

OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment

Source: OSPAR 21/13/1, Annex 30

RECALLING Articles 3 and 5 of, and Annexes I, III and V to, the Convention for the Protection of the Marine Environment of the North-East Atlantic (“the OSPAR Convention”) which require the Contracting Parties to take, individually and jointly, all possible steps to prevent and eliminate pollution from land-based and from offshore sources in accordance with the provisions of the Convention;

RECALLING Annex V to the OSPAR Convention on the protection and conservation of the ecosystems and biological diversity of the maritime area, and in particular its Article 3 1.a, which makes it a duty of the OSPAR Commission to draw up programmes and measures for the control of the human activities identified by the application of the criteria in Appendix 3;

RECALLING Strategic Objective 4 of the North-East Atlantic Environment Strategy, and the commitment of the OSPAR Commission to substantially reduce marine litter in the OSPAR maritime area, by 2020, to levels where properties and quantities of marine litter do not cause harm to the coastal and marine environment;

RECOGNISING the OSPAR Regional Action Plan on Marine Litter (RAP) agreed in June 2014 and the actions No 46 and 52 (OSPAR Agreement 2014-1);

RECOGNISING the respective Background Document on Pre-production Plastic Pellets (OSPAR publication 710/2018) and the Assessment Document of Land-based inputs of Microplastics in the Marine Environment (OSPAR Publication 705/2017);

RECOGNISING the results of the latest OSPAR assessments on Beach Litter - Abundance, Composition and Trends (2019), Composition and Spatial Distribution of Litter on the Seafloor (2017) and Plastic Particles in Fulmar Stomachs in the North Sea (2019);

NOTING the United Nations Environment Assembly (UNEA) Resolution 4/6, which invites Member States, in close collaboration with the private sector “to prevent losses of primary microplastics, in particular pre-production pellets (flakes and powders), to prevent spillage into the environment across the whole manufacturing and supply chain”;

NOTING the Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on ‘A European Strategy for Plastics in a Circular Economy’ (COM(2018)028);

NOTING the Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and corresponding legislation of other Contracting Parties;

NOTING the progress made by the plastics industry, especially by plastic pellets producers, to develop and encourage best practice (e.g. as set out in the Operation Clean Sweep® best practice guidelines¹) to prevent pellet loss through the entire supply chain;

AIMING to reduce the loss of plastic pellets into the OSPAR maritime area by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain.

THE CONTRACTING PARTIES TO THE CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT OF THE NORTH-EAST ATLANTIC RECOMMEND:

1. Definitions

1.1 For the purpose of this Recommendation:

“plastic pellet” or “pellet”, means, consistent with ISO/TC 61 Plastics², a small mass of preformed moulding material, solid polymer-containing particles, to which additives or other substances may have been added, having relatively uniform dimensions in a given lot. This includes flakes and powders.

“Supply chain” means the system and resources required to move, convert, produce, recycle and distribute a plastic product starting from pellet production and extending to the supplier or retailer of the final plastic product or service. With reference to the supply chain, this includes pellet producers; industrial businesses that physically handle pellets; companies which form part of the supply chain, but which do not physically handle pellets; and companies which handle but do not at any point own the pellets.

“Certification scheme” means the process of certifying that a certain product/process has passed performance and quality assurance tests and meets qualification criteria stipulated in the requirements of that scheme.

“Chain of custody” means the chronological documentation or paper trail that records the sequence of custody, control, transfer, analysis, and provision of physical or electronic evidence.

2. Scope and Purpose

2.1 The purpose of this Recommendation is to reduce marine litter (in particular, to prevent where possible or to significantly reduce the loss of pellets into the marine environment) by promoting the timely development and implementation of effective and consistent pellet loss prevention standards, developed by standards bodies or equivalent, and certification schemes for the entire supply chain. The recommendation will also support European Union (EU) Member States in implementing the EU Plastics Strategy in a harmonised implementation of the schemes.

2.2 Certification schemes should facilitate a chain of custody system to ensure effective communication of compliance with standardised best practice to provide a mechanism by which suppliers and buyers of pellets as well as plastic products (e.g. retailers or brand-owners) could be assured that their supply chain is handling plastic pellets responsibly and effectively preventing their loss into the environment.

2.3 In order to achieve the overall purpose, pellet loss prevention processes should apply to all involved in the supply chain, and should be certified according to the certification scheme. These processes should be accompanied by measures to encourage participation in the certification scheme.

¹ Operation Clean Sweep® manual, PlasticsEurope, available online here: http://www.opcleansweep.eu/wp-content/uploads/2013/04/OCS_Manual_EU_ENG_2015.pdf

² International Organization for Standardization, Technical Committee 61

3. Programmes and Measures

3.1 Contracting Parties should, building on current best practice guidelines (including the Operation Clean Sweep® initiative) promote the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes designed to prevent where possible or significantly reduce the loss of plastic pellets throughout the entire plastic supply chain. The developed certification schemes should be designed within the following hierarchy to limit the loss of pellets:

- a. Prevention – aim to keep all pellets within the primary containment;
- b. Mitigation – in case a spill cannot be avoided mitigating measures shall be applied (for example catch trays, filter baskets, etc.);
- c. Cleaning – appropriate tools, such as street sweepers, vacuums, shovel and broom, to be readily available to immediately remove spillages; and
- d. Reporting – regular and transparent reporting of quantities of pellets released to the environment and results from third-party audits assessing the adequacy of implemented measures.

3.2 The certification schemes should, as a minimum:

- a. Be based on standards developed by an internationally recognised standards body and reflecting broader consensus, such as the European Standardisation Committee (CEN);
- b. Be consistently based on compatible or standardised industry-wide pellet loss prevention best practices, taking account of relevant OSPAR guidelines;
- c. Facilitate a chain of custody for pellets, allowing companies to check that compliance with best practices is maintained from pellet production to the sale of plastic products, giving all parts of the supply chain the assurance that pellets have been handled responsibly;
- d. Include the creation and publication of internal procedures to achieve zero pellet loss goals;
- e. Include a regular ‘pellet pollution risk mapping’ exercise and corresponding ‘risk management assessments’ across all company sites;
- f. Include employee training for spill prevention, containment, clean-up and disposal practices;
- g. Be accredited by a recognized public accreditation body or an independent accreditation body assigned the responsibility by the competent or designated authority;
- h. Require regular auditing of procedures and performance by independent and accredited external bodies or equivalent control by public authorities;
- i. Require that certificates should be made publicly available. Regular reports should be available to public authorities and should include information on quantities of pellets released to the environment, on prevention measures and their effectiveness, and on pellet losses from incidents;
- j. Include the development of a compliance register/public register for companies who have received the certification;
- k. Comply with and support all applicable local, national and international regulations governing pellet containment and reporting;
- l. Require that certificate holders should encourage partners throughout the supply chain to pursue the same objectives;
- m. Apply to organisations of all sizes, with no exemptions.

3.3 Contracting Parties should notify the details of their national contact to the OSPAR Secretariat.

3.4 Acting collectively within the framework of the OSPAR Commission, Contracting Parties should work towards the development and the implementation of a harmonised accreditation framework within the OSPAR maritime area, by sharing approaches and adopting similar practices and by taking measures to achieve participation of all involved in the supply chain in harmonised certification schemes.

4. Implementation Reports

4.1 Contracting Parties should provide an initial report to the appropriate OSPAR subsidiary body on the progress of developing (and promoting once applied) certification schemes for the supply chain by 31 January 2023.

4.2 Contracting Parties should report by 31 January 2025 on the implementation of this Recommendation to the appropriate OSPAR subsidiary body. After 31 January 2025 Contracting Parties should report every six years on the implementation of this Recommendation.

4.3 Contracting Parties should include in the reporting:

- a. information on supply chain participation in the certification schemes; and
- b. evaluation of their effectiveness.

4.4 When reporting on implementation, the format as set out in Appendix 1 should be used as far as possible.

5. Entry into Force

5.1 This Recommendation has effect from 1 October 2021.

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Implementation Report on Compliance

Country:

Reporting year:

Reservation applies:

Is measure applicable in your country?

If not applicable, then state why not

Means of Implementation:

By legislation	By administrative action	By negotiated agreement
yes/no*	yes/no*	yes/no*

Please provide information on:

- a. specific measures taken to give effect to this measure, including information on supply chain participation in the certification schemes and evaluation of their effectiveness;
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;
- c. any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.

* Delete whichever is not appropriate.