

Preventing plastic pellet losses to reduce microplastic pollution

2023/0373(COD) - 23/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 538 votes to 32, with 31 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on preventing plastic pellet losses to reduce microplastic pollution.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject matter

This Regulation lays down obligations for the handling of plastic pellets at all stages of the supply chain to prevent losses, with the objective of achieving zero plastic pellet losses.

Plastic pellet means a small mass of preformed polymer-containing moulding material, regardless of its shape or form, including powders, cylinders, beads and flakes, to which additives might have been added, that is used as feedstock in plastic product manufacturing and plastic recycling operations. The definition of plastic pellet dust is introduced.

General obligations

Economic operators, EU carriers and non-EU carriers should ensure that losses are avoided. Members stated that where spills and losses occur, economic operators, EU carriers and non-EU carriers should take immediate action to contain and clean-up those spills and losses.

Economic operators and EU carriers should notify the competent authorities of the Member State in which they are established, of any significant change in their installations and activities related to handling and transport of plastic pellets, including of any closure of an existing installation, as applicable.

Economic operators should label all storage and transport containers containing plastic pellets in accordance with Annex IVb to this Regulation.

Obligations relating to the handling of plastic pellets

Economic operators that are small, 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 enterprises should 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 3 years from the last notification.

Economic operators that are small enterprises operating installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year should comply with the obligations, unless they hold a valid certificate issued in accordance with the Regulation.

Certification

By 60 months from the entry into force of this Regulation, economic operators that are small enterprises should 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. That certificate should be valid for 5 years. Certifiers should carry out spot-checks and inspections of sites, means of transport and immediately surrounding areas to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.

Compliance and reporting

The Commission should draw up every three years, on the basis of the Member States' reports, a synthesis report on compliance and reporting, setting out the qualitative and quantitative information on the implementation of this Regulation contained in the Member States reports.

Incidents and accidents

In the event of a loss resulting from an incident or accident and having a significant impact on human health or the environment, economic operators, EU carriers and third country carriers should immediately: (a) inform the competent authority in whose territory the incident or accident occurred, as well as the competent authority of any territory likely to be affected, and indicate the estimated quantities of losses; (b) take measures to contain and clean up such losses, in an environmentally sound manner; (c) take all possible measures to minimise the impact on health or the environment and to prevent further incidents or accidents.

By 12 months from the entry into force of this Regulation, the Commission should develop and fund awareness raising and training material, which may take the form of guides and courses, on the sound implementation of the obligations laid down in this Regulation.

Penalties

In the case of an infringement committed by a legal person, the maximum amount of fines should be at least 3% of the economic operator's annual turnover within the Union during the financial year preceding the decision imposing a fine. Projects financed by the revenue generated from penalties may contribute to promoting scientific work to study the impact of plastic pellets on human health and the environment, supporting research and development in the area of plastic pellet pollution, implementing awareness programmes, and financing training programmes specifically designed for micro and small enterprises.

Traceability

No later than 24 months after the entry into force of the Regulation, the Commission should publish a report on the possibility of introducing chemical traceability of plastic pellets.

