Naturvernforbundet

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European Commission

Naturvernforbundets response to the evaluation of the Single-Use Plastics Directive (SUPD)

Naturvernforbundet, Norwegian Society for the Conservation of Nature, is Norway's oldest environmental and nature protection organisation. We are a democratic, membership-based organisation with over 43 000 members and more than 100 local groups working across the country. We are thankful for the opportunity to contribute to the evaluation of the SUPD.

SUPD represents a significant step towards addressing marine litter and reducing the environmental impact of plastic products. By targeting the ten most found items on European beaches and introducing measures such as bans, consumption reduction, product design requirements, extended producer responsibility (EPR), and awareness-raising measures, the Directive has contributed to increased attention to plastic pollution across Europe.

Overall, several measures under the Directive appear to be effective. However, implementation remains incomplete in some areas, and new challenges have emerged since the Directive was adopted. Naturvernforbundet therefore considers it important to maintain the ambition of the Directive while strengthening certain measures, improving monitoring and enforcement, and expanding the scope to address emerging sources of (plastic) pollution.

We refer to the public consultation which we submitted input to, and would like to add following:

1. Questions under the public call for evidence

1.1. How far have the intended objectives been achieved?

Although there is room for improvement, efforts to simplify EU legislation should not come at the expense of the Directive's existing safeguards. In general, we are still in the early phases of implementation, and weakening provisions at this point would create uncertainty for regulators and investors alike. Should the evaluation process conclude with that revision is required, any revision should focus on addressing shortcomings and reducing unnecessary administrative complexity, without lowering the EU's level of ambition in tackling pollution from single-use (plastic) products and fishing gear.

1.2. What are the measurable benefits of implementing the measures included in the SUPD?

Data collected through citizen science clean-up activities in Norway over the last five years show that the most common types of litter found are:

1. Rope (11%)
2. Undefined plastic bits (13%)
3. Cigarette filter (9%).
4. Reinforcement fibre (8%)

5. EPS (8%)
6. Fishing hook etc. (6%)
7. Beverage packaging (4%)
8. Nicotine pouches (4%)
9. Locks, corks and caps (3%)
10. Explosive cables (3%)

Together, these account for 67 percent of the total findings.

When analysing the proportion of clean-up events where specific items were found, the following findings emerge:

1. Beverage packaging (61%)
2. Rope (57%)
3. EPS (48%)
4. Food packaging (48%)
5. Undefined plastic bits (43%)
6. Locks, corks and caps (41%)
7. Candy and snack packaging (40%)
8. Plastic bags (40%)
9. Pipe (parts) (31%)
10. Boxes of nicotine pouches (31%)

Since the implementation of the SUPD, we have observed a reduction in single-use plastic (SUP) products in our clean-ups, but at the same time an increase in similar products made from alternative materials. This trend suggests that policy attention should move beyond material composition alone and address product functionality and consumption patterns. Such an approach could simplify the SUPD while achieving greater environmental benefits by reducing overall single-use consumption rather than focusing exclusively on plastics.

Furthermore, reporting could be streamlined through digitalisation and reduced administrative burdens. Additionally, a harmonised EU methodology for litter monitoring should be adopted to simplify and strengthen monitoring and reporting processes. Currently, Member States use a range of monitoring systems and indicators, which complicates the assessment of policy effectiveness and limits comparability across Member States.

1.3. How efficient are the administrative processes involved (e.g. reporting and monitoring duties, operational compliance with marking and product design requirements)?

This question is addressed under section 1.2.

1.4. To what extent is the SUPD consistent with other EU environmental, health and sustainable prosperity policy objectives?

The SUPD is consistent with EU environmental policy objectives, including the 2018 EU Plastics Strategy, the 2021 Zero Pollution Action Plan, the 2024 Packaging and Packaging Waste Regulation (PPWR) and the revised Waste Framework Directive. However, the revised Marine Strategy Framework Directive should explicitly include the pollution prevention principle.

From a public health perspective, the revised SUPD should also acknowledge the risks associated with toxic additives in plastics and introduce measures to limit their use in products manufactured in Europe.

1.5. How do the objectives correspond to wider EU goals and priorities beyond environmental policy

Waste prevention and reuse go hand in hand and should be strengthened in the SUPD. Currently, EPR focuses primarily on financing downstream waste management, such as litter clean-ups and awareness-raising. A shift towards waste reduction through prevention measures and the (up)scaling of reuse alternatives is needed. A similar approach already exists under the PPWR, particularly in Articles 43 and 51(3). Applying comparable requirements within the SUP framework would strengthen policy coherence, alignment with the waste hierarchy and enhance the Directive's ability to tackle single-use (plastic) product litter at its source. Concretely:

- EPR schemes should include separate funding for (1) waste management and (2) waste reduction and prevention measures
- In the absence of binding reduction and reuse targets, at least 10 percent of the product responsibility organisations budget should be allocated to support reuse, refurbishment, repurposing and repair.
- Governance, reporting and monitoring should be ensured and transparent

Furthermore, awareness-raising activities should increasingly focus on prevention rather than solely waste management and should be carried out independently of industry interests. This should also apply to EPR for fishing gear. For example, producers should be required to provide instructions on the safe use of fishing gear, clear information on the prohibition of leaving equipment in nature, and guidance on where to report lost gear.

2. Evaluation and review under article 15 SUPD

2.1. Scope of the Directive

The definitions of plastic and SUP in the Directive are fundamental to its effectiveness. It is therefore important to safeguard these definitions. Any regulatory changes that allow reclassification of plastic products in ways that undermine the objectives of the Directive, or regulatory changes that could weaken the scope of the legislation should be avoided. For example, the definition of SUP products under the Directive differs from the less ambitious definition under the PPWR. Hence, the current SUPD definition should be safeguarded as it limits circumvention, supports investment in compliant alternatives and provides legal clarity.

Furthermore, although the Commission has clarified that certain plastic-lined products fall within the scope the SUPD, and are banned, inconsistent interpretation persists. To ensure harmonised enforcement and a level-playing field, explicit conformation that plastic-lined products fall within the scope of the Directive is needed.

Lastly, expanded polystyrene (EPS) food and beverage containers are banned under the Directive. Despite extruded polystyrene (XPS) having comparable characteristics and environmental risks, including microplastics emissions, it is not covered under the Directive. Including XPS would close the material loophole and align the Directive with the PPWR. Additionally, the list of banned EPS items should be expanded to cover products such as fish boxes and fishing buoys.

2.2. Binding quantitative reduction targets

To further reduce plastic pollution, the Directive should include stronger quantitative objectives, such as:

- an EU-wide reduction target of at least 80 percent for key SUP products, including at least plastic beverage bottles and food containers, by 2030
- a complete phase-out of avoidable single-use (plastic) products by 2040

These should serve as minimum requirements, allowing Member States to maintain or adopt more ambitious goals. Some Member States have already done so, for example Portugal has a 90 percent reduction target. Such targets at EU level would provide long-term policy certainty, stimulate innovation in reuse systems and sustainable alternatives, as well as ensuring a level-playing field.

Lastly, reuse systems remain underdeveloped in many sectors because the Directive does not include binding, product-specific reuse targets. To support the transition away from single-use products, the EU should:

- establish quantitative reuse targets
- align these with the PPWR
- support the development of reuse infrastructure across the EU
- integrate plastic reduction criteria into public procurement policies

Furthermore, collection targets for fishing gear should be established at EU level to ensure recovery, reuse and recycling.

2.3. Bans and change in materials used in SUPD

EPS and XPS
A parliamentary amendment to the Directive addressed EPS packaging for takeaway food and beverage packaging. The ban should be extended to include other types of packaging and unnecessary products with similar characteristics, such as fish boxes, or food packaging. Both XPS and EPS should be banned.

It must be noted that non-coated EPS and XPS pontoons and buoys are already prohibited under OSPAR. Norway is one of the countries that now puts such a ban in force. However, since not all EU Member States are part of OSPAR, the SUPD should also cover EPS and XPS pontoons and buoys to ensure consistent protection across the Union.

Biodegradable clauses
Claims about biodegradable plastics are often misleading. Recent scientific research shows that biodegradable plastics do not decompose in natural environments within a timeframe that prevents environmental harm. In practice, their environmental impacts closely resemble those of conventional plastics. Moreover, biodegradability claims may encourage littering, as consumers are often unaware that these materials typically degrade only under industrial conditions. This is an outcome that must be avoided.

Wet wipes
Despite existing marking requirements and EPR schemes, wet wipes remain a significant source of pollution, particularly through wastewater systems and marine environments. Additional regulatory action is therefore required.

Tobacco-related products
Cigarette filters, which contain plastic fibres, remain among the most frequently found litter items in Europe. In Norway, nicotine pouches are also widely used and commonly found during litter clean-ups. Introducing a ban on both cigarette filters and nicotine pouches would address a major avoidable pollution source. Since filters offer no proven health benefits, there is little justification for maintaining them. The restriction should apply regardless of material composition.

Other bans
Several new or increasingly widespread SUP items have emerged. As these are increasingly observed in the environment, a ban should be considered for the following products:

- disposable electronic cigarettes (vapes)
- synthetic reinforcement fibres

- plastic detonation cords, plastic strapping bands, trimmer lines
- low quality rope used in maritime settings. In Norway, aquaculture operations have been observed using small rope segments as single-use items as they are cut, used briefly, and then discarded. Consequently, significant amounts enter the sea instead of being reused. This practice must be prohibited by banning low quality ropes in maritime settings. Additionally, disposable fishing equipment, such as dolly ropes or gear of such poor quality that loss during normal use is likely, should be banned.

2.4. Design and marking

Tethered caps
The requirement on tethered caps for plastic beverage bottles has proven effective. However, citizen science data from clean-ups in Norway over the last five years show that locks, corks and caps remain among the top ten most frequently found litter items. Accounting for 3 percent of recorded litter, they rank as the ninth most common item. Additionally, they were found in 41 percent of clean-up events. Admittedly, not all of these items necessarily originate from the period following implementation of the SUPD. However, importantly, these caps and locks originate not only from beverage bottles but also from other types of packaging. Caps should therefore be attached to additional product categories.

Recycled plastic content
Under the SUPD, beverage bottles must contain minimum recycled plastic content: 25 percent in PET bottles by 2025 and 30 percent in all listed beverage bottles by 2030. The packaging-related recycled plastic targets should be removed from the SUPD, as they are addressed in the PPWR with a safeguard clause.

Regarding the accounting methods, only true proportional attribution of recycled plastic content across all outputs can incentivise increased use of recycled plastics and improve product circularity. It is also the only mass balance attribution method that ensures a level-playing field between recycling technologies. For targets to be meaningful, financial penalties for non-compliance should be introduced.

Fishing gear
A mandatory and operational marking system for fishing gear is currently missing. The Directive refers to tagging requirements in Article 8 of Regulation (EC) No 1224/2009, which in turn refers to Article 119 (committee procedure), which then refers to Decision 1999/468/EC, which has been repealed. This chain of cross-references creates a bureaucratic dead end, resulting in a provision without concrete technical standards, protocols or binding obligations for individual marking.

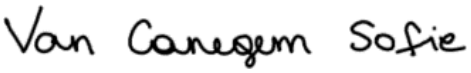
Without mandatory marking and robust traceability, producers responsible for abandoned, lost or discarded gear cannot be identified. This makes both cost recovery and the attribution of responsibility unworkable. Establishing a clear, mandatory and functional marking system is therefore essential for EPR schemes to function effectively in this sector. Lost or abandoned fishing gear is namely one of the major biological impacts of marine littering. It is thus of the highest importance to find applicable solutions against this.

Conclusions
SUPD has played an important role in addressing marine litter in Europe. Several measures, such as product bans, tethered caps, and deposit return systems, have proven effective. However, further improvements are needed in areas such as:
- enhanced enforcement supported by improved monitoring and reporting
- clearer scope and definitions with equal treatment of EPS/XPS and biodegradable and conventional plastics
- prevention-focused EPR, rather than downstream waste management

- address emerging SUP products and the rise of single-use products made of other materials
- implement binding reduction targets and strengthen reuse systems
- improve recycled content requirements and effective marking of fishing gear

Maintaining a high level of ambition and ensuring effective implementation across Member States will be essential to achieve the Directive's objective of significantly reducing plastic pollution in Europe.

With kind regards
Naturvernforbundet



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