

Polymer  
Comply  
Europe

# Microplastics: Regulatory Context and ECHA Approach

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Food Contact Plastics Seminar  
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# Content



- 
- Polymer Comply Europe
  - European Commission Request to ECHA
  - ECHA's Current Activities – Call for Evidence
  - Expected Timeline

# PCE's 3 Core activities



- **PCE Regulatory Compliance**
  - Legislation, advice,...
  - Customers are mainly companies or group of companies
- **PCE Association management**
  - Sector association management , advocacy & communication
  - Customers are mainly associations/ sector groups
- **PCE Projects and Studies**
  - Projects, studies, market research,...
  - Customers are mainly associations, Institutions or companies

# Regulatory Compliance



- We offers expert insure your company efficiently complies with EU Regulations.
- Our team support you to grab strategic advantages.
- Services:
  - REACH & CLP compliance:
    - Pre-audit,
    - authorisation management,
    - SDS for recyclers,
    - Legal advice...
  - REACH Trainings;
  - Food contact compliance;

**NOTE FOR THE ATTENTION OF  
MR G. DANCET, EXECUTIVE DIRECTOR, ECHA**

**Subject: Request to the European Chemicals Agency to prepare a restriction proposal conforming to the requirements of Annex XV to REACH**

# **EUROPEAN COMMISSION REQUEST TO ECHA**

# EC's Request



“In accordance with Article 69 (1) of the REACH Regulation, we would like to request ECHA to prepare an Annex XV dossier in view of a possible restriction of **synthetic water-insoluble polymers of 5mm or less in any dimension (i.e., microplastic particles)**.

Recent scientific studies present some evidence that microplastic particles, intentionally added to or used in certain products (**including personal care products, paints, detergents, other consumer products and some products for professional use**) may pose a threat to the aquatic environment.

Microplastic particles, **mostly generated unintentionally or originating from pellet loss**, have been found in some aquatic environments and are a possible vector for persistent organic pollutants (POPs) entering the food chain via the ingestion of the microplastic particles to which they attach.”

[https://echa.europa.eu/documents/10162/13641/microplastics\\_cion\\_reast\\_axvdossier\\_en.pdf/5c8be037-3f81-266a-d71b-1a67ec01cbf9](https://echa.europa.eu/documents/10162/13641/microplastics_cion_reast_axvdossier_en.pdf/5c8be037-3f81-266a-d71b-1a67ec01cbf9)

# EC's Request



*The Commission finalized **a study**<sup>1</sup>, including a **RMOA**, on microplastic particles intentionally added to products, which includes an assessment of the risks to aquatic organisms, and is currently conducting as well a parallel study on microplastic particles generated during the life cycle of products.*

<sup>1</sup> [Intentionally added microplastics in products](#)

# Current calls for comments and evidence

## Substance Details

Name
microplastics

# ECHA'S CALL FOR EVIDENCE



# Introduction



- EC has requested an Annex XV dossier of ECHA for a restriction.
- ECHA has 12 months to prepare dossier
- It launched a call for evidence on 1 March 2018 lasting until 11 May 2018
- ECHA requests information on *the use of **intentionally added** microplastic particles in products **of any kind***

<https://echa.europa.eu/calls-for-comments-and-evidence/-/substance-rev/19224/term>

# Contentious points: Working Definition



- ECHA's Provisional Working Definition of "microplastic particles":

*Any polymer-containing solid or semi-solid particle having a size of 5mm or less **in at least one external dimension***

- Pellets, would fall under the working definition (So would plates and sheets for that matter)

# Contentious points: Working Definition



- The background document\* to the restriction however does focus extensively on **intentionally added microplastic particles**
- In a personal communication with ECHA Peter Simpson clarified that:

*Please note that we are only focusing on intentional uses that lead to release to the environment. Accidental releases (e.g. of nurdles [= pellets]) are outside of the scope of our investigation.*

\* <https://echa.europa.eu/documents/10162/d7237d21-0e0f-b32d-0fe7-5db3a4507d90>

# What is in scope?



- In a Webinar\* ECHA stated:
- We will investigate a restriction on 'intentional uses' of microplastic particles
  - Microplastic particles 'intentionally added' as ingredients to a product
  - Products that are designed with the knowledge that microplastic particles are 'intentionally released' during their life-cycle
- Complementary scope to the Commission's study on microplastics created during the lifecycle of a product through wear and tear, or emitted through accidental spills - <http://www.eumicroplastics.com>

# What has been Identified?



- ECHA has identified a number of (potential) intentional uses of microplastics
- Main focus of public eye is on Personal Care Products

Use	Estimated tonnages
Cosmetics / PCPs	
- 'Rinse off'	714 – 793 tonnes/yr & ↘
- 'Leave on'	540 – 1 120 tonnes/yr
- Super-absorbents (nappies)	
Paints & coatings	>220 tonnes
Detergents & cleaning products	190 – 200 tonnes
Industrial abrasives	
- Sandblasting	1 000 – 5 000 (burned?)
Oil & gas	
- in drilling fluids	Use in offshore exploration can be substantial
Agriculture	
- Nutrient prills	Up to 8 000 tonnes of polymers – no info on share of microplastics
- Controlled release coatings	
- Soil additives...	

# What does ECHA want?



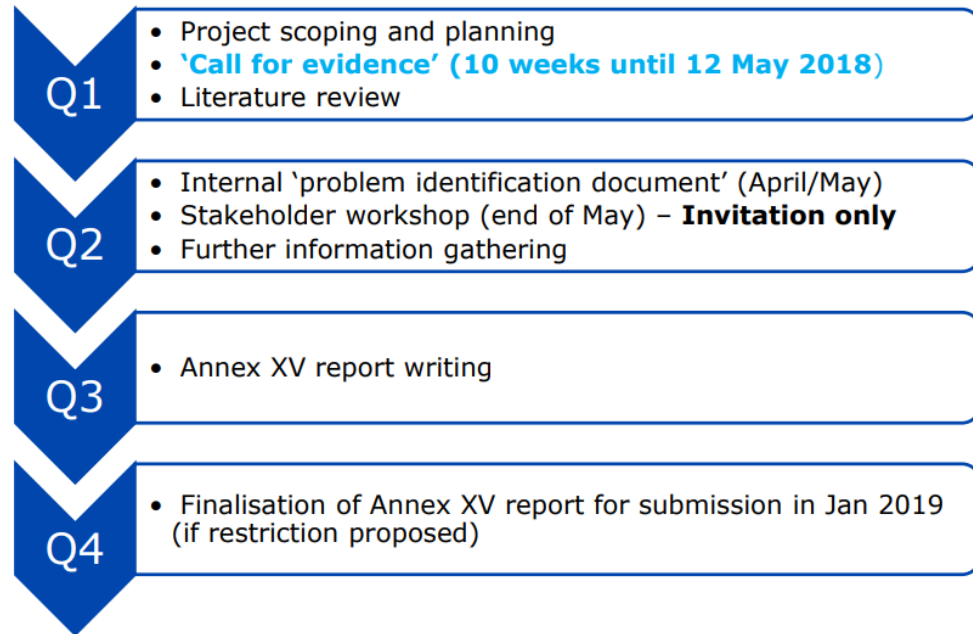
- Scope
  - Appropriate definition of microplastic particles
  - Identifying and understanding the uses and sectors affected
- Risk assessment
  - Releases (particularly for some types of use e.g. paints)
  - Nature of the hazard / risk
- Analysis of alternatives (some uses)
  - Function of microplastic particles in products
  - Technical and economic feasibility of alternatives
- Socio-economic analysis
  - Costs – costs for affected industry / society
  - Benefits - valuation of environmental benefits

# EXPECTED TIMELINE

# Expected Timeline: Call for Evidence



- ECHA expects to finalize the restriction proposal by Jan 2019

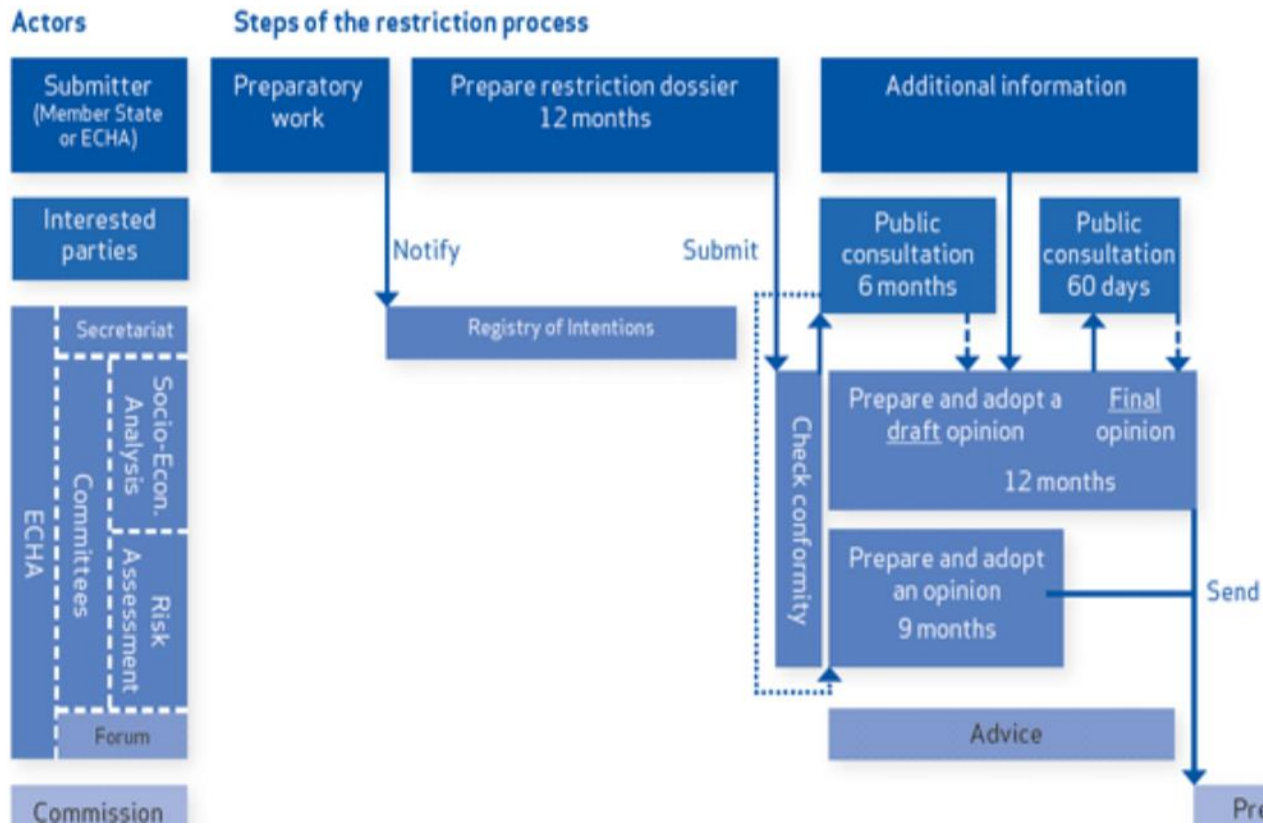




# Expected Timeline: ECHA RAC & SEAC Opinion



- Proposal to be judged by ECHA Risk Assessment Committee and Socio-Economic Assessment Committee in 12 Months
- Jan 2020 latest



# Expected Timeline: EC Phase



- Based on the RAC/SEAC Opinion the European Commission needs to present a draft legislative proposal to the REACH Committee in 3 months
- The REACH Committee, containing representatives of – by then – 27 member states, will vote on the proposal based on population of member states (65% majority needed).
- Procedure can last anywhere between 1 month -  $\infty$  months
- Expected adoption June 2020
- Restriction could include transition period of months till years