

The microplastic ball is in your court

NGOs call upon EU decision-makers to severely restrict the intentional use of microplastics

Between

**75,000 and
300,000 tonnes**

of microplastics are released into the environment each year in the EU,¹ where they persist and accumulate.²

Several countries have banned products containing microplastics, such as microbeads in cosmetics, and hundreds of companies have found alternatives to become microplastic-free.³ An EU-wide action putting an end to this rising pollution is needed now.

In line with the

**EU Plastics
Strategy (2018),**

the European Chemicals Agency (ECHA) was asked to make a **proposal for restricting the use of intentionally-added microplastics** under the Regulation on the Registration, Evaluation and Authorisation of Chemicals (REACH).

This proposal is **now in the hands of the European Commission and the Member States.**

EU decision-makers now have the opportunity to adopt an effective restriction of microplastics.

Our KEY recommendations to EU decision-makers to adopt an effective restriction without unjustified delays and derogations:

- **Acknowledge ECHA’s scientific findings** regarding the disastrous impact of microplastics on the environment and possibly health, which justifies immediate action to prevent further release.
- **But address the key weaknesses of the current proposal that endanger the achievement of its goal**, which requires to:
 - **Include lower-sized nanoplastics, “biodegradable”, carbon-free and soluble polymers** in the scope of the restriction to avoid nonsensical substitution and continuous pollution;
 - **Refuse the proposed derogations that undermine the restriction’s objective or lack sound justification**, e.g. for granular infill in sport pitches;
 - **Strengthen the proposed reporting requirements and the instructions for use and disposal**, in particular for pellets;
 - **Reject unjustified delays**, notably the transitional periods granted for microplastics in cosmetics, detergents and maintenance products as well as agricultural uses, which would allow a major source of pollution to continue while alternatives exist or the use of microplastics is not crucial to fulfil the product’s function.

The entry into force of the restriction is estimated to reduce microplastic emissions to the environment by 39,390 tonnes,⁴ yet only after 2030. The timeline below shows the delays in implementing the ban that would result from the proposed transition periods. Most of these periods are unjustified and risk jeopardising the overall effectiveness of the restriction.

Implementation delays if the proposed transition periods were approved:



If the European Commission and States follow these recommendations, the restriction will:

- **Protect the environment and human health** from hazardous chemicals, in line with the European Green Deal and the EU Chemicals Strategy for Sustainability;
- **Reduce plastic emissions into the environment**, including the Ocean and water bodies, in line with the Plastics Strategy;
- **Boost innovation** in the right direction and support frontrunner companies⁵ in producing and marketing microplastic-free alternatives;
- **Support local authorities and companies** responsible for cleaning up the environment from microplastics, in particular water;⁶
- **Enhance European citizens’ trust in the EU** and its ability to fulfill its commitments;
- **Pave the way for further regulatory action on microplastics**, starting with secondary sources of microplastics which are not included in this restriction.

1. European Commission’s Communication on a European Strategy for Plastics in a Circular Economy, 2018. <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1516265440535&uri=COM:2018:28:FIN>

2. The Guardian, “More than 14m tonnes of plastic believed to be at the bottom of the ocean,” 5 October 2020. See at: <https://www.theguardian.com/environment/2020/oct/06/more-than-14m-tonnes-of-plastic-believed-to-be-at-the-bottom-of-the-ocean>

3. See examples at: <https://www.beatthemicrobead.org/zero-products/>

4. EEB, Analysis: EU microplastics ban: How industry pressure led European Chemicals Agency to dilute its proposals, September 2020, accessible at: <https://eeb.org/library/eu-microplastics-ban-how-industry-pressure-led-european-chemicals-agency-to-dilute-its-proposals/>

5. See for example Beauty Kitchen, a UK based company whose representative supported NGOs during the SEAC discussions.

6. Evidence of microplastics’ impacts on wastewater treatment plants was submitted during the public consultation: see RCOM 2, comment #2189, and RCOM4 comment #2388, RCOM 7 #2704, and RCOM #2080.

RETHINK PLASTIC

Rethink Plastic, part of the Break Free From Plastic movement, is an alliance of leading European NGOs working towards ambitious EU policies on plastics. It brings together the Center for International Environmental Law (CIEL), ClientEarth, Environmental Investigation Agency (EIA), European Environmental Bureau (EEB), European Environmental Citizen's Organisation for Standardisation (ECOS), Greenpeace, Seas At Risk, Surfrider Foundation Europe, and Zero Waste Europe. Together they represent thousands of active groups, supporters and citizens in every EU Member State working towards a future free from plastic pollution.

#breakfreefromplastic

#breakfreefromplastic is a global movement envisioning a future free from plastic pollution made up of 1,400 organisations from across the world demanding massive reductions in single-use plastic and pushing for lasting solutions to the plastic pollution crisis.

Authors:

Elise Vitali
European Environmental Bureau

Hélène Duguay
ClientEarth

Design: www.blushcreate.com

Published March 2021