



The fight against marine litter is important for all of us. The association of the European Manufacturers of Expanded Polystyrene ([EUMEPS](#)), which represents the whole EPS value chain, therefore welcomes effective and proportionate measures to address marine litter.

EUMEPS's ambition goes even further than the European Commission in its Plastics Strategy: we want to achieve full recyclability for all of our products by 2030. There are however five concrete areas where the European Commission's proposal for a Directive on the reduction of the impact of certain plastic products on the environment (otherwise known as the "SUP Proposal") could be improved to help EUMEPS' members achieve these ambitions even faster:

- **Addressing the root causes of marine litter**
  - **Consistent EU Policy to increase motivation of Industry**
  - **Clarity of SUP definition to encourage innovation and growth**
  - **Preservation of the EU single market**
  - **Inclusive, mandatory EPR schemes**
- **Addressing the root causes of marine litter:** EUMEPS shares the Commission's concern for the contamination of our oceans and appreciates that the European Commission has presented this problem as the original motivation for the SUP Proposal. However, we do not see the measures proposed as the most effective or appropriate to combat this global problem. Instead, marine litter and other leakage into the environment can and should be limited by improving waste collection, sorting and management techniques and, importantly, by education. In doing so, EUMEPS calls upon the EU institutions to consider the following crucial aspects:
- A fiscal and regulatory framework that supports a level playing field for all materials, therefore providing equal opportunity for all materials to demonstrate circularity. There should be no discrimination against plastics, which when used and re-used correctly are incomparable contributors to our society.
  - Objective environmental impact considerations (e.g. LCAs that continue to appropriately take into account the use-phase of products) should be the key driver for material choice in any application. Current recycling levels should not be taken as the selection criteria.
  - Recognised benefits of plastics for many applications (e.g. energy efficiency of buildings with associated mitigation of greenhouse gas emissions, seismic insulation, food preservation, transport damage protection).
- **Consistent EU policy:** The objectives of the [Circular Economy Package](#) and the [Plastics Strategy](#) revolve around the ultimate goals of resource efficiency and keeping material in use for as long as possible. These objectives are not reflected well in the SUP Proposal. Instead, it proposes outright bans on certain plastic items, regardless of their recycling potential. This causes concern as to the viability of investing in collection, sorting and recycling technologies, if there is a potential for them to be banned in the future. As an example, EUMEPS' members have already invested in innovative recycling techniques such as the [PolyStyreneLoop](#) to help it achieve its

objectives. This technology allows for the removal of a legacy substance from EPS waste so that fully recycled EPS can be put back on the market, therefore saving resources and CO2 emissions. We call upon the EU institutions to consider what regulatory approach is best in order to both reach its sustainability goals and motivate industry to help them do so by taking their own voluntary steps.

- **A SUP definition that spurs innovation and employment growth:** The current proposed definition of a single-use plastic allows for too wide an interpretation and does not allow for a distinction between recyclable and non-recyclable products. The current legislative proposal is based upon products most seen in beach litter and not a rigorous definition of single use plastics. In order to achieve full circularity, EUMEPS' members will have to invest in recycling technologies and plants. To do so, investors need to be certain that EPS products will continue to be used for the high-quality, niche applications that the materials serve so well (e.g. transport of sensitive medicines, protection of white goods, food conservation). A fit-for-purpose definition of single use plastics is required to give this confidence. Industry players want to be active players in the Commission reaching its goal of a truly circular future, however they need the regulatory and financial support to find innovative technological solutions to plastics' most difficult recycling challenges. This will not only support the EU's sustainability goals, but also its larger aim of increasing jobs and growth in the EU.
- **Preserving the EU's internal single market:** Without a well-functioning internal single market, EUMEPS will be hampered in achieving its ambitions. The SUP Proposal, however, sets unclear national targets for the reduction of consumption without providing for a process to determine what these targets mean. This threatens to hamper the functioning of the single market as such targets could lead to widely diverging interpretations by Member States when they transpose the Directive. The most important example is the obligation to achieve a "significant reduction" in the consumption of selected SUP products. Instead, EUMEPS suggests considering clearer language on the national targets. This would allow industry partners to have a more accurate idea of what rules will be applied to them in the future.
- **EPR schemes:** Under the SUP Proposal, extended producer responsibility (EPR) requirements go much further beyond the cost categories for EPR schemes agreed upon in the very recently adopted Circular Economy waste package. The proposed requirements to clean up litter would make producers financially responsible for the non-compliant behaviour of citizens (littering) and the omissions of municipalities (lack of proper waste management) neither of which are in their direct sphere of influence. Rather, EUMEPS calls upon the EU institutions to:
  - Ensure that everyone contributes fairly to EPR schemes where they are introduced, i.e. that the problem of free-riding is effectively addressed.
  - Encourage and support Member States, including local authorities to work with industry to provide adequate logistics and technologies for the collection, sorting and recycling of all materials in a non-discriminatory manner (including foamed plastics).
  - Ensure that Member States, including local authorities take appropriate actions regarding the education and awareness-raising of society about anti-littering behavior and the correct disposal methods of materials at the end of their use.

EUMEPS and its members continue to be fully committed to achieving the Circular Economy and look forward to discussing more concrete recommendations, including for the SUP proposal, with the EU institutions.