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COMPROMISE AMENDMENTS

1 - 14

Draft report

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(PE623.714v01-00)

Proposal for a Directive of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment

Proposal for a directive

(COM(2018)0340 – C8-0218/2018 – 2018/0172(COD))

Compromise Amendment 1 (Article 1 - Objectives)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 19, 223-229, 6, 76-89, PECH 23, ITRE 33, ECON16, ITRE 11, ECON 4, PECH 7, AGRI 7-8, AGRI 30

Amendment 1

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

The objective of this Directive is to prevent and reduce the impact of certain plastic products on the environment, in particular the aquatic environment, and on human health as well as to promote the transition to a circular economy with innovative business models, products and materials, thus also contributing to the efficient functioning of the internal market.

Amendment

The objective of this Directive is to prevent and reduce the impact of certain plastic products on the environment, in particular ***on the aquatic life and*** environment, and on human health as well as to promote the transition to a circular economy with innovative ***and sustainable*** business models, products and materials, thus also contributing to the efficient functioning of the internal market.

Or. en

Amendment 1

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) To focus efforts where they are most needed, this Directive should only cover the most found single-use plastics products, which are estimated to represent around 86% of the single-use plastics found, in counts, on beaches in the Union.

Amendment

(7) To focus efforts where they are most needed, this Directive should only cover the most found single-use plastics products ***as well as fishing gear. The single-use plastics products covered by measures under this Directive are*** estimated to represent around 86% of the single-use plastics found, in counts, on beaches in the Union.

Compromise Amendment 2 (Article 3 - Definitions)

EPP, S&D, ECR, ALDE, Greens, EFDD, ENF

Compromise amendment replacing Amendments 233-240, 20, 245-262, 265, 268, 271-274, 93-103, 7, 106-114, ITRE 12, ITRE 34, PECH 24, PECH 27, PECH 8, ECON 6, AGRI 13, 32, 34-35

Amendment 2

Proposal for a directive

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) 'plastic' means a material consisting of a polymer within the meaning of Article 3(5) of Regulation (EC) No 1907/2006, to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;

Amendment

(1) 'plastic' means a material consisting of a polymer within the meaning of Article 3(5) of Regulation (EC) No 1907/2006, to which additives or other substances may have been added, and which **functions or** can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;

Or. en

Justification

Based on wide range of amendments tabled for 'plastic' definition.

Amendment 2

Proposal for a directive

Article 3 – paragraph 1 – point 2

Text proposed by the Commission

(2) 'single-use plastic product' means a product that is made wholly or partly from plastic and that is **not** conceived, designed or placed on the market to **accomplish, within its life span, multiple trips or**

Amendment

(2) 'single-use plastic product' means a product that is made wholly or partly from plastic and that is conceived, designed or placed on the market to **be used only once over a short time span before it is**

rotations by being returned to the producer for refill or re-used for the same purpose for which it was conceived;

discarded;

Or. en

Justification

A clear and positive definition of "single-use plastic product" is necessary avoid legal uncertainty.

Amendment 2

Proposal for a directive Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘fishing gear’ means any item or piece of equipment that is used in fishing and aquaculture to target *or* capture marine biological resources or that is floating on the sea surface and is deployed with the objective of attracting *and* capturing such marine biological resources

Amendment

(3) ‘fishing gear’ means any item or piece of equipment that is used in fishing and aquaculture to target, capture *or retain for farming* marine biological resources or that is floating on the sea surface and is deployed with the objective of attracting, capturing *or retaining* such marine biological resources;

Or. en

Amendment 2

Proposal for a directive Article 3 – paragraph 1 – point 10

Text proposed by the Commission

(10) ‘producer’ means any natural or legal person that, irrespective of the selling technique used, including distance contracts within the meaning of Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011, places on the market single-use plastic

Amendment

(10) ‘producer’ means any natural or legal person that *professionally develops, manufactures, processes, treats, sells or imports*, irrespective of the selling technique used, including distance contracts within the meaning of Directive 2011/83/EU of the European Parliament

products and fishing gear containing plastic except persons carrying out fishing activities as defined in Article 4(28) of Regulation (EC) No 1380/2013 of the European Parliament and of the Council⁵¹;

and of the Council of 25 October 2011⁵⁰, places on the market single-use plastic products and fishing gear containing plastic except persons carrying out fishing activities *or aquaculture* as defined in Article **4(25) and 4(28)** of Regulation (EC) No 1380/2013 of the European Parliament and of the Council⁵¹;

⁵¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p.22).

⁵¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p.22).

Or. en

Justification

It is important to specify all the actors in the economic chain, in particular for the application of the Extender Producer Responsibility regime.

Amendment 2

Proposal for a directive Recital 8

Text proposed by the Commission

(8) Single use plastic products can be manufactured from a wide range of plastics. Plastics are usually defined as polymeric materials to which additives may have been added. However, this definition would cover certain natural polymers. Unmodified natural polymers should not be covered as they occur naturally in the environment. Therefore, the definition of polymer in Article 3(5) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴³

Amendment

(8) Single use plastic products can be manufactured from a wide range of plastics. Plastics are usually defined as polymeric materials to which additives may have been added. However, this definition would cover certain natural polymers. Unmodified natural polymers should not be covered as they occur naturally in the environment. Therefore, the definition of polymer in Article 3(5) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴³

should be adapted and a separate definition should be introduced for the purposes of this Directive. Plastics manufactured with modified natural polymers, or plastics manufactured from bio-based, fossil or synthetic starting substances are not naturally occurring and should therefore be addressed by this Directive. The adapted definition of plastics should therefore cover polymer-based rubber items and bio-based and biodegradable plastics regardless of whether they are derived from biomass and/or intended to biodegrade over time. Certain polymeric materials are not capable of functioning as a main structural component of final materials and products, such as polymeric coatings, paints, inks, and adhesives. Those materials should not be addressed by this Directive and should therefore not be covered by the definition.

⁴³ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

should be adapted and a separate definition should be introduced for the purposes of this Directive. Plastics manufactured with modified natural polymers, or plastics manufactured from bio-based, fossil or synthetic starting substances are not naturally occurring and should therefore be addressed by this Directive. The adapted definition of plastics should therefore cover polymer-based rubber items and bio-based and biodegradable plastics regardless of whether they are derived from biomass and/or intended to biodegrade over time. Certain polymeric materials are not capable of functioning as a main structural component of final materials and products, such as polymeric coatings, paints, inks, and adhesives. Those materials should not be addressed by this Directive and should therefore not be covered by the definition.

⁴³ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

Or. en

Amendment 2

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) In order to clearly define the scope of this Directive the term single-use plastic product should be defined. The definition should **exclude plastic** products **that** are conceived, designed **and** placed on the market to **accomplish within their lifecycle multiple trips or rotations by** being refilled or reused for the same purpose for which they are conceived.

Amendment

(9) In order to clearly define the scope of this Directive the term single-use plastic product should be defined. The definition should **include disposable** products **which are made wholly or partly from plastic and which** are conceived, designed **or** placed on the market to **be used only once in a short time span before** being **discarded and should thereby exclude plastic products that are conceived, designed and placed on the market to accomplish within their lifecycle multiple trips or rotations by being** refilled or reused for the same purpose for which they are conceived.

Or. en

Compromise Amendment 3 (Article 4 - Consumption reduction)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 23-24, 279-321, 8, 121-129, 527-546, 551-552, ECON 7, 17, PECH 9, ITRE 17, 20, 25, 38-39, 61-62, 63, AGRI 37-39, 65-68

Amendment 3

Proposal for a directive

Article 4

Text proposed by the Commission

Consumption reduction

1. Member States shall take the necessary measures to achieve **a significant** reduction in the consumption of the single-use plastic products listed in Part A of the Annex on their territory **by ... [six years after the end-date for transposition of this Directive].**

Those measures may include **national consumption reduction targets**, measures ensuring that reusable alternatives to those products are made available at the point of

Amendment

Consumption reduction

1. Member States shall take the necessary measures to achieve, **by ... [four years after the end-date for transposition of this Directive], an ambitious and sustained** reduction in the consumption of the single-use plastic products listed in Part A of the Annex on their territory.

Those measures may include measures ensuring that reusable alternatives to those products are made available at the point of sale to the final consumer, economic

sale to the final consumer, economic instruments such as ensuring that single-use plastic products are not provided free of charge at the point of sale to the final consumer. Those measures may vary depending on the environmental impact of the products referred to in the first subparagraph.

2. The Commission may adopt an implementing act laying down the methodology for the calculation and verification of the **significant** reduction in the consumption of the single-use plastic products referred to in paragraph 1. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 16(2).

instruments such as ensuring that single-use plastic products are not provided free of charge at the point of sale to the final consumer. Those measures may vary depending on the environmental impact, of the products referred to in the first subparagraph ***over their life-cycle, including when littered.***

Member States shall draw up national plans describing the measures adopted pursuant to this paragraph. Member States shall notify the Commission of the plans and shall update them where necessary. The Commission may issue recommendations on those plans.

Member States shall set national quantitative reduction targets to attain the objective laid down in the first subparagraph of this paragraph. Those targets shall be adopted by ... [end-date for transposition of this Directive].

Measures adopted pursuant to this paragraph shall be proportionate and non-discriminatory. For products covered by Directive 94/62/EC those measures shall be without prejudice to Article 18 of that Directive. Member States shall notify the Commission of those measures in accordance with Directive (EU) 2015/1535 where so required by that Directive.

2. The Commission ***shall*** adopt an implementing act laying down the methodology for the calculation and verification of the ***ambitious and sustained*** reduction in the consumption of the single-use plastic products referred to in paragraph 1 ***by... [12 months after the date of entry into force of this Directive].*** That implementing act shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Or. en

Justification

The ambitious and sustained reductions shall be met within 4 years of transposition, i.e. in 2025 (assuming adoption of Directive in 2019). Member States shall adopt the necessary measures as part of the transposition of the Directive, as laid down in the Commission proposal. In order to ensure consistency and transparency of these measures, Member States should draw up plans where all relevant measures are summarised.

In addition, in order to ensure that substantial efforts are made and to establish a benchmark for their reduction measures, Member States should establish their own quantitative targets reflecting the ambition level and the expected results of these measures.

The timeline is set out as follows: The methodology for calculation and verification should be adopted by the Commission by 2020 (assuming adoption of Directive in 2019). The first reporting by Member States of data on the placing on the market of products covered by this Article will take place in the same year (see Article 13). Using the methodology, MS shall at the latest in 2021 define their national target that fulfils the objective of ambitious and sustained reductions, to be met by 2025. The review of the directive will take place in 2026 (5 years after transposition - see Article 15). In that review the Commission will assess the national targets and efforts until 2025 and if appropriate make a proposal for EU-wide targets.

Amendment 3

Proposal for a directive Annex I – part A

Text proposed by the Commission

Single-use plastic products covered by Article 4 on consumption reduction

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food

Amendment

Single-use plastic products covered by Article 4 on consumption reduction

– ***Cups for beverages, including their covers and lids***

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food

The sale of food in a one-person portion size container, or in a container provided with cutlery, is an indication that the food in question is intended to be consumed immediately from the food container.

The concept of further preparation includes activities such as heating, adding boiling water, washing, slicing and cutting.

Examples of single-use plastic food containers covered by parts A, E and G of this Annex:

- Fast-food containers such as meal boxes and salad boxes with food for cold consumption

- Fast-food containers such as meal boxes and salad boxes with food for hot consumption, except where the food needs to undergo heating by the consumer after the purchase of the product

- Burger boxes, sandwich boxes, wrap boxes

- One-person portion sized food containers of fresh or processed food that does not need further preparation, such as fruits, vegetables, desserts or ice-creams, sold by single unit

Examples of containers that are not single-use plastic food containers covered by parts A, E and G of this Annex:

- Food containers with dried food or food sold cold that requires further preparation

- Containers containing food in more than one-person portion size quantities

- One-person portion sized food containers sold in more than one unit

– *Cups for beverages*

(moved up)

Or. en

Amendment 3

Proposal for a directive Recital 11

Text proposed by the Commission

(11) For certain single-use plastic products, suitable and more sustainable

Amendment

(11) For certain single-use plastic products, suitable and more sustainable

alternatives are not yet readily available and the consumption of most such single-use plastic products is expected to increase. To reverse that trend and promote efforts towards more sustainable solutions Member States should be required to take the necessary measures to achieve *a significant* reduction in the consumption of those products, without compromising food hygiene or food safety, good hygiene practices, good manufacturing practices, consumer information, or traceability requirements set out in Union food legislation⁴⁴.

alternatives are not yet readily available and the consumption of most such single-use plastic products is expected to increase. To reverse that trend and promote efforts towards *safe and* sustainable solutions, Member States should be required to take the necessary measures to achieve *an ambitious and sustained* reduction in the consumption of those products, *as is being done for plastic bags under Directive 94/62/EC, as amended by Directive (EU) 2015/720*, without *prejudice to Article 18 of Directive 94/62/EC and without* compromising food hygiene or food safety, good hygiene practices, good manufacturing practices, consumer information, or traceability requirements set out in Union food legislation⁴⁴. *These measures should apply to containers for food fulfilling all of the following criteria: the food in question is intended for immediate consumption, it is intended for consumption without further preparation, and it is intended to be consumed from the receptacle. Member States should aim at the highest possible ambition for those measures, which should be proportionate to the seriousness of the littering risk of the various products and uses. Member States should adopt national targets to quantify the effects of the measures taken to achieve the ambitious and sustained reduction. Member States should encourage the use of products that are suitable for multiple use and that are, after having become waste, suitable for preparing for re-use and recycling, without compromising the free movement of goods in the internal market. Those measures should take into account the impact of products throughout their life cycle including when found in the marine environment and should respect the waste hierarchy.*

⁴⁴ Regulation (EC) 178/2002 laying down the general principles and requirements of food law (OJ L 31, 1.2.2002, p.1-24),

⁴⁴ Regulation (EC) 178/2002 laying down the general principles and requirements of food law (OJ L 31, 1.2.2002, p.1-24),

Regulation (EC) No 852/2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p.1-54), Regulation (EC) No 1935/2004 on materials intended to come into contact and other relevant legislation related to food safety, hygiene and labeling (OJ L 338, 13.11.2004, p.4-17).

Regulation (EC) No 852/2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p.1-54), Regulation (EC) No 1935/2004 on materials intended to come into contact and other relevant legislation related to food safety, hygiene and labeling (OJ L 338, 13.11.2004, p.4-17).

Or. en

Compromise Amendment 4 A (Tobacco product plastic filters (Article 4, Annex part D))

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 25, 322, 547-550, 41, 640-641, ECON 31, 9, 142

Amendment 4

Proposal for a directive

Article 4 - paragraph 2 a (new) (Reduction of post-consumption tobacco product waste)

Text proposed by the Commission

Amendment

2a. Member States shall take the necessary measures to achieve a sustained reduction of the environmental impact of waste from tobacco products, and in particular tobacco product filters containing plastic by reducing post-consumption waste from tobacco product filters containing plastic as follows: 50 % by 2025 and 80 % by 2030, compared to the weighted average of tobacco products with filters placed on the market between 2014 and 2016.

Or. en

Amendment 4

Proposal for a directive

Annex – part D – indent 3 a (new) (Marking requirements)

Text proposed by the Commission

Amendment

- ***Tobacco products with filters and filters marketed for use in combination with tobacco products***

Or. en

Amendment 4

Proposal for a directive Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Tobacco product filters are the second most littered single-use plastic items. Although the market share of plant-derived cellulose filters for tobacco products appears to be increasing, the acceptability of the available alternatives is not clear. Furthermore, the tremendous impact on the environment of tobacco products with filters cannot be ignored as those filters may break into smaller plastic pieces. Used tobacco filters also contain numerous chemicals that are harmful for the environment, of which at least 50 are known human carcinogens, as well as heavy metals, which may leach from the filter and harm the surrounding land, air and marine environments. In order to address the environmental impact caused by post-consumption waste, a wide range of measures are necessary for tobacco products with filters, ranging from a reduction of single-use, disposable filters containing plastic to extended producer responsibility to ensure responsible disposal [...].

Or. en

Compromise Amendment 4B (Tobacco product plastic filters (Article 8))

S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 25, 322, 9, 142

Amendment 4

Proposal for a directive

Article 8 – paragraph 2 a (new) (Extended Producer Responsibility)

Text proposed by the Commission

Amendment

2a. Member States shall ensure that extended producer responsibility schemes established pursuant to paragraph 1 of this Article for tobacco product filters containing plastic contribute to the achievement of the environmental objective laid down in Article 4(2a), including by ensuring that producers of tobacco product filters containing plastic cover the costs of the collection of waste of those products and its subsequent transport and treatment including the costs to clean up litter and the costs of the awareness raising measures referred to in Article 10 regarding those products. In order to achieve that objective Member states may inter alia require the extended producer responsibility schemes to establish collection systems or finance collection infrastructure for used filters, or promote the decontamination and recycling of used filters through the establishment of a waste recovery chain.

Or. en

Amendment 4

Proposal for a directive

Recital 11 a (new)

Last sentence to be added to Recital 11a

(11a)

(...) and to cover the costs of litter clean-up. In order to address the significant collection and sorting costs currently borne by taxpayers, the extended producer responsibility schemes should cover the costs of litter clean up and the costs for appropriate waste collection infrastructures. As part of these measures, Member States may also create incentives for a cigarette butt recovery chain to clean cellulose acetate, the plastic material that makes up 60% of the composition of cigarette filters, and then transform it into new plastic objects.

Or. en

Justification

Thrown on the roadways, a cigarette butt takes up to ten or twelve years to deteriorate. Very volatile, it also regularly ends up in the rivers it contributes to polluting. In this regard, it is very appropriate to extend the polluter-pays principle to cigarette manufacturers that put on the market products whose waste is very difficult to recycle. According to figures provided by the European Commission, tobacco product filters are the second most polluting single use plastic items, after plastic bottles that contribute to marine litter. As the only provisions in the Commission proposal dealing with tobacco manufacturers are extended responsibility and awareness raising measures, the rapporteur wants to go further and suggests a wide range of measures such as consumption reduction targets for tobacco product filters.

Compromise Amendment 5 (Article 5 and Annex Part B - Market restrictions)

EPP, S&D, ECR, ALDE, Greens, EFDD, ENF

Compromise amendment replacing Amendments 323-330; 42, 553-619, 21, 264, 132-139, 10, 140, 143-144, ITRE 37, ITRE 18-19, PECH 10, AGRI 16, 40, 69-78

Amendment 5

Proposal for a directive Article 5

Text proposed by the Commission

Member States shall prohibit the placing on market of the single-use plastic products listed in Part B of the Annex.

Amendment

Member States shall prohibit the placing on market of the single-use plastic products listed in Part B of the Annex.

Or. en

Amendment 5

**Proposal for a directive
Annex I – part B**

Text proposed by the Commission

B Single-use plastic products covered by Article 5 on the restriction on placing on the market

- Cotton bud sticks, except for swabs intended and used for medical purposes
- Cutlery (forks, knives, spoons, chopsticks)
- Plates
- Straws, except for straws intended and used for medical purposes
- Beverage stirrers
- Sticks to be attached to and to support balloons, except balloons for industrial or other professional uses and applications that are not distributed to consumers, **including** the mechanisms of such sticks

Amendment

B Single-use plastic products covered by Article 5 on the restriction on placing on the market

- Cotton bud sticks, except for swabs intended and used for medical purposes
- Cutlery (forks, knives, spoons, chopsticks)
- Plates
- Straws, except for straws intended and used for medical purposes
- Beverage stirrers
- Sticks to be attached to and to support balloons, except balloons for industrial or other professional uses and applications that are not distributed to consumers, **excluding** the mechanisms of such sticks
- ***Very lightweight plastic carrier bags, except when they are required for hygienic reasons or to wrap humid loose food products***
- ***Products made of oxo-degradable plastic***
- ***Food and beverage containers made of expanded polystyrene, used to contain food that is intended for***

immediate consumption from the receptacle either on-the-spot or take-away without further preparation.

Or. en

Justification

All these additional market restriction for products are coherent with the current EU legislation in force or political statement from the European Parliament. For e.g. the European Parliament has just called, on Thursday 13 of September 2018, for a complete EU ban on oxo-degradable plastic by 2020, as this type of plastic negatively affects the recycling of conventional plastic and fails to deliver a proven environmental benefit. Furthermore, the proposal to add a ban of some applications of expanded polystyrene (EPS) in the SUP proposal is justified by the fact that polystyrene, in its various sizes, appears in rank 1, 3, 13, 28 and 53 of the plastic waste most commonly found on European beaches, according to the Commission's classification in its impact assessment (Part II, pages 31 and 32). That is more than 31% of all plastics found on European beaches. Clearly, European legislators must find a way to address and to limit this source of marine litter, which the Commission has not done in its proposal.

Amendment 5

Proposal for a directive

Article 3 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) ‘very lightweight plastic carrier bags’ means lightweight plastic carrier bags as defined in Article 3(1c) of Directive 94/62/EC with a wall thickness below 15 microns.

Or. en

Amendment 5

Proposal for a directive

Recital 12

Text proposed by the Commission

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

Amendment

(12) For other single-use plastic products, suitable and more sustainable alternatives that are also affordable are readily available. In order to limit the adverse impact of such products on the environment, Member States should be required to prohibit their placing on the Union market. By doing so, the use of those readily available and more sustainable alternatives ***that comply with existing standards and Union law*** as well as innovative solutions towards more sustainable business models, re-use alternatives and substitution of materials would be promoted, ***in line with the waste hierarchy as laid down in Article 4 of Directive 2008/98/EC. The marketing restrictions introduced in this Directive should also cover products made of oxo-degradable plastic, as this type of plastic does not properly biodegrade and thus contributes to microplastic pollution in the environment, is not compostable, negatively affects the recycling of conventional plastic and fails to deliver a proven environmental benefit. In view of the high prevalence of polystyrene litter in the marine environment and the availability of alternatives, single use food and beverage containers made of expanded polystyrene should also be restricted.***

Or. en

Amendment 5

**Proposal for a directive
Recital 12 b (new)**

Text proposed by the Commission

Amendment

(12b) Directive 94/62/EC, as amended by

Directive (EU) 2015/720, laid down a requirement on the Commission to carry out a legislative review by 27 May 2017 on measures to reduce the consumption of very lightweight plastic carrier bags, based on lifecycle impacts. The Commission has so far not undertaken that review. Given that such plastic bags are very prone to littering and contribute to marine litter, it is appropriate to introduce measures to restrict their placing on the market except for uses which are strictly necessary. Very lightweight plastic carrier bags should not be placed on the market as packaging for loose food except where they are required for hygiene reasons or for the packaging of humid loose foods such as raw meat, fish or dairy. For very lightweight plastic carrier bags to which that marketing restriction does not apply, the existing provisions introduced by Directive (EU) 2015/720 should remain applicable.

Or. en

Compromise Amendment 6 (Article 6 and Annex Part C - Product requirements – Article 17 - Transposition)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 26, 27, 331-353, 356-359, 447, 523-525, 620, 11, 12, 145-149, AGRI 41

Amendment 6

Proposal for a directive Article 6 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that single-use plastic products listed in Part C of the Annex that have caps and lids *with a significant part* made of plastic may be placed on the market only if the caps and lids remain attached to the container during

Amendment

1. Member States shall ensure that single-use plastic products listed in Part C of the Annex that have caps and lids made of plastic may be placed on the market only if the caps and lids remain attached to the container during the product's intended

the product's intended use stage.

use stage.

Or. en

Amendment 6

Proposal for a directive

Article 6 – paragraph 2

Text proposed by the Commission

2. For the purposes of this Article metal caps or lids with plastic seals shall not be considered to **have a significant part made** of plastic.

Amendment

2. For the purposes of this Article metal caps or lids with plastic seals shall not be considered to **be made** of plastic. ***Glass and metal beverage containers that have caps and lids made of plastic shall not be covered by this Article.***

Or. en

Amendment 6

Proposal for a directive

Article 6 – paragraph 3

Text proposed by the Commission

3. **The** Commission shall request the European standardisation organisations to develop harmonised standards relating to the requirement referred to in paragraph 1.

Amendment

3. **By ... [3 months after the date of entry into force of this Directive] the** Commission shall request the European standardisation organisations to develop harmonised standards relating to the requirement referred to in paragraph 1. ***Those standards shall in particular address the need to ensure the necessary strength, reliability and safety of beverage container closures, including those for carbonated drinks.***

Or. en

Amendment 6

Proposal for a directive Article 6 – paragraph 4

Text proposed by the Commission

4. From the date of publication of the harmonised standards referred to in paragraph 3 in the Official Journal of the European Union, beverage containers referred to in paragraph 1 which are in conformity with those standards or parts thereof shall be presumed to be in conformity with the requirement covered by those standards or parts thereof laid down in paragraph 1.

Amendment

4. From the date of publication of the harmonised standards referred to in paragraph 3 in the Official Journal of the European Union, beverage containers referred to in paragraph 1 which are in conformity with those standards or parts thereof shall be presumed to be in conformity with the requirement covered by those standards or parts thereof laid down in paragraph 1.

Or. en

Amendment 6

Proposal for a directive Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall ensure that by 2025 beverage bottles listed in Part C of the Annex may be placed on the market only if they are made from at least 35% recycled content and are recyclable.

By 1 January 2022, the Commission shall adopt implementing acts laying down the methodology for the calculation of recycled content. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Or. en

Amendment 6

Proposal for a directive

Article 17 – paragraph 1 – subparagraph 2

Text proposed by the Commission

However, the Member States shall apply the measures necessary to comply with Articles 5 and 7(1) from ... [2 years after entry into force of this Directive] and with Article 6(1) from ... [3 years after entry into force of this Directive].

Amendment

However, the Member States shall apply the measures necessary to comply with Articles 5 and 7(1) from ... [2 years after entry into force of this Directive] and with Article 6(1) from ... [3 years after entry into force of this Directive], ***with the exception of the measures necessary to comply with the requirement referred to in Article 6(1) in relation to beverage containers for carbonated drinks, which Member States shall apply from ... [5 years after entry into force of this Directive].***

Or. en

Amendment 6

Proposal for a directive

Annex I – part C

Text proposed by the Commission

— Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids

Amendment

— Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids

Or. en

Amendment 6

Proposal for a directive

Recital 13

(13) Caps and lids, ***with a significant part*** made of plastic, from beverage containers are among the most found single-use plastic items littered on Union beaches. Therefore, beverage containers that are single-use plastic products should only be allowed to be placed on the market if they fulfil specific product design requirements significantly reducing the leakage into the environment of beverage container caps and lids. For beverage containers that are single-use plastic products and packaging, this requirement is an addition to the essential requirements on the composition and the reusable and recoverable, including recyclable, nature of packaging set out in Annex II of Directive 94/62/EEC. In order to facilitate conformity with the product design requirement and ensure a smooth functioning of the internal market, it is necessary to develop a harmonised standard adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council⁴⁵ and the compliance with that standard should allow presumption of conformity with those requirements. Sufficient time should be envisaged for the development of a harmonised standard and to allow the producers to adapt their production chains in relation to the implementation of the product design requirement.

(13) Caps and lids made of plastic, from beverage containers are among the most found single-use plastic items littered on Union beaches. Therefore, beverage containers that are single-use plastic products should only be allowed to be placed on the market if they fulfil specific product design requirements significantly reducing the leakage into the environment of beverage container caps and lids ***and increasing the quantities recycled***. For beverage containers that are single-use plastic products and packaging, this requirement is an addition to the essential requirements on the composition and the reusable and recoverable, including recyclable, nature of packaging set out in Annex II of Directive 94/62/EEC. In order to facilitate conformity with the product design requirement and ensure a smooth functioning of the internal market, it is necessary to develop a harmonised standard adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council⁴⁵ and the compliance with that standard should allow presumption of conformity with those requirements. Sufficient time should be envisaged for the development of a harmonised standard and to allow the producers to adapt their production chains in relation to the implementation of the product design requirement. ***In order to ensure the circular use of plastics, the market uptake of recycled materials needs to be safeguarded. It is therefore appropriate to introduce a requirement for a mandatory minimum content of recycled plastics in certain products.***

⁴⁵ 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

⁴⁵ 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).

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).

Or. en

Amendment 6

Proposal for a directive Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) In the context of the review to be undertaken pursuant to Article 9(5), the Commission should take into account the relative properties of different packaging materials, including composite materials, on the basis of life-cycle assessments, addressing in particular prevention and design for circularity;

Or. en

Justification

Solutions for attaching caps and lids to the bottles of carbonated drinks are not yet available on the market, given the specific requirements, including consumer safety, for the closures of such drinks. Additional time should therefore be given for the technical development of such solutions. The transition time should be long enough to allow for the development of the European standard as set out in this Article, and for a lead-in time to adopt production lines. Work on the European standard should start without any delay. In order to support the uptake of secondary raw materials and the functioning of the circular economy, a minimum level of recycled content should be established. Many players in the food and drinks sector have already committed to produce plastic bottles containing at least 25% of recycled plastics. It is important to support this commitment taken by the industry, which is directly involved in the overall solution to the major problem of marine litter. The changes to Article 6(1) and 6(2) are technical and aim at clarifying the scope of the Article.

Compromise Amendment 7 (Article 7 and Annex Part D – Marking requirements)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 28-30, 360-395, 43, 521, 625-639, 642-645, 13, 153-159, ECON 9, 30 ITRE 22, 40-41, 64-65, PECH 28 1st part, AGRI 20, 43, 44-46, 80-81

Amendment 7

Proposal for a directive Article 7

Text proposed by the Commission

1 Member States shall ensure that each single-use plastic product listed in Part D of the Annex placed on the market bears a conspicuous, clearly legible and indelible marking informing consumers of one or more of the following:

- (a) appropriate waste disposal options for the product or waste disposal means to be avoided for that product,
- (b) the negative environmental impacts of littering or other inappropriate waste disposal of the products, or
- (c) the presence of plastics in the product.

Amendment

1 Member States shall ensure that each ***sales packaging of the*** single-use plastic products listed in Part D of the Annex placed on the market bears a conspicuous, clearly legible and indelible marking, ***both on packaging containing several units and on each separate unit, when packaged individually,*** informing consumers of the following:

- (a) appropriate waste disposal options for the product ***and/or*** waste disposal means to be avoided for that product,
- (b) the negative environmental impacts of littering or other inappropriate waste disposal of the products, ***and***
- (c) the presence of plastics in the product.

In addition, Member States shall ensure that each sales packaging of the single-use plastic products listed in Part D of the Annex, except tobacco products with filters and filters marketed for use in combination with tobacco products, placed on the market bears a conspicuous, clearly legible and indelible marking, both on packaging containing several units and on each separate unit, when packaged individually, informing consumers of the recyclability of the product.

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

2. The Commission shall, by ... [12 months before the end-date for transposition of this Directive] adopt an implementing act laying down the specifications for the marking referred to in paragraph 1 and ***in doing so shall consider existing sectorial voluntary agreements and shall pay particular attention to the need to avoid information that misleads consumers.*** That implementing act shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Or. en

Justification

It is better that the sale packaging instead of on the product bears the marking (example: packaging of the wet wipes but not the wet wipe itself). The consumer should be informed about the availability of alternative in order to reduce the use of SUP. The consumer should also be informed about the recyclability of the products in order to develop responsible purchasing. Finally, the Commission need to take into account the sectorial agreement developed by the industry as it will favour a better information of the consumer as well as a clear and legible marking.

Amendment 7

Proposal for a directive

Annex – part D

Text proposed by the Commission

Single use plastic products covered by Article 7 on marking requirements

- Sanitary towels (pads) and tampons and tampon applicators
- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers

Amendment

Single use plastic products covered by Article 7 on marking requirements

- Sanitary towels (pads) and tampons and tampon applicators
- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers

- *Tobacco products with filters and filters marketed for use in combination with tobacco products*
- *Packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation*
- *Cups for beverages*

Or. en

Justification

Cigarette butts have a severe negative impact on the environment. For example, one cigarette butt can pollute between 500 and 1000 litres of water. By including tobacco products in this Annex, the consumers would be better informed on the environmental impact of cigarettes. Regarding the inclusion of packets and wrappers, these items are ranked fourth in terms of beach counts and therefore stronger measures are needed. There is currently not enough consumer awareness about the presence of plastic in beverage cups and the correct waste disposal of them. Therefore, the consumer should be informed about appropriate waste disposal of these products and their negative impact on the environment.

Amendment 7

Proposal for a directive Recital 14

Text proposed by the Commission

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

Amendment

(14) Certain single-use plastic products end up in the environment as a result of inappropriate disposal through sewers or other inappropriate release into the environment. ***Disposal through sewers may in addition cause substantial economic damage to sewer networks by clogging pumps and blocking pipes. For these products, there is frequently a significant lack of information about the material characteristics of these products and the appropriate waste disposal.*** Therefore, single-use plastic products that are frequently disposed of through sewers **or** otherwise inappropriately disposed of

establish a harmonised format for the marking and when doing so should, where appropriate, test the perception of the proposed marking with representative groups of consumers to ensure that it is effective and clearly understandable.

should be subject to marking requirements **and awareness-raising measures**. The marking should inform consumers about appropriate waste disposal options and/or waste disposal options to be avoided, about the negative environmental impacts of litter as a result of inappropriate disposal, **the presence of plastics in the product and the recyclability of the product**. The Commission should be empowered to establish a harmonised format for the marking and when doing so should, where appropriate, test the perception of the proposed marking with representative groups of consumers to ensure that it is effective, clearly understandable, **and not misleading, and should also consider existing voluntary agreements**.

Or. en

Justification This amendment aims to inform consumers about damages to sewer networks by products inappropriately disposed in the environment as requested by article 10.

Compromise Amendment 8 (Article 8 - EPR)

S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 31, 32, 396-421, 44, 646-677, 160-171, 14, 17, 189-195, ECON 10, 14, 18-21, ITRE 23, 26, 42-45, 60, PECH 13, 19, AGRI 47-49, 82-87

Amendment 8

Proposal for a directive

Article 8 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that extended producer responsibility schemes are established for all single-use plastic products listed in Part E of the Annex placed on the Union market, in accordance with the provisions on extended producer responsibility in Directive 2008/98/EC.

Amendment

1. Member States shall ensure that extended producer responsibility schemes are established for all single-use plastic products listed in Part E of the Annex placed on the Union market, in accordance with the provisions on extended producer responsibility in Directive 2008/98/EC.

Or. en

Amendment 8

Proposal for a directive

Article 8 – paragraph 2 - subparagraph 1

Text proposed by the Commission

2. With regard to the schemes established pursuant to paragraph 1, Member States shall ensure that the producers of the single-use plastic products listed in Part E of the Annex shall cover the costs of the collection of waste consisting of those single-use plastic products and its subsequent transport and treatment, including the costs to clean up litter and the costs of the awareness raising measures referred to in Article 10 regarding those products.

Amendment

2. With regard to the schemes established pursuant to paragraph 1, Member States shall ensure that the producers of the single-use plastic products listed in Part E of the Annex shall cover the costs of the collection of waste consisting of those single-use plastic products and its subsequent transport and treatment including the costs to clean up litter and the costs of the awareness raising measures referred to in Article 10 regarding those products. ***The financial contributions paid by the producers to comply with these obligations shall not exceed the costs that are necessary to provide those services in a cost-efficient way and shall be established in a transparent way between the actors concerned.***

Or. en

Amendment 8

Proposal for a directive

Article 8 – paragraph 2 - subparagraph 1 a (new)

Text proposed by the Commission

Amendment

With regard to the costs to clean up litter referred to in the first subparagraph, Member States shall ensure that the financial contributions paid by the producers are established in a proportionate way and are modulated in accordance with Article 8a(4) of Directive 2008/98/EC, and take into account the

costs of clean-up of individual products or product groups. The costs shall be limited to activities undertaken on a regular basis by public authorities or on their behalf, which shall include litter clean-up activities aiming to meet relevant obligations concerning waste prevention and environmental protection under legislative acts of the Union.

Or. en

Amendment 8

Proposal for a directive

Article 8 – paragraph 2 - subparagraph 1 b (new)

Text proposed by the Commission

Amendment

The Commission shall develop guidelines, in consultation with Member States, on the distribution of the costs to clean up litter covered the extended producer responsibility schemes.

Or. en

Amendment 8

Proposal for a directive

Article 8 – paragraph 2 - subparagraph 2

Text proposed by the Commission

Amendment

For single-use plastic products that are packaging, the requirements laid down in this paragraph supplement the requirements regarding extended producer responsibility schemes laid down in Directive 94/62/EEC and Directive 2008/98/EC.

For single-use plastic products that are packaging, the requirements laid down in this paragraph supplement the requirements regarding extended producer responsibility schemes laid down in Directive 94/62/EEC and Directive 2008/98/EC.

Or. en

Amendment 8

Proposal for a directive Annex I – part E

Text proposed by the Commission

Single use plastic products covered by Article 8 on extended producer responsibility

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food
- Packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation
- Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids
- Cups for beverages
- Tobacco products with filters and filters marketed for use in combination with tobacco products
- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers
- Lightweight plastic carrier bags as defined in Article 3(1c) of Directive 94/62/EC

Amendment

Single use plastic products covered by Article 8 on extended producer responsibility

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food
- Packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation
- Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids
- Cups for beverages ***including their covers and lids***
- Tobacco products with filters and filters marketed for use in combination with tobacco products
- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers
- Lightweight plastic carrier bags as defined in Article 3(1c) of Directive 94/62/EC

Amendment 8**Proposal for a directive****Recital 15***Text proposed by the Commission*

(15) With regard to single-use plastic products for which there are no readily available suitable and more sustainable alternatives, Member States should, in line with the polluter pays principle, also introduce extended producer responsibility schemes to cover the costs of waste management and clean-up of litter as well as the costs of awareness-raising measures to prevent and reduce such litter.

Amendment

(15) With regard to single-use plastic products for which there are no readily available suitable and more sustainable alternatives, Member States should, in line with the polluter pays principle, also introduce extended producer responsibility schemes to cover the **necessary** costs of waste management and clean-up of litter, as well as the costs of awareness-raising measures to prevent and reduce such litter **and to tackle consumer misbehaviour.**

These costs should not exceed the costs that are necessary to provide those services in a cost-efficient way and should be established in a transparent way between the actors concerned. Costs to clean up litter should be proportionate and should be based on clear objectives established in accordance with Article 8a(1) of Directive 2008/98/EC. These objectives should define the scope and scale of the clean-up activities covered by the extended producer responsibility scheme in line with relevant obligations concerning waste prevention and marine litter in Union law. Such activities should include for instance litter prevention and collection in streets, markets and other public spaces and during public events but shall not include operations including sea and ocean clean-up for which public authorities are not responsible.

Amendment 8

Proposal for a directive Recital 19

Text proposed by the Commission

(19) Directive 2008/98/EC lays down general minimum requirements for extended producer responsibility schemes. Those requirements should apply to extended producer responsibility schemes established by this Directive. This Directive, however, establishes additional extended producer responsibility requirements, for example, the requirement on producers of certain single-use plastic products to cover the costs of clean-up of litter.

Amendment

(19) Directive 2008/98/EC lays down general minimum requirements for extended producer responsibility schemes. Those requirements should apply to extended producer responsibility schemes established by this Directive. This Directive, however, establishes additional extended producer responsibility requirements, for example, the requirement on producers of certain single-use plastic products to cover the costs of clean-up of litter.

Or. en

Compromise Amendment 9 (Article 8 - EPR fishing gear)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 33, 422-432, 456, 457, 15, 172-178, ITRE 46, PECH 29-32, 35-36, 15-16, 22, ECON 13

Amendment 9

Proposal for a directive Article 8 – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that extended producer responsibility schemes are established for fishing gear containing plastic placed on the Union market, in accordance with the provisions on extended producer responsibility in Directive 2008/98/EC.

Amendment

3. Member States shall ensure that extended producer responsibility schemes are established for fishing gear containing plastic placed on the Union market, in accordance with the provisions on extended producer responsibility in Directive 2008/98/EC. ***Member States shall ensure on that basis that a minimum collection rate of fishing gear containing plastic is achieved annually. From 2025 the minimum collection rate shall be 50 %***

calculated on the basis of the total weight of fishing gear containing plastic collected in a given year in the Member State concerned, expressed as a percentage of the average weight of fishing gear containing plastic placed on the market in the three preceding years in that Member State.

They shall also ensure that those extended producer responsibility schemes achieve a recycling target of at least 15 % for fishing gear containing plastic by 2025. In order to achieve that target, Member States may additionally require the schemes to inter alia:

(a) modulate financial contributions in accordance with Article 8a(4) of Directive 2008/98/EC, to promote the placing on the market of fishing gear designed for reuse and recycling;

(b) establish deposit-refund schemes to encourage the return of old, derelict or unusable fishing gear;

(c) include monitoring, tracking and reporting programmes.

Or. en

Justification

This amendment backs the proposal of the Commission asking Member States to introduce extended producer responsibility (EPR) schemes for fishing gear containing plastic. In order to ensure the most effective reduction of marine litter from this multiple use product.

It is important to specify how the EPR scheme will be implemented, hence the following provisions are included:

- a separate collection target for fishing gear of 50% by 2025,*
- the establishment of deposit-refund schemes except in small unmanned ports or in remotely located ports, and*
- an acceptable recycling target of 15% for fishing gear by 2025. For example, Iceland's best practises has already achieved a recycling target for nets of 45% in 2006, estimated today at 85% of recovery for both nets and wires.*

Amendment 9

Proposal for a directive Article 8 – paragraph 4

Text proposed by the Commission

4. With regard to the schemes established pursuant to paragraph 3, Member States shall ensure that the producers of fishing gear containing plastic shall cover the costs of the collection of waste fishing gear containing plastic that has been delivered to adequate port reception facilities in accordance with Union law on port reception facilities or to other equivalent collection systems that fall outside the scope of Union law on port reception facilities and its subsequent transport and treatment. The producers shall also cover the costs of the awareness-raising measures referred to in Article 10 regarding fishing gear containing plastic.

The requirements laid down in this paragraph supplement the requirements applicable to waste from fishing vessels in Union law on port reception facilities.

Amendment

4. With regard to the schemes established pursuant to paragraph 3, Member States shall ensure that the producers of fishing gear containing plastic shall cover the costs of the collection of waste fishing gear containing plastic that has been delivered to adequate port reception facilities in accordance with Union law on port reception facilities or to other equivalent collection systems that fall outside the scope of Union law on port reception facilities and its subsequent transport and treatment. The producers shall also cover the costs of the awareness-raising measures referred to in Article 10 regarding fishing gear containing plastic.

The requirements laid down in this paragraph supplement the requirements applicable to waste from fishing vessels in Union law on port reception facilities.

Without prejudice to technical measures laid down in Council Regulation (EC) No 850/98, the Commission shall request the European standardisation organisations to develop harmonised standards relating to the circular design of fishing gear to encourage preparation for re-use and facilitate recyclability at end of life.

Or. en

Justification

Fishing gear is by definition designed to last. In this respect it is important to establish harmonised standards at the initiative of the Commission to facilitate recycling at end of life of fishing gear placed on the EU market.

Amendment 9

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) The large portion of plastic stemming from abandoned, lost and discarded fishing gear containing plastic in marine litter indicates that the existing legal requirements⁴⁶ do not provide sufficient incentives to return such fishing gear to shore for collection and treatment. The indirect fee system envisaged under Union law on port reception facilities for the delivery of waste from ships takes away the incentive for ships to discharge their waste at sea, and ensures a right of delivery. That system should, however, be supplemented by further financial incentives for fishermen to bring their fishing gear waste on shore to avoid any potential increase in the indirect waste fee to be paid. As plastic components of fishing gear have a high recycling potential, Member States should, in line with the polluter pays principle, introduce extended producer responsibility for fishing gear containing plastic to facilitate separate collection of waste fishing gear and to finance sound waste management of such fishing gear, in particular recycling.

Amendment

(16) The large portion of plastic stemming from abandoned, lost and discarded fishing gear containing plastic in marine litter indicates that the existing legal requirements⁴⁶ do not provide sufficient incentives to return such fishing gear to shore for collection and treatment. ***Under Regulation (EC) No 1224/2009, if lost fishing gear cannot be retrieved the master of the vessel must inform the competent authority of its flag Member State. In order to ensure harmonised monitoring, the data on lost fishing gear shall be collected and recorded by the Member States and forwarded annually to the Commission.*** The indirect fee system envisaged under Union law on port reception facilities for the delivery of waste from ships takes away the incentive for ships to discharge their waste at sea, and ensures a right of delivery. That system should, however, be supplemented by further financial incentives for fishermen to bring their fishing gear waste on shore to avoid any potential increase in the indirect waste fee to be paid. As plastic components of fishing gear have a high recycling potential, Member States should, in line with the polluter pays principle, introduce extended producer responsibility for fishing gear containing plastic to facilitate separate collection of waste fishing gear and to finance sound waste management of such fishing gear, in particular recycling. ***Member States should adopt the measures required to ensure that financial contributions paid by producers of fishing gear containing plastic in fulfilment of their obligations deriving from producer responsibility are adjusted, in particular to take into***

account the durability, repairability, re-usability and recyclability of such fishing gear.

⁴⁶ Council Regulation (EC) No 1224/2009, Directive 2000/59/EC and Directive 2008/98/EC.

⁴⁶ Council Regulation (EC) No 1224/2009, Directive 2000/59/EC and Directive 2008/98/EC.

Or. en

Amendment 9

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) In the framework of an extended producer responsibility for fishing gear containing plastic, Member States should monitor, assess, collect and recycle fishing gear in order to meet the quantitative targets for collection and recycling of fishing gear containing plastic laid down in this Directive.

Or. en

Amendment 9

Proposal for a directive Recital 17

Text proposed by the Commission

Amendment

(17) While all marine litter containing plastic poses risks to the environment and human health and should be tackled, proportionality considerations should also be taken into account. Therefore, the fishers themselves and artisanal makers of fishing gear containing plastic should not

(17) While all marine litter containing plastic poses risks to the environment and human health and should be tackled, proportionality considerations should also be taken into account. Therefore, the fishers themselves and artisanal makers of fishing gear containing plastic should not

be covered by the extended producer responsibility.

be covered by the extended producer responsibility.

Or. en

**Compromise Amendment 10 (Article 9, Annex, Part F - Separate collection)
EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF**

Compromise amendment replacing Amendments 275, 34, 433-455, 678-691, 275, 18, 196-203, ITRE 27-28, 66, 48-52, ECON 22-23, PECH 20, 33-34, AGRI 24, 50-52, 88

Amendment 10

Proposal for a directive

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

Member States shall take the necessary measures to collect separately, by 2025, an amount of waste single-use plastic products listed in Part F of the Annex equal to 90% of such single-use plastic products placed on the market in a given year by weight. In order to achieve that objective Member States may inter alia:

Amendment

Member States shall take the necessary measures to collect separately, by 2025, an amount of waste single-use plastic products listed in Part F of the Annex equal to 90% of such single-use plastic products placed on the market in a given year by weight **and ensure their subsequent recycling** In order to achieve that objective Member States may inter alia:

Or. en

Amendment 10

Proposal for a directive

Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) establish deposit-refund schemes,
or

Amendment

(a) establish deposit-refund schemes,
or

Or. en

Amendment 10

Proposal for a directive

Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) establish separate collection targets for relevant extended producer responsibility schemes.

Amendment

(b) establish separate collection targets for relevant extended producer responsibility schemes.

Or. en

Amendment 10

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 1a (new)

Text proposed by the Commission

Amendment

The first subparagraph shall apply without prejudice to Article 10(3)(a) of the [Waste Framework Directive]

Or. en

Amendment 10

Proposal for a directive

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall develop guidelines, in consultation with Member States, on the functioning of deposit-refund schemes.

Or. en

Amendment 10

Proposal for a directive Article 3 – paragraph 1 – point 11 a (new)

Text proposed by the Commission

Amendment

(11a) ‘separate collection’ means separate collection as defined in Article 3(11) of Directive 2008/98/EC;

Or. en

Amendment 10

Proposal for a directive Annex I – part F – indent 1

Text proposed by the Commission

Amendment

— Beverage bottles

— Beverage bottles, **including their caps and lids**

Or. en

Amendment 10

Proposal for a directive Recital 20

Text proposed by the Commission

Amendment

(20) Beverage bottles that are single-use plastic products are one of the most found marine litter items on the beaches in the Union. This is due to ineffective separate collection systems and low participation in those systems by the consumers. It is necessary to promote more efficient separate collection systems and therefore, a minimum separate collection target should be established for beverage bottles that are single-use plastic products. Member States

(20) Beverage bottles (**with caps and lids**) that are single-use plastic products are one of the most found marine litter items on the beaches in the Union. This is due to ineffective separate collection systems and low participation in those systems by the consumers. It is necessary to promote more efficient separate collection systems **and to increase the production from recycled content** and therefore, a minimum separate collection target should be established for

should be able to achieve that minimum target by setting separate collection targets for beverage bottles that are single-use plastic products in the framework of the extended producer responsibility schemes or by establishing deposit refund schemes or *by* any other measure that they find appropriate. ***This*** will have a direct, positive impact on the collection rate, the quality of the collected material and the quality of the recyclates, offering opportunities for the recycling business and the market for the recyclate.

beverage bottles that are single-use plastic products. Member States should be able to achieve that minimum target by setting separate collection targets for beverage bottles that are single-use plastic products in the framework of the extended producer responsibility schemes or by establishing deposit refund schemes or any other measure that they find appropriate. ***This minimum collection target should be accompanied by a requirement for specific recycled content for plastic bottles, in order to ensure that the increase in plastic collected is reused or recycled and thus reintroduced into the circular economy. These measures*** will have a direct, positive impact on the collection ***and recycling*** rate, the quality of the collected material and the quality of the recyclates, offering ***new*** opportunities for the recycling business and the market for the recyclate. ***When implementing the measures to achieve the minimum separate collection target, Member States should ensure that the sound operation of existing extended producer responsibility systems is maintained. The Commission should lay down guidelines for the functioning of deposit-refund schemes for those Member States that choose to establish such schemes.***

Or. en

Amendment 10

Proposal for a directive Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Directive 2008/98/EC defines ‘separate collection’ as the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment. Directive (EU)

2018/851 amending Directive 2008/98/EC notes that separate collection could be achieved through door-to-door collection, bring and reception systems or other collection arrangements. Article 10(3)(a) of Directive 2008/98/EC allows for a derogation whereby it should be possible to collect certain types of waste together provided that this does not impede high-quality recycling or other recovery of waste, in line with the waste hierarchy, and results in output from those operations which is of comparable quality to that achieved through separate collection. This derogation should be available also in the implementation of this Directive.

Or. en

Compromise Amendment 11 (Article 10 - Awareness raising measures)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 458-474, 45, 692-717, 181-188, ITRE 53-54, PECH 17, 37-40, ECON 14, 24, AGRI 53-57, 89-90

Amendment 11

Proposal for a directive Article 10

Text proposed by the Commission

Awareness raising measures

1. Member States shall take measures to inform consumers of the single-use plastic products listed in Part G of the Annex and fishing gear containing plastic about the following:
 - (a) the **available** re-use systems and waste management options for those products and fishing gear containing plastic as well as best practices in sound waste management carried out in accordance with Article 13 of Directive 2008/98/EC;

Amendment

Awareness raising measures

1. Member States shall take measures to inform **as well as incentivise responsible behaviour from** consumers of the single-use plastic products listed in Part G of the Annex and fishing gear containing plastic about the following:
 - (a) the **availability of reusable alternatives** , re-use systems and waste management options for those products and fishing gear containing plastic as well as best practices in sound waste management carried out in accordance with Article 13 of

(b) the impact of littering and other inappropriate waste disposal of those products and fishing gear containing plastic on the environment, and in particular on the marine environment.

Directive 2008/98/EC

(b) the impact of littering and other inappropriate waste disposal of those products and fishing gear containing plastic on the environment, and in particular on the marine environment;

(ba) the impact on the sewer network of inappropriate waste disposal of those products.

Or. en

Amendment 11

Proposal for a directive Annex I – part G

Text proposed by the Commission

Single use plastic products covered by Article 10 on awareness raising

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food
- Packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation
- Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids
- Cups for beverages
- Tobacco products with filters and filters marketed for use in combination with tobacco products

Amendment

Single use plastic products covered by Article 10 on awareness raising

- Food containers, i.e. receptacles such as boxes, with or without a cover, used to contain food that is intended for immediate consumption from the receptacle either on-the-spot or take-away without any further preparation, such as food containers used for fast food, except beverage containers, plates and packets and wrappers containing food
- Packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation
- Beverage containers, i.e. receptacles used to contain liquid such as beverage bottles including their caps and lids
- Cups for beverages
- Tobacco products with filters and filters marketed for use in combination with tobacco products

- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers
- Lightweight plastic carrier bags as defined in Article 3(1c) of Directive 94/62/EC
- Sanitary towels (pads) and tampons and tampon applicators

- Wet wipes, i.e. pre-wetted personal care, domestic and industrial wipes
- Balloons, except balloons for industrial or other professional uses and applications, that are not distributed to consumers
- Lightweight plastic carrier bags as defined in Article 3(1c) of Directive 94/62/EC
- Sanitary towels (pads) and tampons and tampon applicators

Or. en

Amendment 11

Proposal for a directive Recital 18

Text proposed by the Commission

(18) In order to prevent littering and other inappropriate forms of disposal resulting in marine litter containing plastic, consumers need to be properly informed about the most appropriate waste disposal options available and/or waste disposal options to be avoided, best practices with regard to waste disposal and the environmental impact of bad disposal practices as well as about the plastic content in certain single-use plastic products and fishing gear. Therefore, Member States should be required to take awareness raising measures ensuring that such information is given to the consumers. The information should not contain any promotional content encouraging the use of the single-use plastic products. Member States should be able to choose the measures which are most appropriate based on the nature of the product or its use. Producers of single-use plastic products and fishing gear containing plastic should cover the costs of the awareness raising

Amendment

(18) In order to prevent littering and other inappropriate forms of disposal resulting in marine litter containing plastic, consumers need to be properly informed about the most appropriate waste disposal options available and/or waste disposal options to be avoided, best practices with regard to waste disposal and the environmental impact of bad disposal practices as well as about the plastic content in certain single-use plastic products and fishing gear, ***in order to incentivise responsible consumer behaviour in the correct disposal of waste.*** Therefore, Member States should be required to take awareness raising measures ensuring that such information is given to the consumers. ***This information should include the impact of inappropriate waste disposal on the sewer network.*** The information should not contain any promotional content encouraging the use of the single-use plastic products. Member States should be

measures as part of their extended producer responsibility obligation.

able to choose the measures which are most appropriate based on the nature of the product or its use. ***The fight against litter is a shared effort between competent authorities, producers and consumers.*** Producers of single-use plastic products and fishing gear containing plastic should cover the costs of the awareness raising measures as part of their extended producer responsibility obligation. ***Producers should be encouraged to use their marketing power to promote and drive sustainable and circular consumption and use of products.***

Or. en

Compromise Amendment 12 (Article 13 - Information on monitoring of implementation)

EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF

Compromise amendment replacing Amendments 36-38, 481-489, 213-216, PECH 41-44, AGRI 59-62

Amendment 12

Proposal for a directive

Article 13

Text proposed by the Commission

Information on monitoring of implementation

1. Without prejudice to Directive 2003/4/EC of the European Parliament and of the Council⁵² and Directive 2007/2/EC of the European Parliament and of the Council⁵³, Member States, assisted by the European Environment Agency, shall set up a data set containing:

- (a) the data on single-use plastic products listed in Part A of the Annex that have been placed on the Union market each year, to demonstrate the consumption reduction in accordance with Article 4(1);

Amendment

Information on monitoring of implementation

1. Without prejudice to Directive 2003/4/EC of the European Parliament and of the Council⁵² and Directive 2007/2/EC of the European Parliament and of the Council⁵³, Member States, assisted by the European Environment Agency, shall set up a data set containing:

- a) the data on single-use plastic products listed in Part A of the Annex that have been placed on the Union market each year, to demonstrate the consumption reduction in accordance with Article 4(1);

(b) information on the measures taken by Member States for the purposes of Article 4(1).

The data referred to in point (a) of the first subparagraph shall be updated annually within 12 months from the end of the reference year for which it is collected. Where possible, spatial data services as defined in Article 3(4) of Directive 2007/2/EC shall be used to present those data sets.

2. Member States shall ensure that the Commission and the European Environment Agency have access to the data sets established in accordance with paragraph 1.

3. The European Environment Agency shall publish and update a Union-wide overview on the basis of the data collected by the Member States, on a regular basis. The Union-wide overview shall include, as appropriate, indicators for outputs, results and impacts of this Directive, Union-wide overview maps and Member State overview reports.

(aa) the data on the placing on the market and separate collection of products listed in Part F of the Annex, to demonstrate the progress towards the achievement of the target set out in Article 9;

(ab) the data on single-use plastic products listed in Part G of the Annex that are placed on the Union market each year in order to monitor their consumption in the Union;

(ac) data on fishing gear containing plastic placed on the market and on waste fishing gear collected and treated;

(b) information on the *plans and* measures taken by Member States for the purposes of Article 4(1);

(ba) data on marine litter, in particular that originating in products covered by this Directive in order to monitor the effects of the measures taken;

The data referred to in point (a) of the first subparagraph shall be **reported by... [12 months after the entry into force of this Directive]** and shall be updated annually within 12 months from the end of the reference year for which it is collected. Where possible, spatial data services as defined in Article 3(4) of Directive 2007/2/EC shall be used to present those data sets.

2. Member States shall ensure that the Commission and the European Environment Agency have access to the data sets established in accordance with paragraph 1.

3. The European Environment Agency shall publish and update a Union-wide overview on the basis of the data collected by the Member States, on a regular basis. The Union-wide overview shall include, as appropriate, indicators for outputs, results and impacts of this Directive, Union-wide overview maps and Member State overview reports.

4. The Commission **may** adopt implementing acts laying down the format for the data set, information and data referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

⁵² Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁵³ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

4. The Commission **shall** adopt implementing acts laying down the format for the data set, information and data referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

⁵² Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁵³ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

Or. en

Justification

It is important that the data reported is as complete as possible to enable the evaluation of the measures and their effectiveness.

Amendment 12

Proposal for a directive

Article 17 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By way of derogation from the first subparagraph of this paragraph, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the reporting obligations contained in point (a) of Article 13(1) of this Directive by ... [12 months after the date of entry into force of this Directive].

Amendment 12**Proposal for a directive****Recital 24***Text proposed by the Commission*

(24) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission in respect of the methodology for the calculation of the annual consumption of the single-use plastic products for which consumption reduction objectives have been set, the specifications for the marking to be affixed on certain single-use plastic products and the format of the information to be provided by Member States and compiled by the European Environment Agency on the implementation of this Directive. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁴⁹.

⁴⁹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment

(24) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission in respect of the methodology for the calculation of the annual consumption of the single-use plastic products for which consumption reduction objectives have been set; the specifications for the marking to be affixed on certain single-use plastic products and the format of the information to be provided by Member States and compiled by the European Environment Agency on the implementation of this Directive. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁴⁹.

⁴⁹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Compromise Amendment 13 (Article 15 - Evaluation and review)**EPP, S&D, ECR, ALDE, Greens, GUE, EFDD, ENF**

Compromise amendment replacing Amendments 39-40, 491-520, 205-212, AGRI 26, 28, 63-64, ITRE 29, 57-58, ECON 15, 27-29, PECH 21, 45-47

Amendment 13

Proposal for a directive

Article 15

Text proposed by the Commission

Evaluation and review

1. The Commission shall carry out an evaluation of this Directive by ... [6 years after the end-date for transposition of this Directive]. The evaluation shall be based on the information available in accordance with Article 13. Member States shall provide the Commission with any additional information necessary for the purposes of the evaluation and the preparation of the report referred to in paragraph 2.

2. The Commission shall submit a report on the main findings of the evaluation carried out in accordance with paragraph 1 to the European Parliament, the Council and the European Economic and Social Committee.

3. That report shall ***also indicate whether:***

(a) the Annex listing single-use plastic products ***needs to be reviewed;***

(b) ***it is feasible to establish*** binding quantitative Union targets for the consumption reduction of, in particular, single-use plastic products listed in Part A of the Annex;

Amendment

Evaluation and review

1. The Commission shall carry out an evaluation of this Directive by ... [5 years after the end-date for transposition of this Directive]. The evaluation shall be based on the information available in accordance with Article 13. Member States shall provide the Commission with any additional information necessary for the purposes of the evaluation and the preparation of the report referred to in paragraph 2.

2. The Commission shall submit a report on the main findings of the evaluation carried out in accordance with paragraph 1 to the European Parliament, the Council and the European Economic and Social Committee. ***The report shall be accompanied by a legislative proposal, if appropriate. That proposal shall if appropriate set Union binding quantitative consumption reduction targets for the products listed in Part A of the Annex.***

3. That report shall ***include:***

(a) ***an assessment of the need to review*** the Annex listing single-use plastic products;

(b) ***a study of the feasibility of establishing*** binding quantitative Union targets for the consumption reduction of, in particular, single-use plastic products listed in Part A of the Annex; ***in this regard the report shall assess the setting of targets expressed in absolute numbers taking into account consumption levels and already achieved reductions in Member States;***

(ba) an assessment of the change in materials used in , and innovation in new delivery systems for reusable alternatives of, the products covered by this Directive; this shall include an overall environmental life cycle analysis of these materials and the resulting alternatives;

deleted

(c) sufficient scientific and technical progress has been made, and criteria or a standard for biodegradability in the marine environment applicable to single-use plastic products within the scope of this directive and their single-use substitutes have been developed, in order to determine which products no longer need to be subject to the restrictions on placing on the market, where appropriate.

Or. en

Amendment 13

Proposal for a directive

Recital 22

Text proposed by the Commission

(22) Pursuant to paragraph 22 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016⁴⁸, the Commission should carry out an evaluation of this Directive. That evaluation should be based on experience gathered and data collected during the implementation of this Directive and data collected under Directive 2008/56/EC or Directive 2008/98/EC. The evaluation should provide the basis for an assessment of possible further measures and an assessment whether, in view of monitoring of marine litter in the Union, the Annex listing single-use plastic products needs to be reviewed. ***The evaluation should also consider whether scientific and technical***

Amendment

(22) Pursuant to paragraph 22 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016⁴⁸, the Commission should carry out an evaluation of this Directive. That evaluation should be based on experience gathered and data collected during the implementation of this Directive and data collected under Directive 2008/56/EC or Directive 2008/98/EC. The evaluation should provide the basis for an assessment of possible further measures, ***including the setting of Union-wide reduction targets for 2030 and beyond***, and an assessment whether, in view of monitoring of marine litter in the Union, the Annex listing single-use plastic products needs to be

progress that has taken place in the meantime, including the development of biodegradable materials and the development of criteria or a standard for biodegradability of plastics in the marine environment, as foreseen in the European Plastics Strategy, allows the setting of a standard for biodegradation of certain single-use plastic products in the marine environment. That standard would include a standard to test if, as a result of physical and biological decomposition in the marine environment, plastics would fully decompose into carbon dioxide (CO₂), biomass and water within a timescale short enough for the plastics not to be harmful for marine life and not lead to an accumulation of plastics in the environment. If that is the case, single-use plastic products that meet such a standard could be exempted from the prohibition on placing on the market. While the European Strategy for Plastics already envisages action in this area, it also recognises the challenges in relation to determining a regulatory framework for plastics with biodegradable properties due to different marine conditions across seas.

reviewed.

⁴⁸. OJ L 123, 12.5.2016, p. 1.

⁴⁸. OJ L 123, 12.5.2016, p. 1.

Or. en

Compromise Amendment 14

EPP, S&D, ALDE, ENF

Compromise amendment replacing Amendments 269-270, 567, 568, AGRI 69, 573-574, AGRI 70

Amendment 14

Proposal for a directive

Annex I - Part B - indents 2 and 3

Text proposed by the Commission

Amendment

B Single-use plastic products covered by Article 5 on the restriction on placing on the market

B Single-use plastic products covered by Article 5 on the restriction on placing on the market

— Cutlery (*forks, knives, spoons, chopsticks*) *except, until 2023, cutlery supplied to educational establishments or health care institutions under public supply contracts as defined in point 8 of Article 2 of Directive 2014/24/EU that were awarded before 31 December 2018.*

— Plates, *except, until 2023, plates supplied to educational establishments or health care institutions under public supply contracts as defined in point 8 of Article 2 of Directive 2014/24/EU that were awarded before 31 December 2018.*

^{1a} *‘public supply contracts’ means public contracts having as their object the purchase, lease, rental or hire-purchase, with or without an option to buy, of products. A public supply contract may include, as an incidental matter, siting and installation operations.*

Amendment 14

Proposal for a directive Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) (new) For plastic plates and cutlery, even if suitable and if more sustainable alternatives are also readily available, where duly justified and in order to avoid any risks in the continuity of the provision of certain social services, such as catering in educational establishments and health-care services, it is appropriate to come with a limited time extension for the implementation of prohibiting their placing on the Union market.

With the goal to achieve a compromise, the rapporteur maintains of course the scope of the directive as it stands, in particular on the list of products subject to a ban, but she provides for a two-year period of phasing out for plastic plates and cutlery, until 2023. This is done in accordance with the provisions of Directive 2014/24/EU on public procurement and in order to ensure continuity of the provision of certain social services, such as catering in educational establishments and health-care services.