

Brussels, 16 January 2025

Subject: Include Plastics and polymers into the first ESPR work programme

**Dear Commissioner for Environment, Water Resilience and a Competitive Circular Economy
Jessika Roswall,**

We, the undersigned organisations, urge you to include the plastics and polymer sector in the forthcoming first Working Plan under the Ecodesign for Sustainable Products Regulation (ESPR). Plastic in products has an outsized impact on human health and the environment and was included in the JRC's shortlist for intermediate products. Yet the final text of the ESPR does not list plastics and polymers as one of the suggested sectors for intermediate product priorities.

There are several reasons to include plastics and polymers, not the least because two of the three top final products identified by the JRC (textiles and tyres) would benefit from upstream ecodesign measures on plastics and polymers.¹ There are also benefits in addressing the plastics and polymers sector concurrently with the commodity chemicals sector, which should also be included in the first working plan, due to the need for consistency and alignment in environmental sustainability measures.

As outlined in the ECOS and Rethink Plastic technical report published in September 2024², the JRC's ranking does not reflect the actual environmental impact or improvement potential of the plastics and polymers sector. This is because the evaluation relies upon the techniques outlined in the Polymer Best Available Techniques Reference Document (POL BREF). However, our analysis found that these techniques are not comprehensive, up-to-date, nor fit for the purpose of the ESPR. Some types of plastics production are not addressed at all (e.g. polyurethane) and for other types of plastic, the guidance in the BREF is not comprehensive, and is, at times, contradictory.³ Many of the environmental effects examined in the JRC study are either not addressed at all (such as biodiversity) or only in limited ways (emissions to water, air, and soil) by the POL BREF.

Importantly, stakeholders agree that the sector must be prioritised now, which was established in the open public consultation undertaken by the European Commission about product priorities. Among the group of intermediate priority products shortlisted by the JRC, the plastics and polymer sector had the highest amount of agreement. In addition, stakeholders also

¹ Work on the paints sector, which is also shortlisted as a priority product, would also benefit from the inclusion of the plastics and polymer sector as paints are significant source of microplastic pollution.

² [Addressing polymers and plastics under the ESPR - ECOS](#)

³ See Annex 2 of the technical report.

identified plastics and polymers as the highest priority sector among the intermediate products with 63% identifying the sector as high priority.⁴

Many in the plastic industry agree that “clear legislative measures to encourage circular solutions”⁵ must be enacted to drive innovations and assist in the pursuit of sustainability. Moreover, at least one Member State is moving forward with plans to require producers to use a minimum share of “circular polymers”, showing the need for action at the EU level.⁶

By including the plastics and polymer sector in this first working plan, the work undertaken for other sectors, many of which use plastic- or polymer-based materials facilitate a better incorporation of best available practices and methods to improve the sustainability of their products. One key area for impact is in the transparency and traceability of materials, including the presence of substances of concern; by including plastics and polymers as an intermediate product, the content of plastic materials and products in the supply chain will be better known and traceable via the Digital Product Passport (DPP) and associated information requirements. These upcoming requirements must be instituted at the beginning of the supply chain.

Transparency and traceability requirements will also come into play with the upcoming Circular Economy Act, which will help develop markets for recycled materials. Ensuring that plastics in the waste stream are better designed, with fewer additives and no harmful chemicals, and with clear transparency of substances of concern will facilitate the development of this market.

Including plastics and polymers in the first working plan will complement other ambitious actions that the EU must take on plastics.

- **Address the unsustainable broad use of the bulk plastic PVC:** The continued marketing of cheap PVC articles hinders market opportunities for safer, sustainable and local alternatives that would add value for Europe’s economy and enhance European companies’ global competitiveness, according to a recent paper by the Rethink Plastic Alliance⁷. Addressing the sector now would complement the Restrictions Roadmap⁸ commitment under the Chemical Strategy for Sustainability to restrict PVC and/or its additives and would support the generation of information to advance the registration of polymers under REACH.
- **Show global leadership on plastic design:** The EU has played a strong leadership role in the difficult negotiations of the Global Plastic Treaty. Taking steps within the union to improve plastic design would reinforce that ambition and show that progress can be

⁴ [JRC Publications Repository - Ecodesign for Sustainable Products Regulation: Study on new product priorities](#), 13 November 2024, pages 26 and 27.

⁵ [Joint Press Release - Plastic Value Chain Competitiveness.pdf](#), 17 December 2024.

⁶ [Netherlands moves ahead with plan for sustainable plastics market](#), 06 January 2025.

⁷ [RPa \(2024\) PVC Problem Very Clear. Why the ECHA report supports phasing out PVC as the most effective and future-proof risk management measure.](#)

⁸ <https://ec.europa.eu/docsroom/documents/49734/attachments/1/translations/en/renditions/native>

made. With more discussions to come in 2025 for the treaty, the EU can continue their strong positioning by addressing plastic within the ESPR.

For these reasons, we urge you to include the plastics and polymer sector in the first working plan draft to be presented by the Commission at the upcoming inaugural meeting of the new Ecodesign Forum foreseen for the end of February. There, stakeholders can evaluate the priorities in an open and transparent manner ahead of its formal publication.

We greatly appreciate your time and attention to this important matter.

Sincerely,

Justine Maillot

Coordinator, Break Free From Plastic Europe & the Rethink Plastic alliance

On behalf of the following organisations and networks



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