



## EUROPEAN COMMISSION

Office of the First Vice-President Mr Frans Timmermans

Head of Cabinet

Brussels, 13 SEP. 2018  
Ares (2018) 3821345

Dear [REDACTED],

I would like to thank you for your email dated 17 of July 2018 and the attached position paper of Confindustria.

We welcome the support of Confindustria for our objective of reducing marine litter. Marine litter, 84% of which is plastic, is the focus of substantial public, media and political concern and does not transmit a positive image of plastics and plastic products.

However, in your email you also express concerns about certain elements of the proposal for a Directive on the reduction of the impact of certain plastic products on the environment.

In developing this proposal, it was essential for the European Commission to ensure policy coherence between this proposal and the objectives of legislation in other areas such as waste, food hygiene, public health and consumer safety. For this reason, particular care was taken to ensure that there is coherence with the results of the review of the European Union waste legislation. This revision has considerably raised the bar for Member States, who are obliged to implement waste reduction plans and address marine litter directly. However, the prevention objectives are very broad and the efforts that Member States should make to improve their recycling performance could be achieved without specific efforts regarding marine plastic litter. The proposal therefore complements the revised waste legislation by identifying the most problematic plastic items that EU and national measures should address, giving existing broad objectives more focus and ambition and prescribing specific measures that will deliver impact on the ground.

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[REDACTED]

Delegazione di Confindustria presso l'Unione europea

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In order to identify the 10 most found items on beaches, the Impact Assessment that supports the proposal for a Directive used data from several sources including the Convention for the Protection of the Marine Environment of the North-East Atlantic ("the OSPAR Convention"), but also data from three other regional seas in Europe. The Commission used a very wide scope based on the information about marine litter items found on European Beaches (monitoring programmes, clean-up campaigns and research projects) processed by the Joint Research Centre, in cooperation with the Technical Group on Marine Litter, established under the EU Marine Strategy Framework Directive (MSFD). Data on these items were collected from 276 beaches in 17 EU Member States and 4 Regional Seas during the year 2016. A total of 355,671 items observed during 679 surveys are ranked by abundance, mainly according to the MSFD Master List Categories of Beach Litter Items.

For the purpose of the Impact Assessment, items that are similar in their utilisation have been put in the same category. This was the case for cutlery, straws and stirrers and for balloons and balloon sticks. Based on the data collected, the Impact Assessment indicates that cutlery, straws and stirrers and balloons and balloons sticks are among the 10 most found items on beaches. They therefore have to be considered as a major contributor to marine litter.

You can find more information in the Impact Assessment Annex III or Addamo A.M., Laroche P., "Hanke G. Top Marine Beach Litter Items in Europe: a review and synthesis".

Concerning the question on tethered caps mentioned in your position paper, caps and lids are one of the most found items littered on Union beaches. Article 6(3) foresees that a harmonised standard will be developed. The information that we received from the recyclers is that caps and bottles collected together will not hamper the recycling process.

Proportionality is important with regard to sharing the burden of litter cleaning. So far, this burden has fallen mostly upon public authorities. This proposal seeks to apply the polluter-pay's principle. In the framework of the current negotiations, we stand ready to clarify these legal responsibilities.

The Commission's proposal, based on the Impact Assessment, introduces measures that are considered as most appropriate in each case to bring about substantial change. These include measures aiming to improve consumer information such as labelling and awareness raising. However, as demonstrated in the Impact Assessment, these latter measures are not effective or adequate solutions in all cases. The circular economy logic dictates that we must address not only the waste phase of plastic products, but also the design, production and use of products. The scale of the marine litter problem is so big that we need to go beyond voluntary action or awareness raising.

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A life cycle assessment of the actions and alternatives foreseen in the proposal was made and showed clear environmental, social and economic benefits from this proposal.

I hope that these clarifications have been helpful. We stand ready to continue our constructive dialogue with Confindustria on this proposal.

Yours sincerely,



Bert SMULDERS