C/2025/5544

24.10.2025

Statement of the Council's reasons: Position (EU) Nr 6/2025 of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on preventing plastic pellet losses to reduce microplastic pollution

(C/2025/5544)

I. INTRODUCTION

1. On 16 October 2023, the Commission put forward to the Council and the European Parliament a proposal for a new Regulation of the European Parliament and of the Council on preventing plastic pellet losses to reduce microplastic pollution (hereafter: Plastic Pellets Regulation), focusing on the handling of plastic pellets by economic operators and EU and non-EU carriers at all stages of the supply chain. The proposal, part of the deliverables of the European Green Deal, builds upon the Commission's initiatives such as the Circular Economy Action Plan and Zero Pollution Action Plan.

2. The draft Regulation is based on Article 192(1) of the Treaty on the Functioning of the European Union (TFEU) (ordinary legislative procedure).

3. At the European Parliament, the Committee on the Environment, Public Health and Food Safety (ENVI) was designated as the lead committee for this file. The European Parliament adopted its first-reading position on 23 April 2024.

4. The European Economic and Social Committee delivered its opinion on 14 February 2024 and the European Committee of the Regions on 18 April 2024.

5. The Commission presented its legislative proposal and the accompanying impact assessment at the Working Party on the Environment (WPE) on 14 February 2024. The WPE continued to examine the proposal in a total of nine meetings. The Council (Environment) of 25 March 2024 held a policy debate about the proposed Regulation. The Council adopted its General Approach on 17 December 2024.

6. Subsequently, two informal political trilogues held on 29 January and 8 April 2025 resulted in a provisional agreement between the Council and the European Parliament. On 30 April 2025, the Permanent Representatives Committee confirmed the compromise text as provisionally agreed at the informal trilogue of 8 April 2025.

7. The European Parliament's ENVI Committee voted in favour of the same compromise text on 13 May 2025. Subsequently, the Chair of the ENVI Committee addressed a letter dated 14 May 2025 to the Chair of the Permanent Representatives Committee stating that, if the Council transmits formally to the Parliament its position in the form as it stands in the annex to the letter, he would recommend to the Plenary that the Council's position be accepted without amendment at Parliament's second reading, subject to legal-linguistic verification.

II. OBJECTIVE

8. The overall objective of the proposed Plastic Pellets Regulation is to set up obligations for the handling of plastic pellets to prevent losses at all stages of the plastic pellet supply chain, with the aim of achieving zero plastic pellet losses. The obligations focus on prevention of losses or spills, containment and clean-up operations and they apply to economic operators, carriers and sea-going vessels.

III. ANALYSIS OF THE COUNCIL'S POSITION AT FIRST READING

9. The Council's position at first reading contains elements, on which an agreement between the co-legislators has been found.

10. Regarding the subjects covered by the Regulation: the coverage is expanded to better target cleaning installations and, most notably, to include actors involved maritime transport of plastic pellets. Specifically, shippers, operators, agents and masters of sea-going vessels are concerned when leaving or calling at a port of a Member State. Obligations are set for the transport of plastic pellets by sea (in freight containers), including ensuring good quality packaging and providing transport and cargo-related information, following the guidelines of the International Maritime Organisation.

11. The prevention of plastic pellet losses represents the main objective for operators and EU and non-EU carriers. A clear framework sets out obligations for cases of accidental losses focusing on clean-up operations. A clear set of measures will be included in a risk management plan, prepared by each installation handling pellets. Such measures would concern, among others, packaging, loading and unloading, staff training, as well as necessary equipment.

12. Regarding the issue of administrative burden for economic operators and minimising the related costs, and in line with the simplification goals for smaller companies, the threshold for enterprises, on basis of which certain obligations are determined, is set to 1 500 tonnes of plastic pellets handled. Above this threshold, the certification for small, medium and large enterprises applies. Small enterprises will be subject to a lighter regime – they will have to obtain a certificate at least once and after that can choose between renewed certification or a self-declaration of conformity. Furthermore, all economic operators will be able to use permits, EMAS or EMS to comply with certain obligations under this Regulation.

13. To provide for a level playing field between the EU and non-EU carriers and to ensure accountability and transparency for all carriers of plastic pellets, non-EU carriers will have to designate an authorised representative in the EU.

14. The date of application of the Regulation has been set at 24 months, and the date for maritime provisions is 36 months after the entry into force of the Regulation.

IV. CONCLUSION

15. The Council's position builds on the main objective of the Commission proposal and fully reflects the compromise reached in the informal negotiations between the Council and the European Parliament, with the support of the Commission.

16. The Council therefore believes that its position at first reading is a balanced representation of the outcome of the negotiations. Once adopted, the Regulation will minimise the environmental harm done by losses and spills of plastic pellets in the Union without placing excessive administrative burden on economic operators.