

Committee on the Environment, Public Health and Food Safety  
The Chair

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Mr Frans TIMMERMANS  
Executive Vice-President

Mr Virginijus SINKEVIČIUS  
Commissioner on Environment,  
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European Commission  
Rue de la Loi 200  
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**Subject: Commission Guidance about the Single Use Plastic Directive**

Dear Vice President,  
Dear Commissioner,

I am writing to you on behalf of the coordinators of the ENVI committee on the subject of the implementation of the directive on the reduction of the impact of certain plastic products on the environment (Directive (EU)2019/904) also known as Single Use Plastics Directive (SUP), and in particular the draft Commission guidance that your services are currently working on.

The SUP is a landmark legislation for reducing the problem of plastic littering, but it will only be as effective as its actual implementation. With the deadline for application in 2021 approaching, we underline the importance of rigorous implementation in all parts of the EU, and we are confident that you fully share this concern.

As laid down in Article 12 of the Directive, the Commission will draw up guidance for the implementation of key provisions of the Directive. The legislator tasked the Commission to provide this guidance to ensure a strict and equal implementation of the Directive across Member States, both to ensure the highest environmental effectiveness of the measures and to avoid distortions on the internal market. While it is the task of the Commission to draw up the guidance, as co-legislator the Parliament has a vital interest in ensuring that it fully conforms to the objectives and the spirit of the basic legal act. This is true in particular for a case such as this, where the scope of the guidance document is wide-ranging and could directly affect the scope of the Directive itself.

In this regard, a first draft of the guidance document which has been shared with Member States for consultation has raised some concerns, in particular on the proposed interpretation of the definition of plastics, which would specifically exclude certain plastic materials. While there is

indeed a need for an unambiguous technical definition, there are strong concerns that the solution suggested by the draft guidance document could restrict the scope of the legislation in a way that was not foreseen by the co-legislators.

With these concerns in mind, it is important that the Parliament is able to assess all aspects of the guidance document before it is adopted by the Commission. On behalf of ENVI Coordinators, I therefore ask your services to provide the ENVI Committee with further information about the draft guidance document. I propose that a meeting at technical level between Commission experts and representatives of the Committee is held at the earliest possible date, and I call on you to wait with the adoption of the final guidance document until this meeting has taken place.

Yours sincerely,

Pascal Canfin

cc: Ms Frédérique RIES, ENVI rapporteur on the SUP file