



Council of the
European Union

Brussels, 3 December 2014
(OR. en)

16263/14

ENV 950
MI 964
IND 366
CONSOM 267
MARE 15

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Elimination of micro-plastics in products - an urgent need
- Information from the Belgian, Dutch, Austrian and Swedish
delegations, supported by the Luxembourg delegation

Delegations will find attached an information note from the Belgian, Dutch, Austrian and Swedish delegations on the above subject, which will be discussed under "Any other business" at the Environment Council meeting on 17 December 2014.

Elimination of micro-plastics in products – an urgent need

- Information from the Belgian, Dutch, Austrian and Swedish delegations -

Background

Micro-plastics pollution in the environment and in particular in our waters is an issue of increasing concern. When referring to micro-plastics, we are using a collective term that covers various particles of plastic with a diameter below 5 mm.

As stated in the European Commission's 2013 Green Paper on a "European Strategy on Plastic Waste in the Environment"¹, concentration of micro-plastics in waters can reach levels higher than that of plankton, even in remote areas. The Green Paper also states that "these micro-plastics and the chemical additives they contain, if ingested in large quantities by marine fauna may have a high potential for contaminating the food chain through predator-prey interaction". And: "The increasing use of virgin micro-plastics is also a matter of concern. In some consumer products, such as scrub creams and shower gels, producers add micro-plastic instead of natural scrubbing particles. Those particles may end up in the seas as water management systems are not equipped to hold this material back".

There are several potential sources of micro-plastics:

- micro-plastic is intentionally added to products, in particular to cosmetics and detergents, and thus can reach the environment through wastewater. Producers add micro-plastic to use their film forming, viscosity controlling and abrasive characteristics.
- Furthermore the shedding of synthetic fibres from textiles through domestic washing may contribute to the micro-plastics load in the environment.
- Micro-plastics may also be generated in the environment as a consequence of the break-down of larger plastic materials.

¹ COM (2013) 123 final

Sustainable product design and pollution prevention at the source are key approaches for tackling the challenge of micro-plastics. The 7th Environment Action Programme of the EU (7th EAP)² provides for improving the environmental performance of products throughout their life cycle. The programme also aims to strengthen the EU's resource-efficient, green and competitive economy. Innovative products with good environment performance will help the EU to attain the above-mentioned goals.

For the time being we do not have a clear picture of the proportion of micro-plastics from different sources and product types or of the levels entering the environment via sewage treatment plants and their predominant effects. However, although there is still a degree of scientific uncertainty, what we already know is sufficient to take action:

After a global producer announced in December 2012 that all of his products worldwide would be plastic free by 2015, other multinationals started following suit. At the meeting of the Council (Environment) on 18 June 2013, the Netherlands invited EU Member States and the European Commission to start a discussion on the occurrence of micro-plastics in water systems and to propose a way forward on this issue. Since industry was already starting to take its share of responsibility, the Netherlands suggested considering a European ban on micro-plastics in cosmetics as a possible measure.

Today, two years later, according to information from manufacturers, importers and retailers the situation is mixed³: some products on the market are already micro-plastic free, whilst a switch to micro-plastic-free alternatives is being considered for some others and the situation is unclear for a third category.

For the time being the Commission is relying on voluntary commitments by producers. In addition, cosmetic products containing micro-plastic will no longer be able to comply with the new EU eco-label criteria for rinse-off cosmetics. The criteria are expected to be adopted by the end of 2014.

² DECISION No 1386/2013/EU

³ <http://www.beatthemicrobead.org/en/industry> (15.11.2014); <http://oe3.orf.at/stories/2651102/> (15.11.2014)

Urgent need for action

The above-mentioned initiatives are good first steps, but are they sufficient? Although it is evident that alternatives to micro-plastics in cosmetics and detergents are available, hundreds of tons of micro-plastics are still being released onto the EU market each year (for instance in Germany there are around 500 tons of polyethylene in cosmetic products⁴). The measures taken so far have not created a level playing field for industry in the EU and there is a risk that innovative products not containing micro-plastics will have a disadvantage on the market. In the light of the above, the elimination of micro-plastics in products and in particular in cosmetics and detergents is of utmost priority. As a result, the following issues need to be addressed by the European Commission and Member States as soon as possible:

- Scientific gaps must be addressed and matched with the information available from different sources.
- In this respect the potential contribution and roles of the European Environment Agency and the European Chemicals Agency should be assessed and defined.
- A ban on micro-plastics in cosmetics and detergents needs to be launched in order to strengthen the Union's role as a frontrunner for innovative products and Green Growth whilst providing a level playing field for industry.

⁴ <http://dipbt.bundestag.de/dip21/btd/18/029/1802985.pdf> (15.11.2014)