businesses managing less than a thousand tonnes of plastic pellets.

Amendment 347
João Albuquerque

Proposal for a regulation
Annex I – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) information relating to the chemical nature of each polymer contained in plastic pellets on site, including information on physico-chemical properties, hazard properties, use, exposure, risk, and emissions of each polymer;

Or. en

Amendment 348
Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wieszik, Pascal Canfin

Proposal for a regulation
Annex I – paragraph 1 – point 7 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Economic operators shall **consider** at least the following, **taking into account the**

Economic operators shall **implement** at

nature and size of the installation as well as the scale of its operations:

least the following:

Or. en

Justification

This amendment reverses the logic of the Commission's text, while retaining the same philosophy: economic operators will be required to install all the equipment specified in Annex I, unless this is not possible. In this case, the economic player will have to justify it.

Amendment 349

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Economic operators shall ***consider*** at least the following, taking into account the nature ***and size*** of the installation ***as well as the scale of its operations:***

Economic operators shall ***provide for*** at least the following, taking into account the nature of the installation:

Or. en

Amendment 350

Ska Keller

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Economic operators shall ***consider*** at least the following, taking into account the nature ***and size*** of the installation ***as well as the scale of its operations:***

Economic operators shall ***put in place*** at least the following, taking into account the nature of the installation:

Or. en

Justification

It needs to be clarified that the measures listed in point 7 of the Annex I are minimum requirements and as such not just for mere "consideration". They actually have to be put in place. A differentiation is only justified due to the different nature of the installations (e.g. a

production site as compared to a mere storage site), but not due to the size of the site or the scale of its operations, unless specifically stated so.

Amendment 351

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – point a

Text proposed by the Commission

(a) For prevention: vacuum seals on hoses and pipework; tear- and **impact-resistant** packaging **that can withstand degradation in** aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets;

Amendment

(a) For prevention: **'hazardous for the environment' labels on all storage and transport containers;** vacuum seals on hoses and pipework; tear- and **impact-resistant rigid** packaging **including in rough** aquatic environments; equipment to create secure connection points with secondary barriers in place; **entire site enclosed by cement kerbs forming a total retention volume and including a rainwater retention basin; vacuum filling system for all silos;** loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; **rigid, sealed, tamper-proof** containers **and / or external silos with confined base** to store pellets; automated transport systems for pellets (**pipelines, etc.**); **gravity filling of tanks in closed hangars; indoor cleaning stations for vehicles, containers, tanks and staff shoes, with filtration and recovery of pellets.**

Or. en

Amendment 352

Ska Keller

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – point a

Text proposed by the Commission

(a) For prevention: vacuum seals on

Amendment

(a) For prevention: **all installations on**

hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets;

hard impermeable surfaces enclosed by cement kerbs; all installations equipped with rainwater drains with filters with a mesh size smaller than the smallest pellets handled on site; vacuum filling system for all silos; vacuum seals on hoses and pipework; tear- and impact-resistant rigid packaging that can withstand degradation in aquatic including rough aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; rigid, sealed, tamper-proof containers or external silos with confined base to store pellets; automated transport systems for pellets, where applicable;

Or. en

Justification

Given the major pollution problems created by pellet losses and the difficulties of clean-up, prevention measures are of absolute priority. It should be clearly specified that all sites operate on hard surface only with cement kerbs and effective pellet filters in rainwater drains. Silos should only be filled with the help of vacuum to prevent losses. A key source of pellet loss is the loading in plastic bags, as they can tear all too easily. Instead of using bags, rigid containers should be used. Silos should be on a confined base.

Amendment 353 **João Albuquerque**

Proposal for a regulation **Annex I – paragraph 1 – point 7 – paragraph 2 – point a**

Text proposed by the Commission

(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers **or** external silos to store pellets; automated

Amendment

(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant **rigid, shock-resistant, waterproof, sealed and labelled** packaging that can withstand degradation in **rough** aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; **rigid,**

transport systems for pellets;

shock-resistant, waterproof, sealed, and labelled containers *and/or* external silos to store pellets; automated transport systems for pellets;

Or. en

Amendment 354

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Pascal Canfin

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – point a

Text proposed by the Commission

(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets;

Amendment

(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets, *filters to prevent the spread of pellet dust in the air and on site*;

Or. en

Justification

This amendment adds an additional measure to prevent the leakage of plastic pellet dust, as defined by the new definition, into the environment.

Amendment 355

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – point b

Text proposed by the Commission

(b) For containment: catchment devices

Amendment

(b) For containment: *filtering*

placed along the exterior edge of loading and unloading areas; industrial vacuum cleaners *and hand tools* for immediate cleaning; internal and external drain covers, storm water drainage or filtration systems to manage *reasonably* foreseeable flood or storm events; a sewage treatment system;

catchment devices *on rainwater drains; sites enclosed in cement kerbs forming a total retention volume (secondary containment); primary containment including underground retention tanks with steel grating below spill hotspots (transfer points, loading and unloading areas, etc.); no hand tools but use of* industrial vacuum cleaners for immediate cleaning; internal and external drain covers *with filtration devices (e.g. with a mesh size smaller than the smallest pellets handled on site);* storm water drainage or filtration systems to manage foreseeable flood or storm events; a *high-performance* sewage treatment system;

Or. en

Amendment 356
Ska Keller

Proposal for a regulation
Annex I – paragraph 1 – point 7 – paragraph 2 – point b

Text proposed by the Commission

(b) For containment: *catchment devices placed along the exterior edge of* loading and unloading areas; industrial vacuum cleaners *and hand tools* for immediate cleaning; internal and external drain covers, storm water drainage *or* filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system;

Amendment

(b) For containment: *in-ground retention tanks with steel grating below spill hotspots such as transfer points,* loading and unloading areas; *indoor cleaning stations for vehicles, containers and retention tanks with filtration and recovery of pellets and plastic dust; adequately sized* industrial *or professional* vacuum cleaners for immediate cleaning; internal and external drain covers *with pellet filtration devices,* storm water drainage *and* filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system *where necessary due to nature and size of the installation and the scale of its operations;*

Or. en

Justification

All sites should have in-ground retention tanks below spill hotspots. Dust needs to be adequately recovered. Adequate vacuum cleaners should be used instead of hand tools as the former are far more effective to contain losses. Not all sites will need to have sewage treatment - that depends on the nature and size of the operation as well as the scale of its operations.

Amendment 357 **Ska Keller**

Proposal for a regulation **Annex I – paragraph 1 – point 7 – paragraph 2 – point c**

Text proposed by the Commission

(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated **appropriate** containers for recovered pellets that are **covered**, labelled and secured to prevent further spills and losses; hand tools (e.g., **brooms, dustpan and brush, buckets, repair tapes**); **reinforced collection bags**.

Amendment

(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated containers for recovered pellets that are **rigid, shock-resistant, sealed**, labelled and secured to prevent further spills and losses; hand tools (e.g. **rakes, sieves**) **only where vacuum cleaners cannot be used (e.g. on beaches)**.

Or. en

Justification

Clean-up should be done with the help of industrial vacuum cleaners. Recovered pellets should be packaged in rigid containers as for pellets in general. Hand tools such as brooms and dustpans are not appropriate for clean-up. When shifting to rigid packaging, repair tapes and reinforce collection bags are no longer necessary.

Amendment 358 **João Albuquerque**

Proposal for a regulation **Annex I – paragraph 1 – point 7 – paragraph 2 – point c**

Text proposed by the Commission

(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated appropriate containers for recovered pellets that are **covered**, labelled and secured to prevent further spills and

Amendment

(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated appropriate containers for recovered pellets that are **rigid, shock-resistant, waterproof**, labelled and secured

losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.

to prevent further spills and losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.

Or. en

Amendment 359

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated *appropriate* containers for recovered pellets that are *covered*, labelled and *secured* to prevent further spills and losses; *hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.*

(c) For clean-up: *no hand tools but use of* industrial vacuum cleaners for internal and external usage; dedicated containers for recovered pellets that are *rigid, shock-resistant, waterproof, sealed*, labelled and *tamper-proof* to prevent further spills and losses; *emergency adhesive* repair tapes;

Or. en

Amendment 360

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Operators shall undertake physical testing of equipment to verify its effectiveness in pellet clean-up and shall adjust the risk assessment plan accordingly.

Or. en

Amendment 361

Catherine Chabaud, Martin Hojsík, María Soraya Rodríguez Ramos, Michal Wieszik, Pascal Canfin

Proposal for a regulation

Annex I – paragraph 1 – point 7 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Exemptions to the installation of certain types of equipment are possible for economic operators which are able to justify them to the competent authorities, taking into account the nature and size of the installation as well as the scale of its operations

Or. en

Amendment 362

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Economic operators shall ***consider*** at least the following, taking into account the nature ***and size*** of the installation ***as well as the scale of its operations***:

Economic operators shall ***implement*** at least the following, taking into account the nature of the installation:

Or. en

Amendment 363

Ska Keller

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

Economic operators shall ***consider*** at least the following, taking into account the nature ***and size*** of the installation ***as well as the scale of its operations***:

Economic operators shall ***put in place*** at least the following, taking into account the nature of the installation:

Or. en

Justification

It needs to be clarified that the measures listed in point 8 of the Annex I are minimum requirements and as such not just for mere "consideration". They actually have to be put in place. A differentiation is only justified due to the different nature of the installations (e.g. a production site as compared to a mere storage site), but not due to the size of the site or the scale of its operations, unless specifically stated so.

Amendment 364

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point a

Text proposed by the Commission

(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in **25kg sacks**, and loaded no more than **1tonne** per pallet); regular inspection and maintenance of packaging, containers and storage facilities; **use of spill trays under transfer points and during loading and unloading; clear** protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;

Amendment

(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in **rigid, impact-resistant, waterproof and tamper-proof plastic tanks**, and loaded no more than **1 tonne** per pallet **with prohibition to stack pallets**); regular inspection and maintenance of packaging, containers and storage facilities; **clear and detailed** protocols for opening, loading, closing and sealing containers **and tanks** at the start and end of loading; physical testing, **daily checks, cleaning** and monitoring of the effectiveness of prevention procedures;

Or. en

Amendment 365

Ska Keller

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point a

Text proposed by the Commission

(a) for prevention: limits on the **volumes of pellets transported in certain packaging** (e.g., pellets must be **packaged and sealed in 25kg sacks, and** loaded no more than 1tonne per pallet); regular

Amendment

(a) for prevention: limits on the **load of pallets** (e.g. pellets must be loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays **in**

inspection and maintenance of packaging, containers and storage facilities; use of spill trays **under transfer points and during** loading and unloading; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;

case of ad hoc loading and unloading **that is not above retention tanks**; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;

Or. en

Justification

When moving to rigid packaging as proposed by the same author with regard to paragraph 8 of Annex I, there is no more need to refer to the limits on the volumes of pellets transported. Spill trays should only be used in case of ad hoc loading and unloading that is not above retention tanks.

Amendment 366 **João Albuquerque**

Proposal for a regulation **Annex I – paragraph 1 – point 8 – paragraph 2 – point a**

Text proposed by the Commission

(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in 25kg sacks, and loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;

Amendment

(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in **rigid** 25kg sacks, and loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading, closing and sealing containers **and tanks** at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;

Or. en

Amendment 367 **Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp**

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point b

Text proposed by the Commission

(b) for containment: regular inspection, cleaning and maintenance of **catchment devices**; regular inspection, cleaning and maintenance of drain covers, storm water drainage **or** filtration systems; regular inspection and cleaning of vehicles leaving **and/or entering** a site, outgoing water facilities and fences on the perimeter of the facility **that are in public areas when applicable**; immediate replacement **or repair** of leaking **packaging**; checks for broken and discarded **packaging or** containers **for** residual pellets before disposal or repair; maintenance of sewage treatment **system**.

Amendment

(b) for containment: regular inspection, cleaning and maintenance of **cement kerbs, site ground, retention bins and basin**; regular inspection, cleaning and maintenance of drain covers, storm water drainage **and** filtration systems **devices**; regular inspection and **systematic** cleaning of vehicles leaving **a hangar or** a site, outgoing water facilities and fences on the perimeter of the facility; immediate replacement of leaking **containers**; checks for broken and discarded containers **to recover** residual pellets before disposal or repair; **regular inspection, cleaning and** maintenance of sewage treatment **systems**.

Or. en

Amendment 368 Ska Keller

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point b

Text proposed by the Commission

(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage **or** filtration **systems**; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement **or repair** of leaking **packaging**; checks for broken and discarded **packaging or** containers for residual pellets before disposal or repair; maintenance of sewage treatment system.

Amendment

(b) for containment: regular inspection, cleaning and maintenance of **containment and** catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage **and** filtration **devices**; regular inspection and **systematic** cleaning of vehicles leaving and/or entering a site, outgoing water facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement of leaking **containers**; checks for broken and discarded containers for residual pellets before disposal or repair; **regular inspection, cleaning and** maintenance of sewage treatment system, **where relevant**.

Or. en

Justification

Several procedures indicated for containment need to be better specified.

Amendment 369 João Albuquerque

Proposal for a regulation Annex I – paragraph 1 – point 8 – paragraph 2 – point b

Text proposed by the Commission

(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement or repair of leaking **packaging**; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; maintenance of sewage treatment system.

Amendment

(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement or repair of leaking **containers**; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; **regular inspection, cleaning and** maintenance of sewage treatment system.

Or. en

Amendment 370 Ska Keller

Proposal for a regulation Annex I – paragraph 1 – point 8 – paragraph 2 – point c

Text proposed by the Commission

(c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as

Amendment

(c) for clean-up: spilled plastic pellets are cleaned up immediately, **preferably by vacuum cleaning wherever possible**, to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. **Clean-up methods must be appropriate to the environment and ecologically sensitive**

raw materials, they are retrieved and disposed of in accordance with waste legislation.

in order to prevent further adverse impact on biodiversity and ecosystems. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation ***as well as damaged containers.***

Or. en

Justification

Clean-up should preferably be done by vacuum cleaners whenever possible.

Amendment 371

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point c

Text proposed by the Commission

(c) for clean-up: spilled plastic pellets are ***cleaned up*** immediately to prevent losses to the environment, ***at the latest upon termination of the operation,*** and collected in a ***designated*** container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation.

Amendment

(c) for clean-up: spilled plastic pellets are ***vacuum-cleaned*** immediately ***after operation underway*** to prevent losses to the environment, and collected in a ***rigid, waterproof, covered and labelled*** container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation, ***as well as damaged containers. Where pellets are lost to the environment, clean-up methods must be appropriate to the environment and ecologically sensitive to prevent further damage and impact on biodiversity and ecosystems.***

Or. en

Amendment 372

João Albuquerque

Proposal for a regulation

Annex I – paragraph 1 – point 8 – paragraph 2 – point c

Text proposed by the Commission

(c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation.

Amendment

(c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated ***rigid, waterproof, sealed and*** container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation, ***along with damaged containers***.

Or. en

Amendment 373

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Annex I – paragraph 1 – point 9 – introductory part

Text proposed by the Commission

(9) in addition to elements described in points (1) to (8), economic operators that are ***medium or large-sized enterprises and operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year*** shall also take the following actions:

Amendment

(9) in addition to elements described in points (1) to (8), economic operators that are ***not micro-enterprises*** shall also take the following actions:

Or. en

Justification

This paragraph deals with the obligation to set up specific training courses for staff who have to handle plastic pellets. This is an essential aspect of pollution control, and should therefore apply to as many companies as possible.

Amendment 374

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 9 – introductory part

Text proposed by the Commission

(9) in addition to elements described in points (1) to (8), economic operators that **are medium or large-sized enterprises and operate installations where plastic pellets in quantities above 1 000 tonnes** have been handled in the previous calendar year shall also take the following actions:

Amendment

(9) in addition to elements described in points (1) to (8), economic operators that operate installations where plastic pellets have been handled in the previous calendar year shall also take the following actions:

Or. en

Amendment 375

Deirdre Clune

Proposal for a regulation

Annex I – paragraph 1 – point 9 – introductory part

Text proposed by the Commission

(9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities above **1 000** tonnes have been handled in the previous calendar year shall also take the following actions:

Amendment

(9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities above **2 000** tonnes have been handled in the previous calendar year shall also take the following actions:

Or. en

Amendment 376

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex I – paragraph 1 – point 9 – point b

Text proposed by the Commission

(b) establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the

Amendment

(b) establish an awareness and training programme, **repeated at regular intervals**, based on the employees' specific roles and responsibilities, on prevention,

installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;

containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;

Or. en

Amendment 377

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex III – paragraph 1 – point 1

Text proposed by the Commission

(1) For prevention: verification **during and after loading and unloading**, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on **stowage** requirements; prevention of any leakage, including during the transport journey, **e.g.**, by technical suitability of the transport means and containers, **supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging;** regularly cleaning **the loading compartments and the containers to minimise the loss of spilled pellets**; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Amendment

(1) For prevention: **'hazardous for the environment' labels on all storage and transport containers; prohibition to stack pallets;** verification, that pellets are properly removed from the outside of the transport equipment **after final cleaning** before leaving the loading/unloading site; clear **visible labelling and** communication on **secure, sealed and covered storage** requirements; **clear, visible labelling, notifications and provisions for safe, sheltered storage of containers housing pellets transported on shipts;** prevention of any leakage, including during the transport journey, by technical suitability of the transport means and **the choice of rigid, waterproof, tamper-proof and impact-resistant** containers **including in rough aquatic environments;** regularly cleaning **and checking the good condition of** the containers **and trailers to prevent perforation;** visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Or. en

Amendment 378

Ska Keller

Proposal for a regulation
Annex III – paragraph 1 – point 1

Text proposed by the Commission

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, *e.g.*, by technical suitability of the transport means and containers, *supplemented, if necessary, with appropriate sealing*; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Amendment

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, by technical suitability of the transport means and *with rigid, undamaged, appropriately sealed tear- water- and impact shock-resistant packaging* containers *that can withstand degradation including in rough aquatic environments; catchment devices below spill hotspots*; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of *transport containers and of* the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Or. en

Justification

A key source of pellet loss is the loading in plastic bags, as they can tear all too easily. Instead of using bags, rigid containers should be used.

Amendment 379
João Albuquerque

Proposal for a regulation
Annex III – paragraph 1 – point 1

Text proposed by the Commission

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments **and the** containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Amendment

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate **rigid, waterproof** sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning **and checking the good condition of** the loading compartments, containers **and trailers** to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports. ***In maritime transportation, containers should be stowed under deck when possible or inboard in sheltered areas of exposed decks.***

Or. en

Amendment 380

Nicolás González Casares, César Luena, Javi López

Proposal for a regulation

Annex III – paragraph 1 – point 1

Text proposed by the Commission

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by

Amendment

(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by

technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; **placement of geolocation systems in cargo containers**; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.

Or. en

Amendment 381

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex III – paragraph 1 – point 2

Text proposed by the Commission

(2) For containment and clean-up: **where possible**, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers **or bags** for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.

Amendment

(2) For containment and clean-up: **systematic cleaning of vehicles and staff shoes indoors and replacement of damaged containers before leaving the loading site, in case of spills during transport** repair damaged packaging (e.g. by using booms, barriers and **adhesive tape**) **and vacuum the cargo compartment**; and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed, **rigid and waterproof** containers **labelled and tamper-proof** for proper disposal; in case of transport of pellets in bulk tanks, **deploy appropriate spill trays and catchment devices before** opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; **immediately** notify the authorities such as international and national emergency, or environmental

authorities, as appropriate, from the Member State where the event occurred.

Or. en

Amendment 382
Ska Keller

Proposal for a regulation
Annex III – paragraph 1 – point 2

Text proposed by the Commission

(2) For containment and clean-up: **where** possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers **or bags** for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, **or** environmental authorities, as appropriate, from the Member State where the event occurred.

Amendment

(2) For containment and clean-up: **wherever** possible **replace damaged packaging before leaving the loading site; in case of losses during transport, immediately** repair damaged packaging (e.g. by using booms, barriers and **adhesive** tape) and contain the remaining pellets **in spare containers or** in the loading compartment; collect the spilled pellets in closed **water- and tamper-proof** containers for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; **immediately** notify the authorities such as international and national emergency, environmental **and maritime** authorities, as appropriate, from the Member State where the event occurred.

Or. en

Justification

Damaged packaging should be replaced before leaving any loading sites wherever possible. In case of losses during transport, damaged packaging should be repaired immediately.

Amendment 383
João Albuquerque

Proposal for a regulation
Annex III – paragraph 1 – point 2

Text proposed by the Commission

(2) For containment and clean-up: where possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers **or bags** for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.

Amendment

(2) For containment and clean-up: where possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed, **rigid and waterproof** containers **labelled and sealed** for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; **immediatly** notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.

Or. en

Amendment 384
Nicolás González Casares, César Luena, Javi López

Proposal for a regulation
Annex III – paragraph 1 – point 2

Text proposed by the Commission

(2) For containment and clean-up: **where possible**, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers or bags for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or

Amendment

(2) For containment and clean-up: **replace or** repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers or bags for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify **immediatly** the authorities such as international and

environmental authorities, as appropriate, from the Member State where the event occurred.

national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.

Or. en

Amendment 385

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex III – paragraph 1 – point 3

Text proposed by the Commission

(3) Equipment on board: at least one portable **lightening** apparatus, hand tools (e.g. **brooms, dustpan and brush**, buckets, repair tapes, etc.); closed **collection containers/reinforced** collection **bags**.

Amendment

(3) Equipment on board: at least **a mobile phone**, one portable **lighting** apparatus, hand tools (e.g. **portable dedicated vacuum cleaners**, buckets, **adhesive** repair tapes, etc.); closed **rigid, labelled and tamper-proof** collection **containers for correct disposal of recovered pellets**.

Or. en

Amendment 386

Ska Keller

Proposal for a regulation

Annex III – paragraph 1 – point 3

Text proposed by the Commission

(3) Equipment on board: at least one portable **lightening** apparatus, hand tools (e.g. brooms, **dustpan and brush, buckets**, repair tapes, etc.); closed **collection containers/reinforced** collection **bags**.

Amendment

(3) Equipment on board: at least **a mobile phone**, one portable **lighting** apparatus, hand tools (e.g. **portable dedicated vacuum cleaners** brooms, **adhesive** repair tapes, etc.); closed **rigid, labelled and tamper-proof** collection **containers for correct disposal of recovered pellets**.

Or. en

Amendment 387

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex III – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) Establish an awareness and training programme, repeated at regular intervals, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;

Or. en

Amendment 388

Ska Keller

Proposal for a regulation

Annex III – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) Set the procedures for informing subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.

Or. en

Justification

In case of use of subcontractors, procedures need to be set to ensure adequate information of them.

Amendment 389

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wiezik, Max Orville, Pascal Canfin

Proposal for a regulation

Annex III – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) Measures to be taken and equipment specifically applicable to maritime transport.

Or. en

Amendment 390

Catherine Chabaud, Martin Hojsik, María Soraya Rodríguez Ramos, Michal Wieszik, Max Orville, Pascal Canfin

Proposal for a regulation

Annex III – paragraph 1 – point 3 b (new)

Text proposed by the Commission

Amendment

(3 b) The shipper should contain, clean and do not sweep pellets into water when cleaning the boarding area, deck, hold or in a shipping container. It should not store pellets in containers in poor condition and avoid protrusions that could tear bags and boxes and should store containers in the hold and not on deck. The shipper should clearly indicate the presence of pellets in a container in order to label it as a container transporting dangerous goods.

Or. en

Justification

Taking inspiration from the recommendation of the Operation Clean Sweep Programme (OCS), Convention for the protection of the Marine Environment of the North-East Atlantic (OSPAR), 1992 and within the framework of the ship planning declaration planned by the SOLAS Convention, as well as the Part 3 of the IMDG Code annexed to it, this amendment aims that containers carrying plastic pellets require specific handling in view of the danger to human health and the environment in the event of spills or losses into the ocean.

Amendment 391

Idoia Villanueva Ruiz, Petros Kokkalis, Marisa Matias, Anja Hazekamp

Proposal for a regulation

Annex III – paragraph 1 – point 3 b (new)

Text proposed by the Commission

Amendment

(3 b) Set the procedures for informing subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.

Or. en

Amendment 392
Ska Keller, Ana Miranda

Proposal for a regulation
Annex III a (new)

Text proposed by the Commission

Amendment

ANNEX IIIA

***SPECIFIC ADDITIONAL ACTIONS
FOR EU AND NON-EU MARITIME
CARRIERS***

1. Transport of pellets in bulk shall be prohibited.

2. Transport information shall clearly identify, as an addition in the cargo information required by SOLAS regulation VI/2, those freight containers containing plastic pellets. In addition, the shipper shall supplement the cargo information with a special stowage request requiring stowage as outlined in point 3.

3. Freight containers containing plastic pellets should be properly stowed and secured so as to minimize the hazards to the marine environment without impairing the safety of the ship and persons on board. Specifically, freight containers containing plastic pellets should be stowed under deck wherever reasonably practicable, or inboard in sheltered areas of exposed decks.

Or. en

Justification

Maritime transport is a major form of transport of plastic pellets. Maritime accidents can lead to massive spills of plastic pellets, as a single maritime container contains more than a billion plastic pellets. As such, a relatively small tonnage can already lead to major pollution. This is even worse in case of shipments in bulk. In line with relevant agreements in the context of the IMO, transport in bulk should be prohibited (MEPC, 3-7 July 2023). Moreover, recommendations that are foreseen for adoption by the IMO in April 2024 should already be included this regulation.

Amendment 393

Ska Keller

Proposal for a regulation

Annex IV a (new)

Text proposed by the Commission

Amendment

ANNEX IVA

FORM FOR REPORTING OF LOSSES OF PLASTIC PELLETS

Place of Incident: [Text Box]

Date of Incident: [Date]

Time of Incident: [Time]

Type of Installation (Specify): [Text Box]

Location of Loss:

[] Production Area

***[] Master batching and compounding
Area***

[] Conversion Area

[] Storage Area

[] Packing or Repacking Area

[] Cleaning Area

***[] Transportation (Specify means of
transport): [Text Box]***

***Description of Pellet Loss, Including
Polymer Type: [Text Box]***

***Estimated Quantity of Lost Pellets: [Text
Box – estimated amount, indication of
methodology used]***

Cause of Loss:

Equipment Malfunction
 Human Error

Environmental or Weather Factors (Specify): [Text Box]

Other (Specify): [Text Box]

Immediate Actions Taken: [Text Box]

Clean-up Measures:

Vacuuming

Absorbent Materials

Containment

Disposal

Environmental Impact Assessment:

Soil Contamination

Water Contamination

Air Quality

Wildlife Impact

Remediation Actions Necessary: [Text Box]

Witness Information (if applicable):Name: [Text Box]

Contact Number: [Text Box]

Email Address: [Text Box]

Reporting Person:Name: [Text Box]

Position: [Text Box]

Contact Number: [Text Box]

Email Address: [Text Box]

Attachments (e.g., photos, reports): [File Upload]

Additional Comments: [Text Box]

Or. en

Justification

A standard reporting form for losses should be established.

Amendment 394

FORM FOR LOSS TRACKING

Pellet Loss Tracking Form

Date of Incident: [date]

Time of Incident: [time]

Location of Loss:

[] Production Area

[] Storage Area

[] Manufacturing Area

[] Transportation

***Description of Pellet Loss, Including
Polymer Type:***

[Text Box]

Estimated Quantity of Lost Pellets:

[] Small (up to 1 kg)

[] Medium (1 kg to 10 kg)

[] Large (more than 10 kg)

***[Text Box – estimated amount based on
Article 13 standardised methodology]***

Cause of Loss:

[] Equipment Malfunction

[] Human Error

***[] Environmental or Weather Factors
(Specify): [Text Box]***

[] Other (Specify): [Text Box]

Immediate Actions Taken:

[Text Box]

Clean-up Measures:

[] Sweeping

[] Vacuuming

[] Absorbent Materials

[] Containment

[] Disposal

Environmental Impact Assessment:

[] Soil Contamination

[] Water Contamination

[] Air Quality

[] Wildlife Impact

Restoration Actions Necessary:

[Text Box]

Witness Information (if applicable):

Name: [Text Box]

Contact Number: [Text Box]

Email Address: [Text Box]

Reporting Person:

Name: [Text Box]

Position: [Text Box]

Contact Number: [Text Box]

Email Address: [Text Box]

Attachments (e.g., photos, reports):

[File Upload]

Or. en