**Business Coalition for a Global Plastics Treaty**

**Statement for Contact Group 1 - Problematic and avoidable plastics products**

**15th november 2023**

**Nairobi, Kenya**

Thank you very much for the opportunity to speak.

My name is Chuck Riegle from TOMRA, a recycling technology company, part of the Reloop Platform delegation, and I speak today on behalf of the Business Coalition for a Global Plastics Treaty.

**This intervention will focus on problematic and avoidable plastic products.**

Companies in the Business Coalition have already phased out different types of problematic and avoidable plastic products and packaging on a voluntary basis. We would be happy to share the criteria we have used for identifying these items.

But we need to go beyond voluntary actions. To do this, we need legally binding obligations at the global level. As we have seen in the Minamata Convention on Mercury and the Montreal Protocol on Substances that Deplete the Ozone Layer, businesses will move in response to clear regulations that create a level playing field.

Therefore, we call on INC members to support option 1 with a high level of ambition on this provision in the treaty.

Specifically, we need a definition of the term ‘*problematic and avoidable plastic products*’ through clear criteria in order to define items that should be eliminated or phased down within agreed timelines.

Such criteria could build on existing work where a product or packaging containing plastics is considered to be problematic or avoidable if:

1. It contains, or its manufacturing requires, hazardous chemicals that pose a significant risk to human health or the environment - as identified by the provisions on chemicals and polymers of concern that delegations discussed earlier today.
2. It is not reusable, recyclable, or compostable in practice and at scale.
3. It can be avoided (or replaced by a reuse model) while maintaining its utility.
4. It hinders or disrupts the recyclability or compostability of other items.
5. It has a high likelihood of ending up in the natural environment

Based on the criteria above, an annex to the treaty should identify products or packaging containing plastics that should be phased down or phased out by certain target dates or timelines, differentiated by sector or application. This annex can be expanded and updated over time.

Currently, Option 2 lacks reference to Part II and III of Annex B. Without distinct lists of problematic and avoidable plastic products, there will be different interpretations and inconsistent implementation of this important provision in the treaty. Relying on nationally determined lists and criteria would create unnecessary transaction costs for industry.

The Business Coalition urges the INC to agree on intersessional work building on existing resources and additional inputs from experts and stakeholders to compile an initial list of problematic and avoidable plastic products, and we are happy to provide further input to this work.

Thank you very much.