

Brussels, 20 January 2025
(OR. en)

5455/25

**Interinstitutional File:
2023/0373(COD)**

ENV 26
MI 31
IND 16
CONSOM 9
COMPET 29
MARE 1
PECHE 9
RECH 13
SAN 18
ENT 6
ECOFIN 73
TRANS 10
CODEC 51

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	14248/23 + ADD 1 - COM(2023) 645 final
Subject:	Proposal for a Regulation of the European Parliament and of the Council on preventing plastic pellet losses to reduce microplastic pollution - Four-column document

Delegations will find in Annex the initial four-column table on the abovementioned proposal, containing the Commission proposal, the European Parliament's amendments and the Council general approach agreed on 17 December 2024, with a view to the interinstitutional negotiations.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution
2023/0373(COD)**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0373 (COD)	2023/0373 (COD)	2023/0373 (COD)	
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,	
Citation 2				
5	Having regard to the proposal from	Having regard to the proposal from	Having regard to the proposal from	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the European Commission,	the European Commission,	the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p . .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p . .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , C/2024/2487, 23.4.2024, ELI: http://data.europa.eu/eli/C/2024/2487/oj.</u>	
Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p . .</u>	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p . .</u>	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , C/2024/3675, 26.6.2024, ELI: http://data.europa.eu/eli/C/2024/3675/oj.</u>	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure ¹ , <u>1. Position of the European Parliament of ... and decision of the Council of ...</u>	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
11	<p>(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and potentially harmful to human health. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil may have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of organisms and animals and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet in the aquatic environment may be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical</p>	<p>(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and potentially harmful to human health, <u>particularly due to the presence of harmful chemical additives and other substances of concern added during production and conversion, such as phthalates, bisphenol A, or flame retardants^{1a}</u>. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil may have effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of organisms and animals and cause harm to biodiversity and ecosystems. The persistence of a</p>	<p>(1) Microplastics are ubiquitous, persistent and transboundary. They are detrimental to the environment and potentially harmful to human health. Microplastics are easily transported through the air and by land surface waters and ocean currents, and their mobility is an aggravating factor. They are found in soil (including agricultural lands), lakes, rivers, estuaries, beaches, lagoons, seas, oceans and in remote, once pristine regions, and their presence in soil may havehas effects on soil properties and trigger soil alterations which negatively impact the growth of some plants. Impacts of microplastics on the marine environment have been extensively documented. Once in the marine environment, microplastics are nearly impossible to collect, and are known to be eaten by a range of organisms and animals and cause harm to biodiversity and ecosystems. The persistence of a plastic pellet plastic pellets in the aquatic environment may can be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics’ potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics’ presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases.</p>	<p>plastic pellet in the aquatic environment may be measured over decades or more, and ingestion of plastic pellets by marine wildlife, notably seabirds and sea turtles, may cause physical harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics’ potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics’ presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases.</p> <p><u>1a. ‘Plastic giants polluting through the back door: The case for a regulatory supply-chain approach to pellet pollution’, Surfrider Foundation Europe and Rethink Plastic, November 2020.</u></p>	<p>harm or death. Microplastics also contribute to climate change as an additional source both of greenhouse gas emissions and of pressure on ecosystems. Microplastics’ potential to act as a carrier for adsorbed toxicants or pathogenic microorganisms is an integral part of the problem. Humans are exposed to microplastics via air and food consumption. The growing awareness of microplastics’ presence in the food chain can undermine consumer confidence and bear economic consequences. There may be negative economic impacts on activities such as commercial fishing and agriculture as well as recreation and tourism in areas affected by the releases.</p>	
Recital 2				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
12	<p>(2) In their opinion entitled ‘Environmental and health risks of microplastic pollution’, the Commission’s Group of Chief Scientific Advisors considered that ‘there are significant grounds for concern and for precautionary measures to be taken’¹.</p> <p>¹. Scientific opinion on the environmental and health risks of microplastic pollution, April 2019</p>	<p>(2) In their opinion entitled ‘Environmental and health risks of microplastic pollution’, the Commission’s Group of Chief Scientific Advisors considered that ‘there are significant grounds for concern and for precautionary measures to be taken’¹.</p> <p>¹. Scientific opinion on the environmental and health risks of microplastic pollution, April 2019</p>	<p>(2) In their opinion of 30 April 2019 entitled ‘Environmental and health risks of microplastic pollution’, the Commission’s Group of Chief Scientific Advisors considered that ‘there are significant grounds for concern and for precautionary measures to be taken’[†].</p> <p>[†]. Scientific opinion on the environmental and health risks of microplastic pollution, April 2019</p>	
Recital 2a				
12a			<p>(2a) Plastic pellet refers to every small polymer-containing moulding materials, from primary and secondary origin, regardless of whether they are derived from biomass or intended to biodegrade over time, including polymer-based rubber. It encompasses materials used in product manufacturing operations, regardless of its shape or form, including, among others, plastic nurdles, granules, flakes, resins, cylinders, beads, powder, micro-powder, microspheres and agglomerates.</p>	
Recital 3				
13	(3) Plastic pellet losses	(3) Plastic pellet losses	(3) Plastic pellet losses	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>constitute the third largest source of microplastics unintentionally released to the environment in the Union and are due to poor handling practices at all stages of the supply chain, including production, processing, distribution, transport, including by sea, and other logistic operations. Hence, a supply chain approach is essential for ensuring the commitment of all economic actors involved in plastic pellet handling towards loss prevention. Since 2015, the European plastic manufacturing industry has progressively adopted the international Operation Clean Sweep® programme (OCS) as a voluntary pledge. Under this programme, each company making or handling pellets recognises the importance of making zero pellet losses and commits to adopting best practices. While such practices are generally well understood by OCS signatories, they have not been comprehensively implemented. The uptake of the programme by the plastic industry remains low.</p>	<p>constitute the third largest source of microplastics unintentionally released to the environment in the Union and are due to poor handling practices at all stages of the supply chain, including production, processing, distribution, transport, including by sea, and other logistic operations. Hence, a supply chain approach is essential for ensuring the commitment of all economic actors involved in plastic pellet handling towards loss prevention. Since 2015, the European plastic manufacturing industry has progressively adopted the international Operation Clean Sweep® programme (OCS) as a voluntary pledge. Under this programme, each company making or handling pellets recognises the importance of making zero pellet losses and commits to adopting best practices. While such practices are generally well understood by OCS signatories, they have not been comprehensively implemented. The uptake of the programme by the plastic industry remains low.</p>	<p>constitute the third largest source of microplastics unintentionally released to the environment in the Union and areoccur due to poor handling practices at all stages of the plastic pellet supply chain, includingwhich includes production including recycling, master batching, compounding, conversion, processing, distribution, transport, including by the sea, and other logistic operations, storage, packaging , and the cleaning of plastic pellet containers and tanks. Hence, a supply chain approach is essential for ensuring the commitment of all economic actors involved in plastic pellet handling towards loss prevention. Since 2015, the European plastic manufacturing industry has progressively adopted the international Operation Clean Sweep® (OCS) programme-(OCS) as a voluntary pledge. Under this programme, each company making or handling pellets recognises the importance of making zero pellet losses and commits to adopting best practices. While such practices are generally well understood by OCS signatories, they have not been comprehensively</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			implemented. The uptake of the that programme by the plastic industry remains low.	
Recital 4				
14	(4) The impacts of microplastic pollution on the environment and possibly on human health have raised concerns in most parts of the world. Some Member States have adopted or proposed dedicated measures. However, a patchwork of national restrictions could potentially hamper the functioning of the internal market.	(4) The impacts of microplastic pollution on the environment and possibly on human health have raised concerns in most parts of the world. Some Member States have adopted or proposed dedicated measures. However, a patchwork of national restrictions could potentially hamper the functioning of the internal market.	(4) The impacts of microplastic pollution on the environment and possibly on human health have raised concerns in most parts of the world. Some Member States have adopted or proposed dedicated measures. However, a patchwork of national restrictions could potentially hamper the functioning of the internal market.	
Recital 5				
15	(5) In a bid to tackle plastic pollution, in January 2018, the Commission adopted a Communication entitled ‘European Strategy for Plastics’ ¹ where it acknowledged the risks posed by microplastics and called for innovative solutions targeting the different sources of microplastics to be taken. This commitment was renewed with the adoption of the European Green Deal in December 2019, the new Circular Economy Action Plan ² in March 2020 and the Zero Pollution Action Plan ³ in May 2021. The latter includes, among its 2030 targets, reducing	(5) In a bid to tackle plastic pollution, in January 2018, the Commission adopted a Communication entitled ‘European Strategy for Plastics’ ¹ where it acknowledged the risks posed by microplastics and called for innovative solutions targeting the different sources of microplastics to be taken. This commitment was renewed with the adoption of the European Green Deal in December 2019, the new Circular Economy Action Plan ² in March 2020 and the Zero Pollution Action Plan ³ in May 2021. The latter includes, among its 2030 targets, reducing	(5) In a bid to tackle plastic pollution, in January 2018, the Commission adopted has in its communication of 16 January 2018 entitled ‘European Strategy for Plastics’ ¹ where it in a Circular Economy acknowledged the risks posed by microplastics and called for innovative solutions targeting the different sources of microplastics to be taken. This commitment was renewed with the adoption of that The Commission renewed with the adoption of that in its communications of 11 December 2019 on the European Green Deal in December 2019, of 11 March 2020 on the new	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the amount of microplastics released into the environment by 30%.</p> <p>1. COM(2018) 28 final 2. COM(2020)98 final, 2020. 3. COM(2021) 400 final</p>	<p>the amount of microplastics released into the environment by 30%.</p> <p>1. COM(2018) 28 final 2. COM(2020)98 final, 2020. 3. COM(2021) 400 final</p>	<p>Circular Economy Action Plan² in March 2020 and Plan and on the Zero Pollution Action Plan³ in May 2021. The latter includes, among its 2030 targets, reducing the amount of microplastics released into the environment by 30%.</p> <p>1. COM(2018) 28 final 2. COM(2020)98 final, 2020. 3. COM(2021) 400 final</p>	
Recital 6				
16	<p>(6) Commission Regulation (EU) 2023/2055¹ addresses microplastic pollution by imposing a restriction on the placing on the market of microplastics that are intentionally added to products (the ‘restriction’), as there is considerable microplastic pollution arising from the use of synthetic polymer microparticles on their own or intentionally present in products, and pollution poses an unacceptable risk to the environment.</p> <p>1. Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles (OJ L</p>	<p>(6) Commission Regulation (EU) 2023/2055¹ addresses microplastic pollution by imposing a restriction on the placing on the market of microplastics that are intentionally added to products (the ‘restriction’), as there is considerable microplastic pollution arising from the use of synthetic polymer microparticles on their own or intentionally present in products, and pollution poses an unacceptable risk to the environment.</p> <p>1. Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles (OJ L</p>	<p>(6) Commission Regulation (EU) 2023/2055¹ addresses microplastic pollution by imposing a restriction on the placing on the market of microplastics that are intentionally added to products (the ‘restriction’), as there is considerable microplastic pollution arising from the use of synthetic polymer microparticles on their own or intentionally present in products, and pollution poses an unacceptable risk to the environment.</p> <p>1. Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles (OJ L</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	238, 27.9.2023, p. 67).	238, 27.9.2023, p. 67).	238, 27.9.2023, p. 67).	
Recital 7				
17	<p>(7) In 2021, the parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) adopted the non-binding Recommendation 2021/06¹ to reduce the loss of plastic pellets into the marine environment by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain. Measures for minimizing the risk associated with the transport of plastic pellets by sea are under examination at the International Maritime Organization.</p> <p>¹ OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment</p>	<p>(7) In 2021, the parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) adopted the non-binding Recommendation 2021/06¹ to reduce the loss of plastic pellets into the marine environment by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain. Measures for minimizing the risk associated with the transport of plastic pellets by sea are under examination at the International Maritime Organization <u><i>(IMO) in light of the significant risk of catastrophic pollution associated with maritime transport of plastic pellets. In this context, the Union should follow closely the developments at the IMO, and play a leading role in ensuring a high-level of environmental protection on this issue.</i></u></p> <p>¹ OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the</p>	<p>(7) In 2021, the contracting parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) adopted the non-binding Recommendation 2021/06⁺ to reduce the loss of plastic pellets into the marine environment by promoting the timely development and implementation of effective and consistent pellet loss prevention standards and certification schemes for the entire plastic supply chain. Measures for minimizing the risk associated with the transport of plastic pellets by sea are under examination at the International Maritime Organization (IMO) which approved the non-binding circular MEPC.1/Circ 909 on recommendations for the carriage of plastic pellets by sea in freight containers. In this context, the Union and its Member States should follow closely any future developments at the IMO, and play a leading role in ensuring a high-level of environmental protection on this</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		marine environment	issue, among others by setting a high standard of protection. †. OSPAR Recommendation 2021/06 on the reduction of plastic pellet loss into the marine environment	
Recital 7a				
17a		<i><u>(7a) Several accidents leading to plastic pellet spills and losses have been registered in the Union with transboundary impacts, highlighting the urgent need for ambitious, holistic measures to significantly reduce the risk of plastic pellet pollution while strengthening response capabilities in relation to plastic pellet spills throughout Union territories and waters.</u></i>		
Recital 7b				
17b		<i><u>(7b) Nearly 90 % of the world's goods are transported by sea, including plastic pellets. However, poor handling practices or a lack of supervision of certain routine operations, such as cleaning hulls or containers, can lead to such pellets leaking out and spilling into the ocean. Furthermore, many maritime pellet disasters have been reported, making maritime transport a high-risk</u></i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i><u>activity in relation to plastic pellet pollution. The impact of such pellet losses is catastrophic for marine and coastal ecosystems as well as the species that comprise them, and the extreme mobility of plastic pellets makes effective containment and clean-up operations difficult. The handling of such pellets is regulated at international level by the 1972 Convention for Safe Containers, and supplemented by the 2023 Sub-Committee on Carriage of Cargoes and Containers circular on the obligation to report lost containers, but they do not provide the guarantees needed to prevent pollution by plastic pellets. The inclusion of maritime transport in the scope of this Regulation, as well as of provisions relating to the handling of plastic pellets specific to this mode of transport, is therefore essential if the objectives of this Regulation are to be achieved.</u></i></p>		
Recital 8				
18	(8) In the Union submission to United Nations Environment Programme in view of the second session of the Intergovernmental Negotiating Committee on an	(8) In the Union submission to United Nations Environment Programme in view of the second session of the Intergovernmental Negotiating Committee on an	(8) In the Union submission to United Nations Environment Programme in view of the second session of the Intergovernmental Negotiating Committee on an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>international legally binding instrument on plastic pollution (INC-2)¹, the Union and its Member States stressed the need for the future instrument to include measures to reduce unintentional releases of microplastics.</p> <p><small>1. UNEP, The EU's Pre-session Submission ahead of Second Session of Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, 2023</small></p>	<p>international legally binding instrument on plastic pollution (INC-2)¹, the Union and its Member States stressed the need for the future instrument to include measures to reduce unintentional releases of microplastics.</p> <p><small>1. UNEP, The EU's Pre-session Submission ahead of Second Session of Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, 2023</small></p>	<p>international legally binding instrument on plastic pollution (INC-2)⁺, the Union and its Member States stressed the need for the future instrument to include measures to reduce unintentional releases of microplastics.</p> <p><small>1. UNEP, The EU's Pre-session Submission ahead of Second Session of Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, 2023</small></p>	
Recital 9				
19	<p>(9) Despite Union legislation concerning the prevention of waste, pollution, marine litter and chemicals, there are no specific Union rules preventing pellet losses as a source of microplastic pollution along the entire supply chain. Directive 2008/98/EC of the European Parliament and of the Council¹ lays down basic waste management principles and imposes general obligations for Member States to take measures to prevent waste generation. Those general obligations should be complemented by addressing specific aspects and requirements for the careful handling of plastic pellets in order to avoid them</p>	<p>(9) Despite Union legislation concerning the prevention of waste, pollution, marine litter and chemicals, there are no specific Union rules preventing pellet losses as a source of microplastic pollution along the entire supply chain. Directive 2008/98/EC of the European Parliament and of the Council¹ lays down basic waste management principles and imposes general obligations for Member States to take measures to prevent waste generation. Those general obligations should be complemented by addressing specific aspects and requirements for the careful handling of plastic pellets in order to <i>avoid them</i></p>	<p>(9) Despite Union legislation legal acts concerning the prevention of waste, pollution, marine litter and chemicals, there are no specific Union rules preventing pellet losses as a source of microplastic pollution along the entire supply chain. Directive 2008/98/EC of the European Parliament and of the Council¹ lays down basic waste management principles and imposes general obligations for Member States to take measures to prevent waste generation. Those general obligations should be complemented by addressing specific aspects and requirements for the careful handling of plastic</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>becoming waste.</p> <p>1. Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).</p>	<p>becoming waste<u>prevent them from escaping into the environment.</u></p> <p>1. Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).</p>	<p>pellets in order to avoid them becoming waste.</p> <p>1. Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).</p>	
Recital 9a				
19a		<p><u>(9a) This Regulation provides for measures to prevent, contain and clean up plastic pellet pollution occurring following the entry into force of this Regulation, but does not provide for measures to address existing pollution. Cleaning up soil, rivers and streams, and restoring degraded terrestrial, marine, littoral and coastal ecosystems is essential to achieving the 30 % reduction target by 2030, in accordance with the objectives set out in Regulation (EU) 2024/... of the European Parliament and of the Council^a, and the objectives of the European Green Deal. The Commission should develop a set of measures to map and clean up those already polluted areas, and implement them either as part of a European strategy for depolluting microplastics, or through support</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>and accompanying measures for Member States. More broadly, the Union should be involved in promoting solutions along the entire value chain, and should include such solutions in the ongoing negotiations on the development of an international Treaty on Plastic Pollution, as well as in the upcoming 81st session of the Marine Environment Protection Committee of the IMO (IMO MEPC).</i></u></p> <p><u><i>1a. Regulation (EU) 2024/... of the European Parliament and of the Council on nature restoration and amending Regulation (EU) 2022/869 (OJ L, ...).</i></u></p>		
Recital 10				
20	<p>(10) While the production of polymeric materials on an industrial scale fall under the scope of Directive 2010/75/EU of the European Parliament and of the Council¹, other activities like the conversion, transport or storage of pellets, usually operated by small and medium-sized enterprises, are not covered by that Directive. Moreover, the Reference Document on Best Available Techniques in the Production of</p>	<p>(10) While the production of polymeric materials on an industrial scale fall under the scope of Directive 2010/75/EU of the European Parliament and of the Council¹, other activities like the conversion, transport or storage of pellets, usually operated by small and medium-sized enterprises, are not covered by that Directive. Moreover, the Reference Document on Best Available Techniques in the Production of</p>	<p>(10) While the production of polymeric materials on an industrial scale fall under the scope of Directive 2010/75/EU of the European Parliament and of the Council¹, other activities like the conversion, transport or storage of pellets, usually operated by small and medium-sized enterprises, are not covered by that Directive. Moreover, the Reference Document on Best Available Techniques in the Production of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Polymers of August 2007², established pursuant Council Directive 96/61/EC³ concerning integrated pollution prevention and control, does not address the specific issue of pellet losses.</p> <p>1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p.17). 2. https://eippcb.jrc.ec.europa.eu/sites/default/files/2019-11/pol_bref_0807.pdf 3. Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).</p>	<p>Polymers of August 2007², established pursuant Council Directive 96/61/EC³ concerning integrated pollution prevention and control, does not address the specific issue of pellet losses.</p> <p>1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p.17). 2. https://eippcb.jrc.ec.europa.eu/sites/default/files/2019-11/pol_bref_0807.pdf 3. Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).</p>	<p>Polymers of August 2007², established pursuant Council Directive 96/61/EC³ concerning integrated pollution prevention and control, does not address the specific issue of pellet losses.</p> <p>1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p.17). 2. https://eippcb.jrc.ec.europa.eu/sites/default/files/2019-11/pol_bref_0807.pdf 3. Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).</p>	
Recital 11				
21	<p>(11) Directive 2008/56/EC of the European Parliament and of the Council¹ addresses the monitoring and assessment of the impacts of microlitter, including microplastics, in coastal and marine environments. An update of the first guidance on monitoring marine litter is under development in view of harmonised methodologies including to monitor the presence and distribution of plastic pellets along the coastline. However, Directive 2008/56/EC does not include</p>	<p>(11) Directive 2008/56/EC of the European Parliament and of the Council¹ addresses the monitoring and assessment of the impacts of microlitter, including microplastics, in coastal and marine environments. An update of the first guidance on monitoring marine litter is under development in view of harmonised methodologies including to monitor the presence and distribution of plastic pellets along the coastline. However, Directive 2008/56/EC does not include</p>	<p>(11) Directive 2008/56/EC of the European Parliament and of the Council¹ addresses the monitoring and assessment of the impacts of microlitter, including microplastics, in coastal and marine environments. An update of the first guidance on monitoring marine litter is under development in view of harmonised methodologies including to monitor the presence and distribution of plastic pellets along the coastline. However, Directive 2008/56/EC does not include</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>specific requirements concerning the prevention or reduction of pellet losses at source.</p> <p>1. Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p.19).</p>	<p>specific requirements concerning the prevention or reduction of pellet losses at source.</p> <p>1. Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p.19).</p>	<p>specific requirements concerning the prevention or reduction of pellet losses at source.</p> <p>1. Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p.19).</p>	
Recital 12				
22	<p>(12) Commission Regulation (EU) 2023/2055 addresses losses of synthetic polymer microparticles for use at industrial sites i.e. plastic pellets as avoidable releases. For these releases, a reporting requirement for an estimated quantity of microplastics released to the environment on an annual basis is introduced. While lacking a methodology to estimate losses, this requirement will increase information on pellet losses and improve the quality of the information collected to assess the risks deriving from these microplastics in the future.</p>	<p>(12) Commission Regulation (EU) 2023/2055 addresses losses of synthetic polymer microparticles for use at industrial sites i.e. plastic pellets as avoidable releases. For these releases, a reporting requirement for an estimated quantity of microplastics released to the environment on an annual basis is introduced. While lacking <u>However, that reporting requirement lacks</u> a methodology to estimate losses, <u>and only provides annual estimates. While</u> this requirement will increase information on pellet losses and improve the quality of the information collected to assess the risks deriving from these microplastics in the future, <u>it is not sufficient to have an overview of the specific nature of the losses</u></p>	<p>(12) Commission Regulation (EU) 2023/2055 addresses losses of synthetic polymer microparticles for use at industrial sites i.e. plastic pellets as avoidable releases. For these releases, a reporting requirement for an estimated quantity of microplastics released to the environment on an annual basis is introduced. While lacking a methodology to estimate losses, this requirement will increase information on pellet losses and improve the quality of the information collected to assess the risks deriving from these microplastics in the future.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>and the causes thereof.</u>		
Recital 13				
23	(13) To ensure that plastic pellets are handled safely and responsibly at all stages of the supply chain, so that losses to the environment are prevented, it is necessary to establish requirements on the handling of plastic pellets along the entire supply chain: production, master batching and compounding, conversion, waste management, including recycling, distribution, repacking, transport, storage and tank cleaning at cleaning stations.	(13) To ensure that plastic pellets are handled safely and responsibly at all stages of the supply chain, so that losses to the environment are prevented, it is necessary to establish requirements on the handling of plastic pellets along the entire supply chain: production, master batching and compounding, conversion, waste management, including recycling, distribution, repacking, transport, storage and tank cleaning at cleaning stations.	(13) To ensure that plastic pellets are handled safely and responsibly at all stages of the plastic pellet supply chain, so that losses to the environment are prevented, it is necessary to establish requirements on the handling of plastic pellets along the entire supply chain, namely in: production, including output from recycling , master batching and , compounding, conversion, waste management, including recycling processing , distribution, repacking , transport, storage, packaging , and tank and container cleaning at cleaning stations.	
Recital 14				
24	(14) Such requirements should take into account internationally recommended good handling practices as well as existing requirements on the handling of plastic pellets established by the industry in the Union.	(14) Such requirements should take into account internationally recommended good handling practices as well as existing requirements on the handling of plastic pellets established by the industry in the Union.	(14) Such requirements should take into account internationally recommended good handling practices as well as existing requirements on the handling of plastic pellets established by the industry in the Union. In this regard, the European Union and its Member States may pursue efforts to make the recommendation in MEPC. 1/Circ 909 mandatory at	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			international level. Furthermore, the Union may promote discussion at international level on the obligation for carriers to notify competent authorities when transporting plastic pellets in a country different from the one in which they are established.	
Recital 14a				
24a			(14a) If plastic pellets are released and dispersed into the marine environment, they can harm living resources and marine life and can interfere with other legitimate uses of the sea, such as fishing and aquaculture. As plastic pellets look like fish egg to birds, despite the fact that only 0.05% of plastic pieces from surface waters are pellets, they comprise about 70% of the plastic eaten by seabirds. These small plastic particles have been found in the stomachs of 63 of the world's approximately 250 species of seabirds.	
Recital 14b				
24b			Furthermore, by weight, plastic pellets are estimated to be the second largest direct source	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>of microplastic marine pollution; it is estimated that billions of individual pellets enter the ocean every year. This is due to both small and large-scale losses and spillages occurring on land and sea during all stages of the supply chain, especially while they are in transit.</p>	
Recital 14c				
24c			<p>Additionally, the pellets can be washed up on beaches and coastlines and, as a result, negatively impact tourism and shore-based activities. Several incidents involving seagoing vessels resulted in several tonnes of plastic pellets being released in the marine environment with disastrous consequences for the environment and local communities. For example, the Toconao accident impacting the northern coast of Spain in 2023 causes the loss of six freight containers, amongst which one freight container holding one thousand 25kg sacks of pellets. This resulted in millions of pellets arriving on the Galician Coast.</p>	
Recital 14d				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
24d			<p>To address this issue from the perspective of maritime transport, the IMO Marine Environment Protection Committee approved in 2024 MEPC.1/Circ.909 providing recommendations for the carriage of plastic pellets by sea in freight containers. However, since those recommendations are not legally binding, the Union, in line with its obligation under the Treaties to preserve, protect and improve the quality of the environment, and to promote measures at international level to deal worldwide environmental problems, has adopted requirements which are legally binding on certain operators of seagoing vessels to pioneer worldwide a higher level of environmental protection in this field.</p>	
Recital 14e				
24e			<p>These requirements complement the overall IMO and EU legal framework on the safety of maritime transport and the prevention of pollution from ships, notably Directive 2002/59 which established a system to prevent accidents and pollution</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			at sea taking into account the international legal rules.	
Recital 15				
25	(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using puncture-proof packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.	(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by <u>labelling all storage and transport containers containing plastic pellets as well as by</u> using puncture-proof <u>appropriate</u> packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.	(15) Economic operators, EU carriers and non-EU carriers should implement the requirements on the handling of plastic pellets by following a priority order of action with the paramount goal of preventing the release of pellets in the environment as the top priority. Therefore, preventing spills of plastic pellets from primary containment during routine handling, thus reducing the risk of spills to the lowest possible level, should be the first step, including by avoiding any unnecessary handling (for instance by reducing the transfer points) and by using puncture-proof good quality packaging, followed by containment of spilled pellets to make sure they do not become a loss to the environment, and eventually by clean up after a spill or loss event as the final step.	
Recital 16				
26	(16) While the aim is to prevent	(16) While the aim is to	(16) While the aim is to prevent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, obligations for micro-, small and medium-sized enterprises should be adjusted to mitigate the burden on them.	prevent <u>achieve zero</u> plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers , obligations for micro-, small and medium-sized enterprises and enterprises <u>that handle under 1 000 tonnes of plastic pellets annually</u> should be adjusted to mitigate the burden on them.	plastic pellet losses to the environment for all economic operators, EU carriers and non-EU carriers, obligations for micro-, small and medium-sized enterprises should be adjusted to mitigate the burden on them.	
Recital 16a				
26a			(16a) Member States, on the other hand, should not be prevented from introducing or maintaining more stringent protective measures. Such measures, including targeting economic operators handling more than 5 tonnes of plastic pellets, are to be compatible with the Treaties.	
Recital 17				
27	(17) The registration of installations handling plastic pellets and of carriers transporting them is necessary for the traceability of plastic pellets handled and transported in each Member State and to allow competent authorities to perform compliance checks efficiently.	(17) The registration of installations handling plastic pellets and of carriers transporting them is necessary for the traceability of plastic pellets handled and transported in each Member State and to allow competent authorities to perform compliance checks efficiently.	(17) The registration of installations handling plastic pellets and of carriers transporting them is necessary for the traceability of plastic pellets handled and transported in each Member State and to allow competent authorities to perform compliance checks efficiently.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 18				
28	(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.	(18) In order to prevent <u>plastic pellet losses and to achieve zero</u> plastic pellet losses, economic operators should establish, implement, and update at all times a risk assessment plan identifying potential for spills and losses and documenting in particular specific equipment and procedures in place to prevent, contain and clean up pellet losses, taking into consideration the installation size and the scale of operations.	(18) In order to prevent plastic pellet losses, economic operators should establish, implement, and update at all times a risk management plan, including a risk assessment plan , identifying potential for spills and losses and documenting in particular existing specific equipment and procedures in place to prevent, contain and clean up pellet losses, The risk management plan should also consider the costs and benefits of additional equipment and procedures to address the identified risks taking into consideration the installation size and the scale of operations.	
Recital 19				
29	(19) To enable competent authorities to verify compliance with the risk assessment plan's requirements, economic operators should provide the competent authority with the risk assessment plan they have conducted, together with a self-declaration of conformity.	(19) To enable competent authorities to verify compliance with the risk assessment plan's requirements, economic operators should provide the competent authority with the risk assessment plan they have conducted, together with a self-declaration of conformity.	(19) To enable competent authorities to verify compliance with the risk assessment management plan's requirements, economic operators should provide the competent authority with the risk assessment management plan they have conducted developed , together with a self-declaration of conformity or a certificate, as applicable .	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 20				
30	<p>(20) Economic operators should be able to choose the specific equipment to install or the procedure to execute. Nevertheless, competent authorities, while verifying compliance, should be able to require economic operators to amend the risk assessment plan including by taking, in a given timeframe, any of the actions listed in this Regulation to ensure adequate implementation of the requirements of this Regulation.</p>	<p>(20) Economic operators should be able to choose put in place the specific equipment to install or the procedure procedures to execute. Nevertheless, competent authorities, while verifying compliance, should be able to require economic operators to amend the risk assessment plan including by taking, in a given timeframe, any of the actions listed in this Regulation to ensure adequate implementation of the requirements of this Regulation. <u>Economic operators should be able to be exempted from installing certain types of equipment or from adopting certain measures if they duly justify such exemptions to the competent authorities, taking into account the nature and size of the installation and the scale of its operations. Micro enterprises should consider at least the specific equipment to be installed or the procedures to be executed, taking into account the nature and size of the installation as well as the scale of its operations.</u></p>	<p>(20) Economic operators should be able to choose determine through a risk-based approach the specific equipment to install or the procedure to execute procedures to implement. Nevertheless, competent authorities, while verifying compliance, should be able to require economic operators to amend the risk assessment management plan including by taking, in a given timeframe, any of the actions listed in this Regulation to ensure adequate implementation of the requirements of this Regulation.</p>	
Recital 21				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
31	(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.	(21) In order to evaluate the adequacy of the risk assessment plan carried out for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume handled. To reduce burden on economic operators, the information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.	(21) In order to evaluate the adequacy of the risk assessment plan carried out management plan designed for each installation, economic operators should keep record of an estimate of the quantity of the pellets released to the environment per year, together with the total volume quantities handled. To reduce burden on economic operators, the competent authorities and certifiers should be able to use information on estimates of quantities released may be used in the framework of the reporting requirement under Commission Regulation (EU) 2023/2055.	
Recital 22				
32	(22) Due to the characteristics of their activity, carriers should not be mandated to conduct a risk assessment plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.	(22) Due to the characteristics of their activity, carriers should not be mandated to conduct a risk assessment plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.	(22) Due to the characteristics of their activity, carriers should not be mandated to conduct develop and implement a risk assessment management plan. Instead, they should be required to undertake tangible measures aimed at preventing, containing, and addressing spills and losses. These measures should be subject to verification by competent authorities, primarily during the transportation process.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 22a				
32a			(22a) Non-EU carriers should designate an authorised representative, which should act on behalf of the non-EU carrier and may be addressed by any competent authority. The representative should be explicitly designated by a written mandate of the non-EU carrier with regard to specific obligations under this Regulation. The designation of such representative does not affect the responsibility or liability of the non-EU carrier under this Regulation. The authorised representative should be subject to enforcement proceedings, as far as its mandate is concerned, in the event of non-compliance by the non-EU carrier.	
Recital 23				
33	(23) The successful implementation of the actions required to prevent plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees. Economic operators and EU carriers should	(23) The successful implementation of the actions required to prevent <u>plastic pellet losses and to achieve zero</u> plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees.	(23) The successful implementation of the actions required to prevent plastic pellet losses requires the full cooperation and commitment of economic operators', EU carriers' and non-EU carriers' employees. Economic operators, EU carriers and non-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the requirements laid down in this Regulation. Economic operators and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.</p>	<p>Economic operators and EU carriers should be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the requirements laid down in this Regulation. Economic operators and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.</p>	<p>EU and EU carriers should be required to train their staff according to their employees' specific roles and responsibilities in order to ensure they are aware of and are able to use the equipment and execute the procedures necessary to ensure compliance with the requirements laid down in this Regulation. Economic operators, EU carriers and non-EU and EU carriers should also be required to monitor and keep records of the relevant actions to implement the requirements set out in this Regulation, for instance, the placement of new catchment devices. Where appropriate, they should adopt corrective actions including, where necessary, the improvement of equipment and procedures in place.</p>	
Recital 24				
34	<p>(24) Medium and large-sized enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal</p>	<p>(24) Small, medium and large-sized enterprises that operate installations where plastic pellets are handled in quantities above 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to implement, for each installation, extra actions like carrying out an annual internal</p>	<p>(24) Medium and large-sized Economic operators that are not micro enterprises and that operate installations where plastic pellets are handled in quantities equal to or above the threshold of 1 000 tonnes may bring higher risks of pellet losses to the environment. For this reason, these enterprises should be required to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>assessment, and adopting a training programme addressing specific training needs and modalities. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure homogeneous information.</p> <p><small>1. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).</small></p>	<p>assessment, and adopting a <u>mandatory</u> training programme addressing specific training needs and modalities <u>issues in relation to prevention, practices, workers protection, clean-up technologies, use and maintenance of equipment, the execution of procedures, as well as the monitoring and reporting of plastic pellet losses</u>. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. These certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS). The certificate should correspond to a unique format in order to ensure homogeneous information. <u>Small enterprises operating installations where plastic pellets in quantities</u></p>	<p>implement, for each installation, extra actions like carrying out an annual internal assessment, and in case of medium and large-sized enterprises, adopting a training programme addressing specific training needs and modalities. The internal assessment can among others cover the following subjects: the estimated quantities and causes of losses; the preventive, containment and clean up equipment or procedures implemented to avoid future losses, and their effectiveness; discussions with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation. In addition, for these enterprises, compliance with the requirements laid down in this Regulation should be demonstrated by obtaining, and renewing, a certificate issued by certifiers. The certifier, in particular consultancy services, should not engage in any activity that may conflict with their independence of judgement, or integrity in relation to the certification activities for which they are accredited. These</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>above 1 000 tonnes have been handled should obtain certification only once. Such certification should be valid for 5 years after which they should notify an update of their risk assessment plan as well as a self-declaration of conformity every 5 years.</u></p> <p>1. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).</p>	<p>certifiers can either be an accredited conformity assessment body, or an environmental verifier licenced to carry out verification and validation in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council¹ on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), or an environmental verifier licenced to carry out verification and validation of another environmental management system (EMS). The certificate should correspond to a unique format in order to ensure homogeneous information.</p> <p>1. Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).</p>	
Recital 25				
35	(25) Micro and small-sized enterprises, and medium and large-sized enterprises operating installations where plastic pellets in	(25) Micro and small-sized enterprises Small , and medium and large-sized enterprises operating installations where plastic pellets in	(25) Micro and small-sized enterprises ; and small , medium and large-sized enterprises operating installations where plastic pellets in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	quantities below 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.	quantities below 1 000 tonnes have been handled <u>and micro enterprises</u> should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.	quantities below the threshold of 1 000 tonnes have been handled should be required to be subject to a self-declaration of conformity. They should also be given sufficient time to demonstrate their compliance.	
Recital 26				
36	(26) To enable competent authorities to more efficiently verify compliance under this Regulation, certifiers should notify competent authorities about the outcome of their assessments. Certificates should not prejudice the assessment on compliance by competent authorities.	(26) To enable competent authorities to more efficiently verify compliance under this Regulation, certifiers should notify competent authorities about the outcome of their assessments. Certificates should not prejudice the assessment on compliance by competent authorities.	(26) To enable competent authorities to more efficiently verify compliance under this Regulation, certifiers should notify competent authorities about the outcome of their assessments. Certificates should not prejudice the assessment on compliance by competent authorities.	
Recital 26a				
36a			(26a) In order to ensure transparency, competent authorities should make certain information publicly available. This includes the notification on installations operated, involvement in the transport of plastic pellets in the Union including significant changes from what was previously notified, the establishment of an authorised representative, risk management plans, self-declarations of conformity,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>certificates and permits, which should be accessible through an easy-to-find, free, and unrestricted online platform. However, to ensure safety and confidentiality, authorities can withhold specific details if their release would jeopardize the safety of the concerned installations, local populations, or other public interests. The Commission will also publish lists of national websites and authorised representatives of non-EU carriers to ensure wide access to this information while safeguarding business confidentiality.</p>	
Recital 27				
37	<p>(27) In order to be EMAS registered, economic operators are required to comply with environmental legislation, including this Regulation. Consequently, economic operators which are registered to EMAS should be considered compliant with the requirements laid down in this Regulation provided that an environmental verifier has verified that requirements laid down in this Regulation have been included in their environmental management</p>	<p>(27) In order to be EMAS registered, economic operators are required to comply with environmental legislation, including this Regulation. Consequently, economic operators which are registered to EMAS should be considered compliant with the requirements laid down in this Regulation provided that an environmental verifier has verified that requirements laid down in this Regulation have been included in their environmental management</p>	<p>(27) In order to be EMAS registered, economic operators are required to comply with environmental legislation, including this Regulation. Consequently, economic operators which are registered to EMAS should be considered compliant with the requirements laid down in this Regulation provided that an environmental verifier has verified that requirements laid down in this Regulation have been included in their environmental management</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system and implemented. These economic operators should therefore be exempted from the obligations of certification and notification to competent authorities when renewing self-declarations and risk assessments.	system and implemented. These economic operators should therefore be exempted from the obligations of certification and notification to competent authorities when renewing self-declarations and risk assessments.	system and implemented. These economic operators should therefore be exempted from the obligations of certification and notification to competent authorities when renewing self-declarations and risk assessments management plan. In addition to the exemption provided for EMAS and for the purpose of decreasing the burden on other high-integrity systems, it is possible for economic operators that prepare and implement other environmental management systems for each installation to be exempted from compliance in this Regulation upon meeting certain criteria as laid down in this Regulation.	
Recital 28				
38	(28) Competent authorities should verify economic operators', EU carriers' and non-EU carriers' compliance with the obligations arising from this Regulation using, if appropriate, the findings provided as part of the certification or as self-declarations, based on either environmental inspections or other verification measures, on a risk-based approach. Inspections should, where possible, be	(28) Competent authorities should verify economic operators', EU carriers' and non-EU carriers' compliance with the obligations arising from this Regulation using, if appropriate, the findings provided as part of the certification or as self-declarations, based on either environmental inspections or other verification measures, on a risk-based approach. Inspections should, where possible, be	(28) Competent authorities should verify economic operators', EU carriers' and non-EU carriers' compliance with the obligations arising from this Regulation using, if appropriate, the findings provided as part of the certification or as self-declarations;. Such verification should be based, as appropriate, on either environmental inspections or other verification measures, on a risk-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	coordinated with those required under other Union legislation. Competent authorities should provide the Commission with information on the implementation of this Regulation.	coordinated with those required under other Union legislation. Competent authorities should provide the Commission with information on the implementation of this Regulation.	based approach. Inspections should, where possible, be coordinated with those required under other Union legislation legal acts . Competent authorities should provide the Commission with information on the implementation of this Regulation.	
Recital 28a				
38a			(28a) Member States may ensure compliance with this Regulation through permits based on a system of regular inspections of installations to examine the full range of relevant environmental effects, including plastic pellet spills and losses. For installations located in a Member State choosing that compliance is to be enforced and verified through such system of permits and regular inspections, economic operators are exempted from obtaining a certificate or submitting a self-declaration of conformity for those installations for which they hold a permit which imposes the conditions necessary for compliance with this Regulation and its Annexes. For installations for which such exemption applies, economic operators should notify the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			relevant competent authority about the risk management plan and regular updates of the plan. When compliance is ensured through permits, Member States should take the necessary steps to revise the conditions of existing permits and issue new permits such that compliance with this Regulation and its Annexes is ensured in due time.	
Recital 28b				
38b			(28b) According to the Directive 2008/98/EC, Member States should require recyclers to obtain a permit, the conditions of which should ensure that the production of plastic pellets is conducted without endangering human health or harming the environment, particularly avoiding risks to water, air, soil, plants, or animals.	
Recital 29				
39	(29) In order to minimise the effects of any loss, the economic operator, EU carrier and non-EU carrier should take the measures necessary to restore compliance. The corrective action required should be proportionate to the infringement detected and its	(29) In order to minimise the effects of any loss, the economic operator, EU carrier and non-EU carrier should take the measures necessary to restore compliance. The corrective action required should be proportionate to the infringement detected and its	(29) In order to minimise the effects of any loss, the economic operator, EU carrier and non-EU carrier should take the measures necessary to restore compliance. The corrective action required should be proportionate to the infringement detected and its	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expected harmful effects on the environment. Where competent authorities detect an infringement of this Regulation, they should notify the economic operator, the EU carrier or the non-EU carrier about the infringement detected and require that corrective measures are taken to restore compliance.	expected harmful effects on the environment. Where competent authorities detect an infringement of this Regulation, they should notify the economic operator, the EU carrier or the non-EU carrier about the infringement detected and require that corrective measures are taken to restore compliance.	expected harmful effects on the environment. Where competent authorities detect an infringement of this Regulation, they should notify the economic operator, the EU carrier or the non-EU carrier about the infringement detected and require that corrective measures are taken to restore compliance.	
Recital 30				
40	(30) Competent authorities should have a minimum set of inspection and enforcement powers in order to ensure compliance with this Regulation, to cooperate with each other more quickly and more efficiently, and to deter economic operators, EU carriers and non-EU carriers from infringing this Regulation. Those powers should be sufficient to tackle the enforcement challenges and to prevent non-compliant economic operators from exploiting gaps in the enforcement system by relocating to Member States whose competent authorities are not equipped to tackle unlawful practices.	(30) Competent authorities should have a minimum set of inspection and enforcement powers in order to ensure compliance with this Regulation, to cooperate with each other more quickly and more efficiently, and to deter economic operators, EU carriers and non-EU carriers from infringing this Regulation. Those powers should be sufficient to tackle the enforcement challenges and to prevent non-compliant economic operators from exploiting gaps in the enforcement system by relocating to Member States whose competent authorities are not equipped to tackle unlawful practices.	(30) Competent authorities should have a minimum set of inspection and enforcement powers in order to ensure compliance with this Regulation, to cooperate with each other more quickly and more efficiently, and to deter economic operators, EU carriers and non-EU carriers, authorised representatives, and shippers, operators, agents and masters of sea-going vessels transporting pellets, where relevant , from infringing this Regulation. Those powers should be sufficient to tackle the enforcement challenges and to prevent non-compliant economic operators from exploiting gaps in the enforcement system by relocating to Member States whose competent authorities are not equipped to tackle unlawful	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			practices.	
Recital 31				
41	(31) Competent authorities should be able to use all facts and circumstances of the case as evidence for the purpose of their inspection.	(31) Competent authorities should be able to use all facts and circumstances of the case as evidence for the purpose of their inspection.	(31) Competent authorities should be able to use all facts and circumstances of the case as evidence for the purpose of their inspection.	
Recital 32				
42	(32) Micro, small and medium-sized enterprises (SMEs) in the pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the	(32) <u>As</u> micro, small and medium-sized enterprises (SMEs) in account for an important share of the pellet supply chain, they should comply with the relevant obligations laid down in this Regulation, however they could face <u>while taking into consideration the possible different challenges linked to that compliance and the possible</u> proportionally higher costs and difficulties when complying with some of the obligations . The Commission <u>and the competent authorities</u> should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission <u>and the competent authorities</u> should develop training materials, <u>in consultation with all relevant stakeholders</u> , to assist	(32) Micro, small and medium-sized enterprises (SMEs) in the plastic pellet supply chain should comply with the relevant obligations laid down in this Regulation, however they could face proportionally higher costs and difficulties when complying with some of the obligations. The Commission should raise awareness among economic operators and carriers regarding the necessity of preventing pellet losses. Additionally, the Commission should develop training materials to assist them in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>assistance of Member States, this could include technical and financial support as well as specialised training to SMEs. Member States actions should be taken in respect of applicable State aid rules.</p>	<p>them<u>economic operators and carriers</u> in fulfilling their obligations, particularly with respect to the requirements of the risk assessment. <u>That should be done by taking into account the non-binding Recommendation adopted by the parties to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR).</u> Member States should provide access to information and assistance regarding compliance with obligations and the risk assessment requirements. Regarding the assistance of Member States, this could include technical and financial support as well as <u>and</u> specialised training to SMEs<u>all personnel handling plastic pellets, as well as financial support and access to finance for micro and small enterprises as well as for installations handling plastic pellets in smaller quantities.</u> Member States actions should be taken in respect of applicable State aid rules.</p>	<p>RegardingThe assistance of Member States, this could can include technical and financial support, as far as necessary and appropriate, as well as specialised training to SMEsmicro, small and medium sized enterprises. Member States actions should be taken in respect of applicable State aid rules.</p>	
Recital 33				
43	(33) In order to facilitate common grounds to estimate the losses of plastic pellets to the environment,	(33) In order to facilitate common grounds to estimate the losses of plastic pellets to the environment,	(33) In order to facilitate common grounds to estimate the losses of plastic pellets to the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>it is necessary to have a standardised methodology set in a harmonised standard that is adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council¹.</p> <p>¹ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33)</p>	<p>it is necessary to have a standardised methodology set in a harmonised standard that is adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council¹. <u>Pending the adoption of the standardised methodology, economic operators should indicate the methodology used when reporting losses of plastic pellets.</u></p> <p>¹ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33)</p>	<p>environment, it is necessary to have a standardised methodology set in a harmonised standard that is adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council¹. Regulation (EU) No 1025/2012 provides for a procedure for objections to harmonised standards where those standards do not entirely satisfy the requirements set out in this Regulation.</p> <p>¹ Regulation (EU) No 1025/2012 No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12–33).</p>	
Recital 34				
44	(34) Regulation (EU) No 1025/2012 provides for a procedure for objections to harmonised standards where those standards do not entirely satisfy the	(34) Regulation (EU) No 1025/2012 provides for a procedure for objections to harmonised standards where those standards do not entirely satisfy the	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requirements set out in this Regulation.	requirements set out in this Regulation.		
<i>Recital 35</i>				
45	(35) In order to ensure that the objectives of this Regulation are achieved, and the requirements are enforced effectively, Member States should designate their own competent authorities responsible for the application and enforcement of this Regulation. In cases where there is more than one designated competent authority in their territory, in order to ensure effective exercise of the duties of the competent authorities, Member States should ensure close cooperation between all designated competent authorities.	(35) In order to ensure that the objectives of this Regulation are achieved, and the requirements are enforced effectively, Member States should designate their own competent authorities responsible for the application and enforcement of this Regulation. In cases where there is more than one designated competent authority in their territory, in order to ensure effective exercise of the duties of the competent authorities, Member States should ensure close cooperation between all designated competent authorities.	(35) In order to ensure that the objectives of this Regulation are achieved, and the requirements are enforced effectively, Member States should designate their own competent authorities responsible for the application and enforcement of this Regulation. In cases where there is more than one designated competent authority in their territory, in order to ensure effective exercise of the duties of the competent authorities, Member States should ensure close cooperation between all designated competent authorities.	
<i>Recital 36</i>				
46	(36) In order to ensure compliance, competent authorities should also take the necessary steps, including inspections and hearings when in possession of and based on relevant information, including substantiated complaints submitted by third parties. Third parties submitting a complaint should be able to demonstrate a sufficient interest or maintain the impairment of a right.	(36) In order to ensure compliance, competent authorities should also take the necessary steps, including inspections and hearings when in possession of and based on relevant information, including substantiated complaints submitted by third parties. Third parties submitting a complaint should be able to demonstrate a sufficient interest or maintain the impairment of a right.	(36) In order to ensure compliance, competent authorities should also take the necessary steps, including inspections and hearings when in possession of and based on relevant information, including substantiated complaints submitted by third parties. Third parties submitting a complaint should be able to demonstrate a sufficient interest or maintain the impairment of a right.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 37				
47	<p>(37) Member States should ensure that any measures taken by their competent authorities under this Regulation are subject to effective judicial remedies in accordance with Article 47 of the Charter of Fundamental Rights of the European Union¹. According to settled case law of the Court of Justice of the European Union, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) of the Treaty on European Union requires Member States to provide remedies that are sufficient to ensure effective judicial protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons in accordance with this Regulation, has access to justice in line with the obligations that Member States have agreed to as parties to the UN Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (the 'Aarhus</p>	<p>(37) Member States should ensure that any measures taken by their competent authorities under this Regulation are subject to effective judicial remedies in accordance with Article 47 of the Charter of Fundamental Rights of the European Union¹. According to settled case law of the Court of Justice of the European Union, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) of the Treaty on European Union requires Member States to provide remedies that are sufficient to ensure effective judicial protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons in accordance with this Regulation, has access to justice in line with the obligations that Member States have agreed to as parties to the UN Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (the 'Aarhus</p>	<p>(37) Member States should ensure that any measures taken by their competent authorities under this Regulation are subject to effective judicial remedies in accordance with Article 47 of the Charter of Fundamental Rights of the European Union⁺ (the 'Charter'). According to settled case law of the Court of Justice of the European Union, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) of the Treaty on of the European Union (TEU) requires Member States to provide remedies that are sufficient to ensure effective judicial legal protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons in accordance with this Regulation, has access to justice in line with the obligations that Member States have agreed to as parties to the UN Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Convention')².</p> <p>1. OJ C 326, 26.10.2012, p. 391–407: OJ C 326, 26.10.2012, p. 391–407</p> <p>2. https://unece.org/environment-policy/public-participation/aarhus-convention/text</p>	<p>Convention')².</p> <p>1. OJ C 326, 26.10.2012, p. 391–407: OJ C 326, 26.10.2012, p. 391–407</p> <p>2. https://unece.org/environment-policy/public-participation/aarhus-convention/text</p>	<p>Justice in Environmental Matters of 25 June 1998² (the 'Aarhus Convention')².</p> <p>1. OJ C 326, 26.10.2012, p. 391–407: OJ C 326, 26.10.2012, p. 391–407</p> <p>2. https://unece.org/environment-policy/public-participation/aarhus-convention/text 4).</p> <p>Council Decision 2005/370/EC of 17 February 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters (OJ L 124, 17.5.2005, p. 1).</p>	
Recital 38				
48	<p>(38) In order to ensure that economic operators are effectively dissuaded from non-compliance with the requirements laid down in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties provided should be effective, proportionate and dissuasive. To facilitate a more consistent application of penalties, it is necessary to establish common criteria for determining the types and levels of penalties to be imposed in case of infringement. Those criteria should include, inter</p>	<p>(38) In order to ensure that economic operators are effectively dissuaded from non-compliance with the requirements laid down in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties provided should be effective, proportionate and dissuasive. To facilitate a more consistent application of penalties, it is necessary to establish common criteria for determining the types and levels of penalties to be imposed in case of infringement. Those criteria should include, inter</p>	<p>(38) In order to ensure that economic operators are effectively dissuaded effective dissuasion from non-compliance with the requirements laid down in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties provided should be effective, proportionate and dissuasive. To facilitate a more consistent application of penalties, it is necessary to establish common criteria for determining the types and levels of penalties to be imposed in case of infringement.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>alia, the nature and gravity of the infringement as well as the economic benefits derived from the infringement in order to ensure that those responsible are deprived of those benefits.</p>	<p>alia, the nature and gravity of the infringement as well as the economic benefits derived from the infringement in order to ensure that those responsible are deprived of those benefits. <u>Member States should endeavour to ensure that the revenue generated from the penalties, or its equivalent financial value, is used to support projects aimed at cleaning up areas polluted by plastic and avoiding plastic pellet pollution.</u></p>	<p>Those criteria should include, inter alia, the nature and gravity of the infringement as well as the economic benefits derived from the infringement in order to ensure that those responsible are deprived of those benefits.</p>	
Recital 39				
49	<p>(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from the economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should, in case of an infringement committed by a legal</p>	<p>(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers from the economic benefit derived from non-compliance with the obligations deriving from this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should, in case of an infringement committed by a legal</p>	<p>(39) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant economic operator, EU carriers and non-EU carriers persons from the economic benefit derived from non-compliance with the obligations deriving from under this Regulation, including in cases of repeated infringements. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. For the most serious infringements committed by a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	person, represent at least 4% of the economic annual turnover in the Member State concerned.	person, represent at least 4% ^{3%} of the economic annual turnover in the Member State concerned ^{Union} .	<p>legal person, such as those of high level of gravity due to their nature, extent and repetition, of where those infringements pose a significant risk to human health or the environment, the maximum amount of fines should, in case of an infringement committed by a legal person, represent at least 4%^{3%} % of the economic annual Union turnover. For those infringements, without prejudice to the obligations of in the Member State concerned States under Directive 2024/1203/EU¹ of the European Parliament and of the Council, Member States may also or alternatively adopt criminal penalties, provided that they are effective, proportionate and dissuasive.</p> <p><small>1. Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC (OJ L, 2024/1203, 30.4.2024, ELI: http://data.europa.eu/eli/dir/2024/1203/oj).</small></p>	
Recital 40				
50	(40) Where damage to human health has occurred as a result of	(40) Where damage to human health has occurred as a result of	(40) Where damage to human health has occurred as a result of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>an infringement of this Regulation, Member States should ensure that the individuals affected are able to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement. Such rules on compensation contribute to pursuing the objectives of preserving, protecting and improving the quality of the environment and protecting human health as laid down in Article 191 of the Treaty on the Functioning of the European Union. They also underpin the right to life, integrity of the person and health care laid down in Articles 2, 3 and 35 of the Charter of Fundamental Rights of the European Union and the right to an effective remedy as laid down in Article 47 of the Charter. Moreover, Directive 2004/35/EC of the European Parliament and of the Council¹ does not give private parties a right of compensation as a consequence of environmental damage or of an imminent threat of such damage.</p> <p><small>1. Directive 2004/35/EC of the European Parliament and of the Council of 21 April</small></p>	<p>an infringement of this Regulation, Member States should ensure that the individuals affected are able to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement. Such rules on compensation contribute to pursuing the objectives of preserving, protecting and improving the quality of the environment and protecting human health as laid down in Article 191 of the Treaty on the Functioning of the European Union. They also underpin the right to life, integrity of the person and health care laid down in Articles 2, 3 and 35 of the Charter of Fundamental Rights of the European Union and the right to an effective remedy as laid down in Article 47 of the Charter. Moreover, Directive 2004/35/EC of the European Parliament and of the Council¹ does not give private parties a right of compensation as a consequence of environmental damage or of an imminent threat of such damage.</p> <p><small>1. Directive 2004/35/EC of the European Parliament and of the Council of 21 April</small></p>	<p>an infringement of this Regulation, Member States should ensure that the individuals affected are able to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement. Such rules on compensation contribute to pursuing the objectives of preserving, protecting and improving the quality of the environment and protecting human health as laid down in Article 191 of the Treaty on the Functioning of the European Union (TFEU). They also underpin the right to life, integrity of the person and health care laid down in Articles 2, 3 and 35 of the Charter of Fundamental Rights of the European Union and the right to an effective remedy as laid down in Article 47 of the Charter. Moreover, Directive 2004/35/EC of the European Parliament and of the Council¹ does not give private parties a right of compensation as a consequence of environmental damage or of an imminent threat of such damage.</p> <p><small>1. Directive 2004/35/EC of the European Parliament and of the Council of 21 April</small></p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p.56).	2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p.56).	2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.4.2004, p.56).	
Recital 41				
51	(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that	(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that	(41) To ensure that individuals can defend their rights against damages to health caused by infringements of this Regulation and thereby ensure its more efficient enforcement, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. Therefore, it is necessary to adapt the burden of proof applicable to such situations. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.</p>	<p>while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. Therefore, it is necessary to adapt the burden of proof applicable to such situations. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.</p>	<p>while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims under the procedural rules on the burden of proof not obvious to link a specific loss of plastic pellets directly to specific impacts on human health or the environment, and such impacts are generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation also not immediate. Therefore, it is necessary to adapt the burden of proof applicable to such situations. When an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of this Regulation is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.</p>	
Recital 42				
52	(42) In order to take into account technical progress and scientific developments, the power to adopt	(42) In order to take into account technical progress and scientific developments, the power to adopt	(42) In order to take into account technical progress and scientific developments, the power to adopt	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>acts in accordance with Article 290 TFEU should be delegated to the Commission to amend the Annexes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹ OJ L 123, 12.5.2016, p. 1.</p>	<p>acts in accordance with Article 290 TFEU should be delegated to the Commission to amend the Annexes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹ OJ L 123, 12.5.2016, p. 1.</p>	<p>acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amendments to amend the Annexes of this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹ OJ L 123, 12.5.2016, p. 1.</p>	
Recital 43				
53	<p>(43) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of reporting</p>	<p>(43) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of reporting</p>	<p>(43) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of reporting</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of information on the implementation of this Regulation.	of information on the implementation of this Regulation.	of information on the implementation of this Regulation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. ¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).	
Recital 44				
54	(44) In order to provide economic operators, EU carriers, and non-EU carriers with sufficient time to adapt to the requirements laid down in this Regulation, its application should be deferred.	(44) In order to provide economic operators, EU carriers, and non-EU carriers with sufficient time to adapt to the requirements laid down in this Regulation, its application should be deferred.	(44) In order to provide economic operators, EU carriers, and non-EU carriers, and shippers, operators, agents and or masters of sea-going vessels with sufficient time to adapt to the requirements laid down in this Regulation, its application should be deferred.	
Recital 44a				
54a			(45) Since the objectives of this Regulation, namely preventing losses of plastic pellets, cannot be sufficiently achieved by the Member States but can rather,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	
Formula				
55	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
Article 1				
56	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	
Article 1(1)				
57	1. This Regulation lays down obligations for the handling of plastic pellets at all stages of the supply chain to prevent losses.	1. This Regulation lays down obligations for the handling of plastic pellets at all stages of the supply chain to prevent losses, <u>with the objective of achieving zero plastic pellet losses.</u>	1. This Regulation lays down obligations for the handling of plastic pellets to prevent losses at all stages of the supply chain to prevent losses . That supply chain includes, among others, production including recycling, master batching, compounding, conversion, processing, distribution, transport, storage, packaging and the cleaning of plastic pellet containers and tanks.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1(2)				
58	2. This Regulation applies to the following subjects:	2. This Regulation applies to the following subjects:	2. This Regulation applies to the following subjects:	
Article 1(2), point (a)				
59	(a) economic operators handling plastic pellets in the Union in quantities above 5 tonnes in the previous calendar year;	(a) economic operators handling plastic pellets in the Union in quantities above 5 tonnes in the previous calendar year;	(a) economic operators handling plastic pellets in the Union in quantities equal to or above a threshold of 5 tonnes in the previous calendar year;	
Article 1(2), point (aa)				
59a			(aa) economic operators operating installations in the Union for the cleaning of plastic pellet containers and tanks;	
Article 1(2), point (b)				
60	(b) EU carriers and non-EU carriers transporting plastic pellets in the Union.	(b) EU carriers and non-EU carriers transporting plastic pellets in the Union.	(b) EU carriers and non-EU carriers transporting plastic pellets in the Union-;	
Article 1(2), point (ba)				
60a			(ba) shippers, operators, agents and masters of sea-going vessels transporting plastic pellets in freight containers leaving or calling at a port of a Member State.	
Article 2				
61	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
Article 2, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
62	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 2, first paragraph, point (a)				
63	(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot, that is used as feedstock in plastic product manufacturing operations;	(a) ‘plastic pellet’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot <u>regardless of its shape or form, including powders, cylinders, beads and flakes, to which additives might have been added</u> , that is used as feedstock in plastic product manufacturing <u>and plastic recycling</u> operations;	(a) ‘ plastic pellet pellets ’ means a small mass of preformed polymer-containing moulding material, having relatively uniform dimensions in a given lot regardless of its shape, form or size that is used as feedstock in plastic product manufacturing operations;	
Article 2, first paragraph, point (aa)				
63a		<u>(aa) ‘plastic pellet dust’ means the industrial residue from the handling, grinding or processing of plastic pellets, that is not used as feedstock in plastic product manufacturing operations.</u>		
Article 2, first paragraph, point (b)				
64	(b) ‘spill’ means a one-off escape of plastic pellets from primary containment;	(b) ‘spill’ means a one-off <u>or prolonged</u> escape of plastic pellets from primary containment;	(b) ‘spill’ means a one-off or prolonged escape of plastic pellets within installation’s boundaries or within road vehicles, rail wagons, or inland waterway vessels transporting plastic pellets from primary	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			containment;	
Article 2, first paragraph, point (c)				
65	(c) ‘loss’ means a one-off or prolonged escape of plastic pellets from installation’s boundary to the environment or from road vehicles, rail wagons or inland waterway vessels transporting plastic pellets;	(c) ‘loss’ means a one-off or prolonged escape of plastic pellets <u>at any stage of the supply chain, including from the</u> from installation’s boundary to the environment or from road vehicles, rail wagons or inland waterway vessels transporting <u>the transport</u> of plastic pellets;	(c) ‘loss’ means a one-off or prolonged escape of plastic pellets from installation’s boundary to the environment or from road vehicles, rail wagons or inland waterway vessels transporting plastic pellets;	
Article 2, first paragraph, point (d)				
66	(d) ‘installation’ means any premises, structure, environment or place within which one or more economic activities involving the handling of plastic pellets are carried out;	(d) ‘installation’ means any premises, structure, environment <u>site</u> or place within which one or more economic activities involving the handling of plastic pellets are carried out;	(d) ‘installation’ means any premises, structure, environment <u>location, site</u> or place within which one or more economic activities involving the handling of plastic pellets are carried out;	
Article 2, first paragraph, point (e)				
67	(e) ‘economic operator’ means any natural or legal person who operates or controls in whole or in part the installation, or, where this is provided for in national law, to whom decisive economic power over the technical functioning of the installation has been delegated;	(e) ‘economic operator’ means any natural or legal person who operates or controls in whole or in part the installation, or, where this is provided for in national law, to whom decisive economic power over the technical functioning of the installation has been delegated;	(e) ‘economic operator’ means any natural or legal person who operates or controls in whole or in part the installation, or, where this is provided for in national law, to whom decisive economic power over the technical functioning of the installation has been delegated;	
Article 2, first paragraph, point (f)				
68	(f) ‘EU carrier’ means any	(f) ‘EU carrier’ means any	(f) ‘EU carrier’ means any	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels;	natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels;	natural or legal person established in a Member State, engaged in the transport of plastic pellets as part of its economic activity by using road vehicles, rail wagons or inland waterway vessels;	
Article 2, first paragraph, point (g)				
69	(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or inland waterway vessels;	(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or inland waterway vessels;	(g) ‘non-EU carrier’ means any natural or legal person established in a third country, engaged in the transport of plastic pellets as part of its economic activity in the Union by using road vehicles, rail wagons or inland waterway vessels;	
Article 2, first paragraph, point (ga)				
69a			(ga) ‘shipper’ means shipper as defined in Directive 2002/59/EC;	
Article 2, first paragraph, point (gb)				
69b			(gb) ‘operator’ means the owner or manager of a sea-going vessel;	
Article 2, first paragraph, point (gc)				
69c			(gc) ‘agent’ means any person mandated or authorised to supply information on behalf of the operator of the seagoing vessel;	
Article 2, first paragraph, point (h)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
70	<p>(h) ‘micro, small or medium-sized enterprise’ means a micro, small or medium-sized enterprise within the meaning of the Annex to Commission Recommendation 2003/361/EC¹;</p> <p>1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	<p>(h) ‘micro, small or medium-sized enterprise’ means a micro, small or medium-sized enterprise within the meaning of the Annex to Commission Recommendation 2003/361/EC¹;</p> <p>1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	<p>(h) ‘micro-, small or medium-sized enterprise’ means a micro, small or medium-sized enterprise within the meaning of the Annex to Commission Recommendation 2003/361/EC¹;</p> <p>1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	
Article 2, first paragraph, point (i)				
71	<p>(i) ‘large-sized enterprise’ means an enterprise that is not a micro, small or medium-sized enterprise;</p>	<p>(i) ‘large-sized enterprise’ means an enterprise that is not a micro, small or medium-sized enterprise;</p>	<p>(i) ‘large-sized enterprise’ means an enterprise that is not a micro, small or medium-sized enterprise;</p>	
Article 2, first paragraph, point (j)				
72	<p>(j) ‘competent authority’ means an authority or a body designated by a Member State to carry out its obligations under this Regulation;</p>	<p>(j) ‘competent authority’ means an authority or a body designated by a Member State to carry out its obligations under this Regulation;</p>	<p>(j) ‘competent authority’ means an authority or a body designated by a Member State to carry out its obligations under this Regulation;</p>	
Article 2, first paragraph, point (ja)				
72a			<p>(ja) ‘authorised representative’ means a natural or legal person established in the Union who has been designated by a written mandate from a non-EU carrier pursuant to Article 3a , to act on its behalf in relation to specific tasks with regard to the obligations under Article 3,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			paragraphs 2 and 3, Article 4, paragraph 7, Article 7a, paragraph 2 and Article 10 paragraph 1 of this Regulation;	
Article 2, first paragraph, point (k)				
73	(k) ‘certifier’ means any of the following:	(k) ‘certifier’ means any of the following:	(k) ‘certifier’ means any of the following:	
Article 2, first paragraph, point (k)(i)				
74	(i) a conformity assessment body as defined in Article 2(13) of Regulation (EC) 765/2008 of the European Parliament and of the Council ¹ or any other association or group of such bodies, which has obtained accreditation in accordance with this Regulation; ¹ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).	(i) a conformity assessment body as defined in Article 2(13) of Regulation (EC) 765/2008 of the European Parliament and of the Council ¹ or any other association or group of such bodies, which has obtained accreditation in accordance with this Regulation; ¹ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).	(i) a conformity assessment body as defined in Article 2, point (13),(13) of Regulation (EC) 765/2008 of the European Parliament and of the Council ¹ or any other association or group of such bodies, which has obtained accreditation in accordance with this Regulation; [...] ; ¹ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).	
Article 2, first paragraph, point (k)(ii)				
75	(ii) an environmental verifier, as defined in Article 2(20), point (b), of Regulation (EC) No 1221/2009;	(ii) an environmental verifier, as defined in Article 2(20), point (b), of Regulation (EC) No 1221/2009;	(ii) an environmental verifier, as defined in Article 2(20), point (b) ; of Regulation (EC) No 1221/2009;	
Article 2, first paragraph, point (l)				
76	(l) ‘conformity assessment’	(l) ‘conformity assessment’	(l) ‘conformity assessment’	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	means the process demonstrating whether an installation fulfils the applicable rules of this Regulation and of the delegated acts adopted on the basis thereof;	means the process demonstrating whether an installation fulfils the applicable rules of this Regulation and of the delegated acts adopted on the basis thereof;	means the process demonstrating whether an installation fulfils the applicable rules of this Regulation and of the delegated acts adopted on the basis thereof;	
Article 2, first paragraph, point (la)				
76a			(m) ‘permit’ means a written authorisation, issued by the relevant competent authority, to operate an installation.	
Article 3				
77	Article 3 General obligations	Article 3 General obligations	Article 3 General obligations	
Article 3(1)				
78	1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to clean-up those losses.	1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where <u>spills and</u> losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to <u>contain and</u> clean-up those <u>spills and</u> losses.	1. Economic operators, EU carriers and non-EU carriers shall ensure that losses are avoided. Where losses occur, economic operators, EU carriers and non-EU carriers shall take immediate action to contain and clean-up those losses.	
Article 3(2)				
79	2. Economic operators and EU carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and of when engaging in the transport of plastic pellets, as applicable.	2. Economic operators and EU carriers shall notify the competent authority, in the manner determined by the latter, of each installation they operate and of when engaging in the transport of plastic pellets, as applicable.	2. Economic operators and EU carriers shall notify the competent authority, in the manner determined by the latter, of authorities of the Member State about each installation located in that Member State	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>which they operate and of when engaging or control, or, where applicable, have delegated decisive economic power over the technical functioning of the installation. Before carriers transport plastic pellets in the Union for the first time, EU carriers and authorised representatives referred to in Article 3a, as applicable, shall notify the competent authorities of the Member State in which, respectively, the EU carrier or the authorised representative is established, about their involvement in the transport of plastic pellets, as applicable within the Union.</p>	
Article 3(3)				
80	<p>3. Economic operators and EU carriers shall notify the competent authorities of the Member State in which they are established of any significant change in their installations and activities related to handling of plastic pellets, including of any closure of an existing installation.</p>	<p>3. Economic operators and EU carriers shall notify the competent authorities of the Member State in which they are established, of any significant change in their installations and activities related to handling <i>and transport</i> of plastic pellets, including of any closure of an existing installation, <i>as applicable</i>.</p>	<p>3. Economic operators and, EU carriers and authorised representatives shall notify the competent authorities of the Member State in which they are established referred to in paragraph 2 of any significant change in their what was previously notified in accordance with paragraph 2 regarding the concerned installations and activities related to handling of and transporting plastic pellets,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			including of any closure of an existing installation, cessation of transport activities or in case they are no longer subject to this Regulation.	
Article 3(3a)				
80a		<p><u>3a. Without prejudice to Regulation (EC) No 1272/2008 of the European Parliament and of the Council^{1a}, economic operators shall, for the purposes of this Regulation, label all storage and transport containers containing plastic pellets in accordance with Annex IVb to this Regulation.</u></p> <p><u>1a. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).</u></p>		
Article 3(4)				
81	4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 and 4.	4. Competent authorities shall establish and maintain a public register containing the information they have received in accordance with paragraphs 3 and 4 <u>2 and 3</u> . <u>The register shall be publicly available and easily accessible.</u>	<i>deleted</i>	
Article 3a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
81a			Article 3a Authorised representatives of non-EU carriers	
Article 3a(1)				
81b			1. Non-EU carriers shall designate in writing an authorised representative in at least one Member State where the non-EU carrier is engaged in the transport of plastic pellets.	
Article 3a(2)				
81c			2. The authorised representative shall be mandated by non-EU carriers in writing to be addressed in addition to or instead of that non-EU carrier, for the purposes of ensuring compliance with Article 3, paragraphs 2 and 3, Article 4, paragraph 7, and Article 7a, paragraph 2 and Article 10 paragraph 1 of this Regulation. The authorised representative's mandate shall be valid only when accepted in writing by the authorised representative. The designation of an authorised representative shall be without prejudice to legal actions which could be initiated against the non-EU carriers themselves.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3a(3)				
81d			3. The non-EU carrier shall inform the competent authorities of the Member State referred to in paragraph 1 and simultaneously the Commission on the designation of an authorised representative and its mandate before the first transport of plastic pellets in the Union.	
Article 4				
82	Article 4 Obligations regarding the handling of plastic pellets	Article 4 Obligations regarding the handling of plastic pellets	Article 4 Obligations regarding the handling of plastic pellets	
Article 4(1), first subparagraph				
83	1. Economic operators shall take the following actions:	1. Economic operators shall take the following actions:	1. Economic operators shall take the following actions:	
Article 4(1), first subparagraph, point (a)				
84	(a) establish a risk assessment plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;	(a) establish a risk assessment plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;	(a) establish a risk assessment management plan for each installation in accordance with Annex I taking into account the nature and size of the installation as well as the scale of its operations;	
Article 4(1), first subparagraph, point (b)				
85	(b) install the equipment and execute the procedures described in the risk assessment plan referred to	(b) install the equipment and execute the procedures described in the risk assessment plan referred to	(b) install the equipment and execute the procedures described in the risk assessment management	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in point (a);	in point (a);	plan referred to in point (a);	
Article 4(1), first subparagraph, point (c)				
86	(c) notify the risk assessment plan referred to in point (a) to the competent authority of the Member State where the installation is located together with a self-declaration of conformity issued in accordance with the model form set out in Annex II.	(c) notify the risk assessment plan referred to in point (a) to the competent authority of the Member State where the installation is located together with a self-declaration of conformity issued in accordance with the model form set out in Annex II.	(c) notify the risk assessment management plan referred to in point (a) to the competent authority of the Member State where the installation is located together with a self-declaration of conformity issued in accordance with the model form set out in Annex II.	
Article 4(1), second subparagraph				
87	Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.	Economic operators shall keep the risk assessment plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.	Economic operators shall keep the risk assessment management plan up-to-date, taking into account in particular the weaknesses identified through their experience in handling plastic pellets, and shall make it available to competent authorities on demand.	
Article 4(2)				
88	2. Economic operators that are medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall notify an update of the risk assessment plan for each installation as well as a renewal of	2. Economic operators that are <u>small</u> , medium and large-sized enterprises operating installations where plastic pellets in quantities below 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized enterprises shall notify an update of the risk assessment plan for each installation as well as a	2. Economic operators that are small , medium and large-sized enterprises operating installations where plastic pellets in quantities below a threshold of 1 000 tonnes have been handled in the previous calendar year or that are micro or small-sized micro-sized enterprises shall notify an update of the risk assessment management plan for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the self-declaration of conformity to the competent authority every 5 years from the last notification.	renewal of the self-declaration of conformity to the competent authority every 5 3 years from the last notification.	each installation as well as a renewal of the self-declaration of conformity to the competent authority every 5 years from the last notification.	
Article 4(2a)				
88a		<u>2a. Economic operators that are small enterprises operating installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall comply with the obligations laid down in paragraph 2 of this Article, unless they hold a valid certificate issued in accordance with Article 5(2a).</u>		
Article 4(3)				
89	3. Competent authorities may require economic operators to take the following actions:	3. Competent authorities may require economic operators to take the following actions:	3. Competent authorities may require economic operators to take the following actions:	
Article 4(3), point (a)				
90	(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and that Annex I is complied with;	(a) to change risk assessment plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or and, where appropriate, contained and cleaned up and that Annex I is complied with;	(a) to change risk assessment management plans notified in accordance with paragraphs 1 and 2 to ensure that the losses can effectively be prevented or, where appropriate, contained and cleaned up and that Annex I is complied with;	
Article 4(3), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
91	(b) implement any of the actions listed in Annex I in a timely manner.	(b) implement any of the actions listed in Annex I in a timely manner.	(b) implement any of the actions listed in Annex I in a timely manner.	
Article 4(4)				
92	4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified in accordance with paragraphs 1 and 2 of this Article. The register shall be publicly available on a website.	4. Competent authorities shall establish, maintain, and update a register containing the risk assessment plans and self-declarations of conformity notified <u>and loss notifications provided</u> in accordance with paragraphs 1 and 2 of this Article <u>Annex IVa</u> . The register shall be publicly available on a website.	<i>deleted</i>	
Article 4(5)				
93	5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.	5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.	5. EU carriers and non-EU carriers shall ensure that the actions set out in Annex III are implemented during loading and unloading operations, transport journeys, cleaning and maintenance operations.	
Article 4(6)				
94	6. When economic operators implement the actions set out in the risk assessment plan established in accordance with Annex I and the EU carriers and non-EU carriers implement the actions laid down in Annex III, they shall take action, in	6. When economic operators implement the actions set out in the risk assessment plan established in accordance with Annex I and the EU carriers and non-EU carriers implement the actions laid down in Annex III, they shall take action, in	6. When economic operators implement the actions set out in the risk assessment management plan established in accordance with Annex I and the EU carriers and non-EU carriers implement the actions laid down in Annex III,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the following priority order:	the following priority order:	they shall take action, in the following priority order:	
Article 4(6), point (a)				
95	(a) actions to prevent spills	(a) actions to prevent spills	(a) actions to prevent spills;	
Article 4(6), point (b)				
96	(b) actions to contain spills to avoid they become a loss;	(b) actions to contain spills to avoid they become a loss;	(b) actions to contain spills to avoid they become a loss;	
Article 4(6), point (c)				
97	(c) actions to clean-up after a spill or loss.	(c) actions to clean-up after a spill or loss.	(c) actions to clean-up after a spill or loss.	
Article 4(7), first subparagraph				
98	7. Economic operators and EU carriers shall have the following obligations:	7. Economic operators, <u>EU carriers and non-EU</u> and EU carriers shall have the following obligations:	7. Economic operators and EU and non-EU carriers shall have the following obligations:	
Article 4(7), first subparagraph, point (a)				
99	(a) ensure that their staff is trained according to their specific roles and responsibilities and that they are aware of and are able to use the relevant equipment and execute the procedures set out to ensure compliance with this Regulation;	(a) ensure that their staff is trained according to their specific roles and responsibilities and that they are aware of and are able to use the relevant equipment, <u>including adequate personal protection equipment</u> , and execute the procedures set out to ensure compliance with this Regulation;	(a) ensure that their staff is trained according to their specific roles and responsibilities and that they are aware of and are able to use the relevant equipment and execute the procedures set out to ensure compliance with this Regulation;	
Article 4(7), first subparagraph, point (b)				
100	(b) keep records of the actions taken to comply with the	(b) keep records of the actions taken to comply with the	(b) keep records of the actions taken to comply with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	obligations set out in this Article;	obligations set out in this Article;	obligations set out in this Article;	
Article 4(7), first subparagraph, point (c)				
101	(c) keep records of annually estimated quantities of losses and of the total volume of plastic pellets handled.	(c) keep records of annually estimated quantities of losses and of the total volume <u>quantities</u> of plastic pellets handled.	(c) keep records of annually estimated quantities of losses and of the total volume <u>[...] quantities</u> of plastic pellets handled.	
Article 4(7), second subparagraph				
102	As from six months after the publication of the relevant harmonised standard in the Official Journal of the European Union or from the date of application of the implementing act referred to in Article 13(2) of this Regulation economic operators shall estimate the quantities of losses referred to in the first subparagraph, point (c) in accordance with the standardised methodology referred to in Article 13.	As from six months after the publication of the relevant harmonised standard in the Official Journal of the European Union or from the date of application of the implementing act referred to in Article 13(2) of this Regulation economic operators shall estimate the quantities of losses referred to in the first subparagraph, point (c) in accordance with the standardised methodology referred to in Article 13.	As from six twelve months after the publication of the relevant harmonised standard in the Official Journal of the European Union or from the date of application of the implementing act referred to in Article 13(2) of this Regulation economic operators and EU and non-EU carriers shall estimate the quantities of losses referred to in the first subparagraph, point (c), in accordance with the standardised methodology referred to in Article 13.	
Article 4(7), third subparagraph				
103	Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of five years and make them available to competent authorities and, where applicable, to certifiers on demand.	Economic operators and EU carriers shall retain records referred to in points (b) and(c) of this paragraph for a period of five years and make them available to competent authorities and, where applicable, to certifiers on demand.	Economic Authorised representative shall provide evidence of the compliance by non-EU carriers with the obligation laid down in point (a) and conomic operators and EU carriers and authorised representative shall retain records referred to in points (b) and (c) of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			this paragraph for a period of five years and make them available to competent authorities and, where applicable, to certifiers on demand.	
Article 4(8)				
104	8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, carriers and non-EU carriers shall take corrective actions, as soon as possible.	8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, <u>EU</u> carriers and non-EU carriers shall take corrective actions, as soon as possible <u>without delay</u> .	8. Where an action taken for the prevention, containment and clean-up of spills and losses fails, economic operators, EU carriers and non-EU carriers shall take corrective actions, as soon as possible.	
Article 4(9)				
105	9. Every year economic operators that are not micro or small-sized enterprises and that operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may among others cover the following subjects:	9. Every year economic operators that are not micro or small-sized enterprises and/or that operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment plan laid down in Annex I. The internal assessment may <u>shall</u> among others cover the following subjects:	9. Every year economic operators that are not micro or small-sized enterprises and that operate installations where plastic pellets in quantities equal to or above a threshold of 1 000 tonnes have been handled in the previous calendar year shall, for each installation, carry out an internal assessment on the state of compliance of the installation with the requirements of the risk assessment management plan laid down in Annex I. The internal assessment may among others cover the following subjects: or with the conditions under which the permit was granted according to Article 5a,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			paragraph 1, point (a).	
Article 4(9), point (a)				
106	(a) the estimated quantities and causes of losses;	(a) the estimated quantities and causes of losses;	<i>deleted</i>	
Article 4(9), point (b)				
107	(b) the preventive, containment and clean up equipment and/or procedures implemented to avoid future losses, and their effectiveness;	(b) the preventive, containment and clean up equipment and/or procedures implemented to avoid future losses, and <u>an evaluation of</u> their effectiveness;	<i>deleted</i>	
Article 4(9), point (c)				
108	(c) discussions with the personnel, inspections of equipment and procedures in place and revision of any relevant documentation.	(c) discussions with <u>and training programmes involving</u> the personnel, inspections of equipment, <u>including adequate personal protection equipment,</u> and procedures in place and revision of any relevant documentation.	<i>deleted</i>	
Article 4(9), second subparagraph				
108a		<u>The economic operators referred to in the first subparagraph shall maintain records of the assessments and of any actions taken subsequently, and shall make such records available to competent authorities on demand.</u>		
Article 4a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
108b			Article 4a Obligations regarding the transport of plastic pellets by sea in freight containers	
Article 4a(1)				
108c			1. Shippers shall ensure that:	
Article 4a(1), point (a)				
108d			(a) plastic pellets are packed in good quality packaging that is strong enough to withstand the shocks and loadings normally encountered during transport and is constructed and closed so as to prevent any loss of contents which may be caused under normal conditions of transport, by vibration or acceleration forces;	
Article 4a(1), point (b)				
108e			(b) transport information identifying the freight containers containing plastic pellets is delivered to the operator, agent and master of the sea-going vessel as an addition to the cargo information required by Regulation VI/2 of the International Convention for the Safety of Life at Sea, before plastic pellets are taken on board;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4a(1), point (c)				
108f			(c) cargo information referred to in point (b) is accompanied by a special stowage request requiring stowage of the freight containers containing plastic pellets as outlined in paragraph 2, point (b) of this Article.	
Article 4a(2)				
108g			2. Operators, agents and masters of sea-going vessels shall ensure that they are in possession of the list or manifest or appropriate loading plan in accordance with the cargo information received from the shipper referred to in paragraph 1, point (b) of this Article.	
Article 4a(3)				
108h			3. Operators and masters of sea-going vessels shall ensure that freight containers containing plastic pellets are stowed under deck wherever reasonably practicable, or inboard in sheltered areas of exposed decks. In both cases, such containers are secured to minimize hazards to the marine environment without impairing the safety of the seagoing vessel	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and persons on board.	
Article 5				
109	Article 5 Certification	Article 5 Certification	Article 5 Certification	
Article 5(1)				
110	1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every three years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	1. By ... [OP: please insert the date = 24 months after the entry into force of this Regulation], and thereafter every three years, economic operators that are large-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	1. By ... [OP: please insert the date = 24 months after from the entry into force of this Regulation], and thereafter every three years, economic operators that are large-sized enterprises shall demonstrate that the handling process at each installation where plastic pellets in quantities equal to or above a threshold of 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	
Article 5(2)				
111	2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four years, economic operators that are medium-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar	2. By ... [OP: please insert the date = 36 months after the entry into force of this Regulation], and thereafter every four three years, economic operators that are medium-sized enterprises shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar	2. By ... [OP: please insert the date = 36 months after from the entry into force of this Regulation], and thereafter every four years, economic operators that are medium-sized enterprises shall demonstrate that the handling process at each installation where plastic pellets in quantities equal to or above a threshold of 1 000	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	
Article 5(2a)				
111a		<u>2a. By ... [60 months from the entry into force of this Regulation], economic operators that are small enterprises shall demonstrate that each installation where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier. That certificate shall be valid for 5 years.</u>	2a. By ... [48 months from the entry into force of this Regulation], and thereafter every five years, economic operators that are small-sized enterprises shall demonstrate that the handling process at each installation where plastic pellets in quantities equal to or above a threshold of 1 000 tonnes have been handled in the previous calendar year is compliant with the requirements set out in Annex I, by obtaining a certificate issued by a certifier.	
Article 5(3)				
112	3. Certifiers shall carry out spot-checks to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.	3. Certifiers shall carry out spot-checks <u>and inspections of sites, means of transport and immediately surrounding areas</u> to ensure that all measures included in the risk assessment plan carried out in accordance with Annex I are duly implemented.	3. Certifiers shall carry out spot-checks to ensure that the risk management plan is adequate to prevent plastic pellet losses and that all measures included in the risk assessment management plan carried out in accordance with Annex I are duly implemented.	
Article 5(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
113	4. Certificates shall meet the following requirements:	4. Certificates shall meet the following requirements:	4. Certificates shall meet the following requirements:	
Article 5(4), point (a)				
114	(a) be issued in accordance with the model form set out in Annex IV and in electronic form;	(a) be issued in accordance with the model form set out in Annex IV and in electronic form;	(a) be issued in accordance with the model form set out in Annex IV and in electronic form;	
Article 5(4), point (b)				
115	(b) specify the economic operator, the installation covered by the certificate, the date of the spot-checks carried out, and the period of validity;	(b) specify the economic operator, the installation covered by the certificate, the date of the spot-checks carried out, and the period of validity;	(b) specify the economic operator, the installation covered by the certificate, the date of the spot-checks carried out, and the period of validity;	
Article 5(4), point (c)				
116	(c) certify conformity of the installation covered by the certificate with the requirements laid down in Annex I;	(c) certify conformity of the installation covered by the certificate with the requirements laid down in Annex I;	(c) certify conformity of the installation covered by the certificate with the requirements laid down in Annex I;	
Article 5(5), first subparagraph				
117	5. Without undue delay, certifiers shall notify the competent authority of the following:	5. Without undue delay, certifiers shall notify the competent authority of the following:	5. Without undue delay, certifiers shall notify the competent authority of the following:	
Article 5(5), first subparagraph, point (a)				
118	(a) certificates issued;	(a) certificates issued;	(a) certificates issued;	
Article 5(5), first subparagraph, point (b)				
119	(b) certificates suspended or withdrawn;	(b) certificates suspended or withdrawn;	(b) certificates suspended or withdrawn;	
Article 5(5), first subparagraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
120	(c) changes in certificates.	(c) changes in certificates.	(c) changes in certificates.	
Article 5(5), second subparagraph				
121	Competent authorities shall establish and maintain and keep up to date a register of certificates. The register shall be publicly available on a website.	Competent authorities shall establish and maintain and keep up to date a register of certificates. The register shall be publicly available on a website.	<i>deleted</i>	
Article 5a				
121a			Article 5a Compliance through permits	
Article 5a(1)				
121b			1. Member States may exempt economic operators from the obligations laid out in Article 4(1) (c) and 4(2) as well as from obtaining a certificate pursuant to Article 5(1), (2) and (2a) in respect of each installation, provided that:	
Article 5a(1), point (a)				
121c			(a) the operation of the installation is subject to a permit;	
Article 5a(1), point (b)				
121d			(b) the economic operator has notified the authority competent for the issuance of permits about the risk management plan referred to in Article 4(1) as well	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			as its updates every 3 years for large, 4 years for medium, and 5 years for small and micro-sized enterprises;	
Article 5a(1), point (c)				
121e			(c) the permit has been granted or reviewed and, if necessary, updated based on the verification of the economic operators' compliance with Annex I following the notification of a risk management plan and subsequent updates, done under point (b);	
Article 5a(1), point (d)				
121f			(d) the installation is subject to regular inspections by competent authorities, including spot-checks, with a periodicity equivalent to those indicated in Articles 4(2) and 5 examining the full range of relevant environmental effects, including plastic pellet spills and losses.	
Article 5a(2)				
121g			2. The Member State shall notify the exemption of the economic operators and national rules on permits to the Commission.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6				
122	Article 6 Environmental management systems	Article 6 Environmental management systems	Article 6 Environmental management systems	
Article 6, first paragraph				
123	Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the environmental management system of the economic operator and have been implemented.	Economic operators which are registered to the Community eco-management and audit scheme in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the environmental management system of the economic operator and have been implemented.	1. Economic operators which are registered to the Community eco-management and audit scheme (EMAS) in accordance with Regulation (EC) No 1221/2009 are exempt from compliance with the notification obligation laid down in Article 4(2) and the obligations laid down in Article 5(1), (2) and (2a) and (2) of this Regulation provided that the environmental verifier as defined in Article 2(20) of Regulation (EC) No 1221/2009 has checked that requirements laid down in Annex I have been included in the environmental management system of the economic operator and have been implemented.	
Article 6(2)				
123a			2. Member States may exempt economic operators from compliance with Articles 4(2), 5(1), 5(2) and 5(2a) of this Regulation when they have prepared and implemented an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			environmental management system (EMS) for each installation, and provided that:	
Article 6(2), point (a)				
123b			(a) an accredited certifier has conducted a conformity assessment to verify, including through spot-checks, that the EMS and the way it is implemented are compliant with the requirements set out in Annex I;	
Article 6(2), point (b)				
123c			(b) the economic operator notifies the competent authorities about the conformity assessment of the EMS and the way it is implemented at the installation with the requirements set out in Annex I, including information about the economic operator, the installation for which compliance is verified, the date at which spot-checks are carried out, and the period for which the conformity assessment is valid;	
Article 6(2), point (c)				
123d			(c) the regular conformity assessments of the EMS include, at least every three years, an evaluation of its implementation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			in accordance with Annex I.	
Article 7				
124	Article 7 Accreditation of certifiers	Article 7 Accreditation of certifiers	Article 7 Accreditation of certifiers	
Article 7, first paragraph				
125	The accreditation of certifiers referred to in Article 3, point (k)(i) shall include an evaluation of compliance with the following requirements:	The accreditation of certifiers referred to in Article 32 , point (k)(i) shall include an evaluation of compliance with the following requirements:	The accreditation of certifiers referred to in Article 32 , point (k)(i), shall include an evaluation of compliance with the following requirements:	
Article 7, first paragraph, point (-a)				
125a			(-a) the certifier shall be established under the law of a Member State and shall have legal personality;	
Article 7, first paragraph, point (a)				
126	(a) the certifier shall be independent of the economic operator;	(a) the certifier shall be independent of the economic operator;	(a) the certifier shall be a third party body independent of the economic operator;	
Article 7, first paragraph, point (b)				
127	(b) the certifier, its top-level management and the personnel responsible for the conformity assessment shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the certification activities;	(b) the certifier, its top-level management and the personnel responsible for the conformity assessment shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the certification activities;	(b) the certifier, its top-level management and the personnel responsible for the conformity assessment shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the certification activities for which they are accredited;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7, first paragraph, point (c)				
128	(c) the certifier and its personnel shall carry out their activities with the highest degree of professional integrity and the requisite technical competence and shall be free from all pressures and inducements, including financial, which might influence their judgement or the results of their certification activities;	(c) the certifier and its personnel shall carry out their activities with the highest degree of professional integrity and the requisite technical competence and shall be free from all pressures and inducements, including financial, which might influence their judgement or the results of their certification activities;	(c) the certifier and its personnel shall operate in a non-discriminatory manner and shall carry out their activities with the highest degree of professional integrity and the requisite technical competence and shall be free from all pressures and inducements, including financial, which might influence their judgement or the results of their certification activities, especially as regards persons or groups of persons with an interest in the results of those activities. The impartiality of the certifiers, their top-level management and of the personnel responsible for carrying out the certification and tasks shall be guaranteed;	
Article 7, first paragraph, point (d)				
129	(d) the certifier shall have the expertise, equipment and infrastructure required to perform the conformity assessment in relation to which it has been accredited;	(d) the certifier shall have the expertise, equipment and infrastructure required to perform the conformity assessment in relation to which it has been accredited;	(d) the certifier shall have the expertise, equipment and infrastructure required to perform the conformity assessment in relation to which it has been accredited;	
Article 7, first paragraph, point (e)				
130	(e) the certifier shall have a sufficient number of suitably	(e) the certifier shall have a sufficient number of suitably	(e) the certifier shall have a sufficient number of suitably	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	qualified and experienced personnel responsible for carrying out the conformity assessment tasks;	qualified and experienced personnel responsible for carrying out the conformity assessment tasks;	qualified and experienced personnel responsible for carrying out the conformity assessment tasks;	
Article 7, first paragraph, point (f)				
131	(f) the personnel of a certifier shall observe professional secrecy with regard to all information obtained in carrying out the conformity assessment tasks;	(f) the personnel of a certifier shall observe professional secrecy with regard to all information obtained in carrying out the conformity assessment tasks;	(f) without prejudice to the powers of the competent authorities under Article 11(3), point (b) , the personnel of a certifier shall observe professional secrecy with regard to all information obtained in carrying out the conformity assessment tasks;	
Article 7, first paragraph, point (g)				
132	(g) where a certifier subcontracts specific tasks connected with certification or has recourse to a subsidiary, it shall take full responsibility for the tasks performed by subcontractors or subsidiaries and shall assess and monitor the qualifications of the subcontractor or the subsidiary and the work carried out by them.	(g) where a certifier subcontracts specific tasks connected with certification or has recourse to a subsidiary, it shall take full responsibility for the tasks performed by subcontractors or subsidiaries and shall assess and monitor the qualifications of the subcontractor or the subsidiary and the work carried out by them.	(g) where a certifier subcontracts specific tasks connected with certification or has recourse to a subsidiary, it shall take full responsibility for the tasks performed by subcontractors or subsidiaries and shall assess and monitor the qualifications of the subcontractor or the subsidiary and the work carried out by them. Only the tasks that fall in the scope of accreditation of the certifier may be performed by subcontractors or subsidiaries. Certifiers shall ensure that the activities of their subcontractors or subsidiaries do not affect the confidentiality,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			objectivity or impartiality of their certification activities.	
Article 7a				
132a			Article 7a Public access to information	
Article 7a(1)				
132b			1. Competent authorities shall make available to the public, including systematically via the internet, on a webpage which is easy to find, free of charge and without restricting access to registered users, while ensuring that confidential business information is safeguarded the following:	
Article 7a(1), point (a)				
132c			(a) the information they have received in accordance with Article 3(2) and (3) and Article 3a;	
Article 7a(1), point (b)				
132d			(b) upon demand, the risk management plans they have received in accordance with Article 4(1);	
Article 7a(1), point (c)				
132e			(c) the self-declaration of conformity they have received in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			accordance with Article 4(2);	
Article 7a(1), point (d)				
132f			(d) certificates issued pursuant to Article 5 and notifications they have received in accordance with paragraph 5 of that Article; and	
Article 7a(1), point (e)				
132g			(e) the content of the decision granting a permit, including a copy of the permit and any subsequent updates or a link to other existing publicly accessible registers or websites, established at Member State level, that provide access to such permits and their subsequent updates.	
Article 7a(2)				
132h			2. Competent authorities, when making them available to the public, may omit parts of the information referred to in paragraph 1, points (a) and (b), if the disclosure of the information would adversely affect the safety of the concerned installations, the local population, or any of the interests listed in Article 4(2), points (a) to (h), of Directive 2003/4/EC. Competent authorities may request economic operators, EU carriers	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			non-EU carriers and authorised representatives to identify the parts of the information that they consider shall not be publicly disclosed.	
Article 7a(3)				
132i			3. The Commission shall publish the list of such national websites on its website, provided that such information is submitted by Member States.	
Article 7a(4)				
132j			4. The Commission shall make the list of designated authorised representatives of non-EU carriers pursuant Article 3a available to the public, including systematically via the internet, on a webpage which is easy to find, free of charge and without restricting access to registered users, while ensuring that confidential business information is safeguarded.	
Article 8				
133	Article 8 Verification of compliance and reporting	Article 8 Verification of compliance and reporting	Article 8 Verification of compliance and reporting	
Article 8(1)				
134	1. Competent authorities shall	1. Competent authorities shall	1. Competent authorities shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	verify compliance of economic operators, EU carriers and non-EU carriers with the obligations laid down in this Regulation, taking into account the information provided in self-declarations of conformity referred to Article 4(1) and (2) and provided by certifiers in accordance with Article 5(5). The competent authorities shall carry out environmental inspections and other verification measures, following a risk-based approach.	verify compliance of economic operators, EU carriers and non-EU carriers with the obligations laid down in this Regulation, taking into account the information provided in self-declarations of conformity referred to Article 4(1) and (2) and provided by certifiers in accordance with Article 5(5). The competent authorities shall carry out <i>unannounced</i> environmental inspections and other verification measures, following a risk-based approach.	verify compliance of economic operators, EU carriers and non-EU carriers and authorised representatives, shippers, operators, agents and masters of sea-going vessels transporting plastic pellets in the Union leaving or calling at a port of a Member State with the obligations laid down in this Regulation, taking into account, where applicable , the information provided in self-declarations of conformity referred to Article 4(1) and (2) and provided collected by certifiers in accordance with Article 5(5) and in accordance with exemptions granted pursuant to Article 6 . The competent authorities shall carry out environmental inspections and other verification measures, following a risk-based approach.	
Article 8(2)				
135	2. At the latest by ... [OP please insert the date = the first day of the month after four years following the date of entry into force of this Regulation] and every three years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the	2. At the latest by ... [OP please insert the date = the first day of the month after four <i>three</i> years following the date of entry into force of this Regulation] and every three years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the	2. At the latest by ... [OP please insert the date = the first day of the month after four years following the date of entry into force of this Regulation] and every three years thereafter Member States shall, submit a report to the Commission containing qualitative and quantitative information on the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementation of this Regulation during the previous calendar year. The information shall include:	implementation of this Regulation during the previous calendar year. The information shall include:	implementation of this Regulation during the previous three consecutive calendar year years . The information shall include:	
Article 8(2), point (a)				
136	(a) the number of economic operators per size of enterprise according to Commission Recommendation 2003/361/EC and per economic activity, their installations, and of the EU carriers and their means of transport allocated to transporting plastic pellets;	(a) the number of economic operators per size of enterprise according to Commission Recommendation 2003/361/EC and per economic activity, their installations <u>and the quantities of plastic pellets handled by them</u> , and of the EU carriers and their means of transport allocated to transporting plastic pellets <u>and the quantities handled by them</u> ;	(a) the number of economic operators per size of enterprise according to Commission Recommendation 2003/361/EC and per economic activity, their installations, and of the number of EU carriers and non-EU carriers and their means of transport allocated to transporting plastic pellets;	
Article 8(2), point (b)				
137	(b) the number of risk assessment plans, self-declarations notified pursuant to Article 4(1) and 4(2) and certificates notified pursuant to Article 5(5);	(b) the number of risk assessment plans, self-declarations notified pursuant to Article 4(1) and 4(2) and certificates notified pursuant to Article 5(5);	(b) the number of risk assessment management plans, self-declarations notified pursuant to Article 4(1) and 4(2), the number of and certificates notified pursuant to Article 5(5) and the number of economic operators that are EMAS registered or have implemented an EMS meeting the conditions in Article 6(2) ;	
Article 8(2), point (ba)				
137a			(ba) the number of permits granted to the exempted	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			economic operators under Article 5a;	
Article 8(2), point (c)				
138	(c) the number and results of environmental inspections and other verification measures carried under paragraph 1 of this Article as well as the number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.	(c) the number and results of environmental inspections and other verification measures carried under paragraph 1 of this Article as well as the number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.	(c) the number and results of environmental inspections and other verification measures carried under paragraph 1 of this Article as well as the number of incidents and accidents reported in accordance with Article 9(1) and the measures taken in case of non-compliance with the obligations set out in this Regulation.	
Article 8(3)				
139	3. The Commission shall lay down by means of implementing acts a format for the reports referred to in paragraph 2.	3. The Commission shall lay down by means of implementing acts a format for the reports referred to in paragraph 2.	3. The Commission shall lay down by means of implementing acts lay down a format for the reports referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 18a(2).	
Article 8(3a)				
139a		<u><i>3a. Every three years, based on the reports of Member States referred to in paragraph 2, the Commission shall produce a synthesis report on compliance and reporting, setting out the qualitative and quantitative information on the</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>implementation of this Regulation contained in the Member States' reports.</i></u>		
Article 9				
140	Article 9 Incidents and accidents	Article 9 Incidents and accidents	Article 9 Incidents and accidents	
Article 9(1)				
141	1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, economic operators, EU carriers and non-EU carriers shall immediately:	1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, economic operators, EU carriers and non-EU carriers shall immediately:	1. Without prejudice to Directive 2004/35/EC, in the event of an incidental or accidental loss significantly affecting human health or the environment, economic operators, EU carriers and non-EU carriers shall, immediately:	
Article 9(1), point (a)				
142	(a) inform the competent authority in whose territory the incident or accident occurred and the estimated quantities of losses;	(a) inform the competent authority in whose territory the incident or accident occurred, <u><i>as well as the competent authority of any territory that is likely to be affected,</i></u> and the estimated quantities of losses <u><i>in accordance with the form set out in Annex IVa;</i></u>	(a) inform the competent authority in whose territory the incident or accident occurred and the estimated quantities of losses;	
Article 9(1), point (aa)				
142a		<u><i>(aa) take measures to contain and clean up such losses in an ecologically sensitive manner;</i></u>		
Article 9(1), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
143	(b) take measures to limit the health or environmental consequences and to prevent further incidents or accidents.	(b) take <u>all possible</u> measures to limit <u>minimise</u> the health or environmental consequences, and to prevent further incidents or accidents.	(b) take measures to limit the health or environmental consequences; and to prevent further incidents or accidents.	
Article 9(1), point (ba)				
143a			(c) take measures to prevent further incidents or accidents.	
Article 9(2)				
144	2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to limit the health or environmental consequences and to prevent further incidents or accidents.	2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures <u>and organise specific training to minimise</u> to limit the health or environmental consequences and to prevent further incidents or accidents.	2. The competent authority in whose territory the incident or accident occurred shall require, where necessary, that economic operators, EU carriers and non-EU carriers take appropriate complementary measures to limit the health or environmental consequences and to prevent further incidents or accidents.	
Article 9(3)				
145	3. In the event of any incident or accident significantly affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.	3. In the event of any incident or accident significantly affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.	3. In the event of any incident or accident significantly affecting human health or the environment in another Member State, the competent authority in whose territory the accident or incident occurred shall immediately inform the competent authority of that other Member State.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10				
146	Article 10 Non-compliance	Article 10 Non-compliance	Article 10 Non-compliance	
Article 10(1)				
147	1. In the event of an infringement of the rules laid down in this Regulation, economic operators, EU carriers and non-EU carriers shall immediately:	1. In the event of an infringement of the rules laid down in this Regulation, economic operators, EU carriers and non-EU carriers shall immediately:	1. In the event of an infringement of the rules laid down in this Regulation, economic operators, EU carriers and , non-EU carriers and authorised representatives, as applicable , shall immediately:	
Article 10(1), point (a)				
148	(a) inform the competent authority;	(a) inform the competent authority;	(a) inform the competent authority;	
Article 10(1), point (b)				
149	(b) take the measures necessary to ensure that compliance is restored within the shortest possible time;	(b) take the measures necessary to ensure that compliance is restored within the shortest possible time;	(b) take the measures necessary to ensure that compliance is restored within the shortest possible time;	
Article 10(1), point (c)				
150	(c) comply with any complementary measures determined by the competent authority as necessary to restore compliance.	(c) comply with any complementary measures determined by the competent authority as necessary to restore compliance.	(c) comply with any complementary measures determined by the competent authority as necessary to restore compliance.	
Article 10(2)				
151	2. Where the infringement of the rules laid down in this Regulation poses an immediate	2. Where the infringement of the rules laid down in this Regulation poses an immediate	2. Where the infringement of the rules laid down in this Regulation poses an immediate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	danger to human health or threatens to cause an immediate significant adverse effect upon the environment, the competent authority may suspend the operation of the installation until compliance is restored in accordance with paragraph 1, points (b) and (c).	danger to human health or threatens to cause an immediate significant adverse effect upon the environment, the competent authority may <u>shall</u> suspend the operation of the installation until compliance is restored in accordance with paragraph 1, points (b) and (c).	danger to human health or threatens to cause an immediate significant adverse effect upon the environment or leads to a significant loss of plastic pellets , the competent authority may suspend the operation of the installation or part of it, immobilise the vehicle or prevent the movement of the transport means until compliance is restored in accordance with paragraph 1, points (b) and (c).	
Article 11				
152	Article 11 Designation and powers of competent authorities 	Article 11 Designation and powers of competent authorities	Article 11 Designation and powers of competent authorities	
Article 11(1)				
153	1. Member States shall designate one or more competent authorities for the application and enforcement of this Regulation.	1. Member States shall designate one or more competent authorities for the application and enforcement of this Regulation <u>and shall inform the Commission accordingly.</u>	1. Member States shall designate one or more competent authorities for the application and enforcement of this Regulation.	
Article 11(2)				
154	2. Member States shall confer on their competent authorities the powers of inspection and enforcement necessary to ensure compliance with this Regulation.	2. Member States shall confer on their competent authorities the powers of inspection and enforcement necessary to ensure compliance with this Regulation.	2. Member States shall confer on their competent authorities the powers of inspection and enforcement necessary to ensure compliance with this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(3)				
155	3. The powers referred to in paragraph 2 shall include at least the following:	3. The powers referred to in paragraph 2 shall include at least the following:	3. The powers referred to in paragraph 2 shall include at least the following:	
Article 11(3), point (a)				
156	(a) the power of access to any relevant documents, data or information related to an infringement of this Regulation, in any form or format and irrespective of their storage medium, or the place where they are stored, and the power to take or obtain copies thereof;	(a) the power of access to any relevant documents, data or information related to an infringement of this Regulation, in any form or format and irrespective of their storage medium, or the place where they are stored, and the power to take or obtain copies thereof;	(a) the power of access to any relevant documents, data or information related to an infringement of this Regulation, in any form or format and irrespective of their storage medium, or the place where they are stored, and the power to take or obtain copies thereof;	
Article 11(3), point (b)				
157	(b) the power to require any natural or legal person to provide any relevant information, data or documents, in any form or format and irrespective of their storage medium or the place where they are stored, for the purposes of establishing whether an infringement of this Regulation has occurred or is occurring and the details of such infringement;	(b) the power to require any natural or legal person to provide any relevant information, data or documents, in any form or format and irrespective of their storage medium or the place where they are stored, for the purposes of establishing whether an infringement of this Regulation has occurred or is occurring and the details of such infringement;	(b) the power to require any natural or legal person to provide any relevant information, data or documents, in any form or format and irrespective of their storage medium or the place where they are stored, for the purposes of establishing whether an infringement of this Regulation has occurred or is occurring and the details of such infringement;	
Article 11(3), point (c)				
158	(c) the power to start an inspection on their own initiative to bring about the cessation or prohibition of infringements of this	(c) the power to start an inspection on their own initiative to bring about the cessation or prohibition of infringements of this	(c) the power to start an inspection on their own initiative to bring about the cessation or prohibition of infringements of this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation;	Regulation;	Regulation;	
Article 11(3), point (d)				
159	(d) the power of access to installations.	(d) the power of access to installations.	(d) the power of access to installations.	
Article 11(4)				
160	4. Competent authorities may use any information, document, finding, statement or intelligence as evidence for the purpose of their environmental inspections and other verification measures, irrespective of the format or medium on which they are stored.	4. Competent authorities may use any information, document, finding, statement or intelligence as evidence for the purpose of their environmental inspections and other verification measures, irrespective of the format or medium on which they are stored.	4. Competent authorities may use any information, document, finding, statement or intelligence as evidence for the purpose of their environmental inspections and other verification measures, irrespective of the format or medium on which they are stored.	
Article 11(5)				
161	5. Where there is more than one competent authority in their territory, Member States shall ensure that appropriate communication and coordination mechanisms are established.	5. Where there is more than one competent authority in their territory, Member States shall ensure that appropriate communication and coordination mechanisms are established.	5. Where there is more than one competent authority in their territory, Member States shall ensure that appropriate communication and coordination mechanisms are established.	
Article 12				
162	Article 12 Assistance relating to compliance	Article 12 Assistance relating to compliance	Article 12 Assistance relating to compliance	
Article 12(1)				
163	1. The Commission shall develop awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in	1. <u>By ... [12 months from the entry into force of this Regulation],</u> the Commission shall develop <u>and fund</u> awareness raising and training material.	1. By ... [no later than 12 months from the entry into force of this Regulation], the Commission shall develop and make available to the public,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	consultation with representatives of economic operators, carriers, and certifiers, including micro, small and medium-sized enterprises and in collaboration with competent authorities.	<u>which may take the form of guides and courses</u> , on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, carriers, and certifiers, including micro, small and medium-sized enterprises, <u>social partners, civil society representatives and non-governmental organisations</u> and in collaboration with competent authorities.	including via the internet, on a webpage which is easy to find, free of charge and without restricting access to registered users , awareness raising and training material on the sound implementation of the obligations laid down in this Regulation in consultation with representatives of economic operators, EU carriers and non-EU carriers, authorised representatives, shippers, operators, agents and masters of sea-going vessels transporting plastic pellets in the Union , and certifiers, including micro-, small and medium-sized enterprises and in collaboration with competent authorities.	
Article 12(2)				
164	2. Member States shall ensure that economic operators and carriers, especially micro, small and medium-sized enterprises, get access to information and assistance regarding compliance with this Regulation.	2. Member States shall ensure that economic operators and carriers, especially micro, small and medium-sized enterprises , get access to information and assistance regarding compliance with this Regulation.	2. Member States shall ensure that economic operators and EU carriers and non-EU carriers, authorised representatives, shippers, operators, agents and masters of sea-going vessels transporting plastic pellets in the Union , especially micro -, small and medium-sized enterprises, get access to information and assistance regarding compliance with this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(-1a), second subparagraph				
164a		<p><u><i>Without prejudice to applicable State aid rules, the assistance referred to in the first subparagraph for micro, small and medium-sized enterprises may take the form of:</i></u></p> <p>It should be "Article 12(2), first subparagraph a" (rows 164a-164c). TTE only allows us to enter it as "Article 12(2), second subparagraph".</p>		
Article 12(-1a), second subparagraph, point (a)				
164b		<p><u><i>(a) specialised management and staff training, including the organisation of training programmes;</i></u></p>		
Article 12(-1a), second subparagraph, point (b)				
164c		<p><u><i>(b) organisational and technical assistance.</i></u></p>		
Article 12, third paragraph				
165	Without prejudice to applicable state aid rules, the assistance referred to in the first subparagraph may take the form of:	<p>Without prejudice to applicable state aid rules, the assistance referred to in the first subparagraph <u><i>for micro and small enterprises as well as for installations handling plastic pellets in quantities below the threshold set out in Article 4(2) may also</i></u> may take the form of:</p> <p>It should be "Article 12(2), second</p>	Without prejudice to applicable state aid rules, the assistance referred to in the first subparagraph may take the form of:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		subparagraph" (rows 165-169). TTE only allows us to enter it as "Article 12(2), third subparagraph".		
Article 12, third paragraph, point (a)				
166	(a) financial support;	(a) financial support;	(a) financial support;	
Article 12, third paragraph, point (b)				
167	(b) access to finance;	(b) access to finance, <u>including for the purpose of acquiring equipment required to achieve compliance</u> ;	(b) access to finance;	
Article 12, third paragraph, point (c)				
168	(c) specialised management and staff training;	<i>deleted</i>	(c) specialised management and staff training;	
Article 12, third paragraph, point (d)				
169	(d) organisational and technical assistance.	<i>deleted</i>	(d) organisational and technical assistance.	
Article 12(3)				
170	3. Member States shall encourage training programmes for the qualification of certifiers' personnel.	3-1b . Member States shall encourage training programmes for the qualification of certifiers' personnel.	3. Member States shall encourage training programmes for the qualification of certifiers' personnel.	
Article 13				
171	Article 13 Standardised methodology	Article 13 Standardised methodology	Article 13 Standardised methodology Standards	
Article 13(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
172	1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.	1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), <u>and Annex IVa</u> , a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.	1. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.	
Article 13(1a)				
172a			1a. For the purposes of compliance with the obligation referred to in Article 4(7), first subparagraph, point (c), a methodology to estimate quantities of losses shall be developed in harmonised standards in accordance with the procedures established by Regulation (EU) No1025/2012.	
Article 13(2)				
173	2. Where no European standardisation organisation accepts the request to draft a harmonised standard or where the Commission considers that the proposed standard does not satisfy the requirements which it aims to cover, the Commission shall establish the methodology referred to in paragraph 1 by means of an	2. Where no European standardisation organisation accepts the request to draft a harmonised standard or where the Commission considers that the proposed standard does not satisfy the requirements which it aims to cover, the Commission shall establish the methodology referred to in paragraph 1 by means of an	2. Where no European standardisation organisation accepts the request to draft a harmonised standard or where the Commission considers that the proposed standard does not satisfy the requirements which it aims to cover, the Commission shall establish the methodology referred to in paragraph 1 by means of an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Implementing act.	Implementing act.	implementing act. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 18a(3).	
Article 14				
174	Article 14 Complaint-handling and access to justice	Article 14 Complaint-handling and access to justice	Article 14 Complaint-handling and access to justice	
Article 14(1), first subparagraph				
175	1. Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier is failing to comply with the provisions of this Regulation.	1. Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier is failing to comply with the provisions of this Regulation.	1. Natural or legal persons or organisations regarded under national law as having a sufficient interest or those who consider that their rights were impaired shall be entitled to submit substantiated complaints to competent authorities when they deem, on the basis of objective circumstances, that an economic operator, EU carrier or non-EU carrier , or shipper, an operator, an agent and a master of sea-going vessel is failing to comply with the provisions of this Regulation.	
Article 14(1), second subparagraph				
176	For the purposes of the first subparagraph, non-governmental entities or organisations promoting human health, environmental or consumer protection and meeting	For the purposes of the first subparagraph, non-governmental entities or organisations promoting human health, environmental or consumer protection and meeting	For the purposes of the first subparagraph, non-governmental entities or organisations promoting the protection of human health, environmental or environment or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	any requirements under national law shall be deemed to have a sufficient interest.	any requirements under national law shall be deemed to have a sufficient interest.	those promoting consumer protection and meeting any requirements under national law shall be deemed to have a sufficient interest.	
Article 14(2)				
177	2. Competent authorities shall assess the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3).	2. Competent authorities shall assess the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3), Article 9(2) and Article 10(2) .	2. Competent authorities shall assess the substantiated complaint referred to in paragraph 1 and, where necessary, take the necessary steps, including inspections and hearings of the person or organisation, with a view to verifying those complaints. If the complaint is found to be grounded, the competent authorities shall take the necessary actions in accordance with Article 4(3).	
Article 14(3)				
178	3. Competent authorities shall, as soon as possible, inform the person or organisation referred to in paragraph 1 that submitted the complaint of its decision to accede to or refuse the request for action put forward in the complaint and shall provide the reasons for it.	3. Competent authorities shall, as soon as possible, inform the person or organisation referred to in paragraph 1 that submitted the complaint of its decision to accede to or refuse the request for action put forward in the complaint and shall provide the reasons for it.	3. Competent authorities shall, as soon as possible, inform the person or organisation referred to in paragraph 1 that submitted the complaint of its decision to accede to or refuse the request for action put forward in the complaint and shall provide the reasons for it.	
Article 14(4)				
179	4. Member States shall ensure	4. Member States shall ensure	4. Member States shall ensure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including injunctive relief where necessary.	that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including injunctive relief where necessary.	that a person or organisation referred to in paragraph 1 submitting a substantiated complaint shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of any decision on that complaint as well as of the competent authority's decisions, acts or failure to act under this Regulation, without prejudice to any provisions of national law which require that administrative review procedures be exhausted prior to recourse to judicial proceedings. Those review procedures shall be fair, equitable, timely and free of charge or not prohibitively expensive, and shall provide adequate and effective remedies, including injunctive relief where necessary.	
Article 14(5)				
180	5. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.	5. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.	5. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.	
Article 15				
181	Article 15	Article 15	Article 15	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Penalties	Penalties	Penalties	
Article 15(1)				
182	<p>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council¹, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are applied. The penalties provided shall be effective, proportionate and dissuasive.</p> <p>¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p.28).</p>	<p>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council¹, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are applied. The penalties provided shall be effective, proportionate and dissuasive.</p> <p>¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p.28).</p>	<p>1. Without prejudice to the obligations of Member States under Directive 2008/99/EC2024/1203/EU of the European Parliament and of the Council¹, Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are applied. The penalties provided shall be effective, proportionate and dissuasive.</p> <p>¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p.28).</p>	
Article 15(2)				
183	<p>2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of the economic benefits derived</p>	<p>2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the infringements of the economic benefits derived</p>	<p>2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having administrative financial penalties that effectively deprive those that committed the infringement. The level of the fines shall be calculated in such a way as to make sure that they effectively</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the Member State concerned in the business year preceding the fining decision.	from those infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 43 % of the economic operator's annual turnover in the <i>Member State concerned</i> Union in the business year preceding the fining decision.	deprive the person responsible for the infringements of the economic benefits derived from those their infringements. The level of the fines shall be gradually increased for repeated infringements. In the case of an infringement committed by a legal person, the maximum amount of such fines shall be at least 4 % of the economic operator's annual turnover in the Member State concerned in the business year preceding the fining decision.	
Article 15(1a), second subparagraph				
183a			For the most serious infringements committed by a legal person, the maximum level of the administrative financial penalties referred to in the first subparagraph shall be at least 3% of the annual Union turnover of the operator in the financial year preceding the year in which the fine is imposed.	
Article 15(1a), third subparagraph				
183b			Member States may also, or alternatively, use criminal penalties, provided that they are equivalently effective, proportionate and dissuasive to the administrative financial	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			penalties referred to in this Article.	
Article 15(3)				
184	3. Member States shall ensure that the penalties established pursuant to this Article take due account of the following, as applicable:	3. Member States shall ensure that the penalties established pursuant to this Article take due account of the following, as applicable:	3. Member States shall ensure that the penalties established pursuant to this Article take due account of the following, as applicable:	
Article 15(3), point (a)				
185	(a) the nature, gravity and extent of the infringement;	(a) the nature, gravity and extent of the infringement;	(a) the nature, gravity and extent of the infringement;	
Article 15(3), point (b)				
186	(b) the intentional or negligent character of the infringement;	(b) the intentional or negligent character of the infringement;	<i>deleted</i>	
Article 15(3), point (c)				
187	(c) the population or the environment affected by the infringement, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment;	(c) the population or the environment affected by the infringement, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment;	(c) the population or the environment affected by the infringement, bearing in mind the impact of the infringement on the objective of achieving a high level of protection of human health and the environment;	
Article 15(3), point (d)				
188	(d) the financial situation of the economic operator, EU carrier and non-EU carrier held responsible.	(d) the financial situation of the economic operator, EU carrier and non-EU carrier held responsible.	(d) the financial situation repetitive or one-off character of the economic operator, EU carrier and non-EU carrier held	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			responsibleinfringement.	
Article 15(3a), first subparagraph				
188a		<u>3a. Member States shall endeavour to ensure that the revenue generated from the penalties referred to in paragraph 1, or its equivalent financial value, is used to support projects aimed at cleaning up areas polluted by plastic before ... [the date of entry into force of this Regulation] and avoiding plastic pellet pollution.</u>	3a. Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendments affecting them.	
Article 15(3a), second subparagraph				
188b		<u>Projects financed by the revenue generated from penalties as referred to in the first subparagraph may contribute to promoting scientific work to study the impact of plastic pellets on human health and the environment, supporting research and development in the area of plastic pellet pollution, implementing awareness programmes, and financing training programmes specifically designed for micro and small enterprises.</u>		
Article 15(3a), third subparagraph				
188c		<u>By ... [60 months from the entry</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>into force of this Regulation], and every year thereafter, the Commission shall report to the European Parliament and to the Council on how the revenue generated from penalties in the previous year has been used and how such use has contributed to the reduction of plastic pellet pollution, including information on the beneficiaries and the level of expenditure concerning the objectives set out in the first and second subparagraphs.</i></u>		
Article 16				
189	Article 16 Compensation	Article 16 Compensation	Article 16 Compensation	
Article 16(1)				
190	1. Member States shall ensure that, where damage to human health has occurred as a result of a infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.	1. Member States shall ensure that, where damage to human health has occurred as a result of a infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.	1. Member States shall ensure that, where damage to human health– has occurred as a result of aan infringement of this Regulation, the individuals affected have the right to claim and obtain compensation for that damage from the relevant natural or legal persons and, where appropriate, from the relevant competent authorities responsible for the infringement.	
Article 16(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
191	2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.	2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for an infringement leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.	<i>deleted</i>	
Article 16(3)				
192	3. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by an infringement pursuant to paragraph 1.	3. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by an infringement pursuant to paragraph 1.	3. Member States shall ensure that national rules and procedures relating to claims for compensation are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage caused by an infringement pursuant to paragraph 1.	
Article 16(4)				
193	4. Where the claim for compensation referred to in paragraph 1 is supported by	4. Where the claim for compensation referred to in paragraph 1 is supported by	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	evidence from which a causal link may be presumed between the damage and the infringement, Member States shall ensure that the onus is on the person responsible for the infringement to prove that the infringement did not cause or contribute to the damage.	evidence from which a causal link may be presumed between the damage and the infringement, Member States shall ensure that the onus is on the person responsible for the infringement to prove that the infringement did not cause or contribute to the damage.		
<i>Article 16(5)</i>				
194	5. Member States shall ensure that the limitation periods for bringing claims for compensation referred to in paragraph 1 are not shorter than 5 years. Such periods shall not begin to run before the infringement has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a infringement pursuant to paragraph 1.	5. Member States shall ensure that the limitation periods for bringing claims for compensation referred to in paragraph 1 are not shorter than 5 years. Such periods shall not begin to run before the infringement has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from a infringement pursuant to paragraph 1.	5. Member States shall ensure that they may establish limitation periods for bringing claims for compensation referred to in paragraph 1 are not shorter than 5 years . Such periods shall not begin to run before the infringement has ceased and the person claiming the compensation knows or can reasonably be expected to know that he or she suffered damage from an infringement pursuant to paragraph 1.	
<i>Article 17</i>				
195	Article 17 Amendments to Annexes	Article 17 Amendments to Annexes	Article 17 Amendments to Annexes	
<i>Article 17, first paragraph</i>				
196	The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend Annexes I to IV, in order to take account of the technical progress and	The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend Annexes I to IV IVb in order to take account of the technical progress and	The Commission is empowered to adopt delegated acts in accordance with Article 19 18 to amend Annexes I to IV, in order to take account of the technical progress	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	scientific developments.	scientific developments.	and scientific developments.:	
Article 17, first paragraph, point (a)				
196a			(a) the technical requirements laid down in points (7), (7a), (8) and (8a) of Annex I;	
Article 17, first paragraph, point (b)				
196b			(b) points (1), (2) and (3) of Annex III to add or remove equipment requirements or procedures or to specify the technical features of the existing equipment and procedures; and	
Article 17, first paragraph, point (c)				
196c			(c) the details of the forms laid down in Annexes II and IV	
Article 17, second paragraph				
197	When adopting delegated acts referred to in the first paragraph, the Commission shall take into account:	When adopting delegated acts referred to in the first paragraph, the Commission shall take into account:	When adopting delegated acts referred to in the first paragraph, the Commission shall take into account: on the basis of:	
Article 17, second paragraph, point (a)				
198	(a) the experience gained from the implementation of obligations set out in Articles 4 and 5;	(a) the experience gained from the implementation of obligations set out in Articles 3, 4, 5, 8 and 94 and 5;	(a) the experience gained from the implementation of obligations set out in Articles 4 and 5;	
Article 17, second paragraph, point (b)				
199	(b) relevant international standards;	(b) relevant international standards;	(b) relevant international standards and regulations;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17, second paragraph, point (c)				
200	(c) the specificities of the sectors of activity;	(c) the specificities of the sectors of activity;	(c) the specificities of the sectors of activity;	
Article 17, second paragraph, point (d)				
201	(d) the specific needs of micro, small and medium-sized enterprises.	(d) the specific needs of micro, small and medium-sized enterprises.	(d) the specific needs of micro, small and medium-sized enterprises.	
Article 17, second paragraph, point (da)				
201a			(e) technical progress and scientific developments; and	
Article 17, second paragraph, point (db)				
201b			(f) the experience gained from incidents and accidents.	
Article 17a				
201c		<i>Article 17a</i> <i>Review</i>		
Article 17a, first paragraph				
201d		<i>The Commission shall monitor the application of this Regulation and relevant developments at the IMO. By ... [8 years from the entry into force of this Regulation], the Commission shall publish a comprehensive report on the overall application of this Regulation and its effectiveness and shall submit, where appropriate, a legislative proposal to amend this Regulation.</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17b				
201e		<u>Article 17b</u> <u>Traceability</u>		
Article 17b, first paragraph				
201f		<u>By ... [24 months from the entry into force of this Regulation], the Commission shall publish a report on the possibility of introducing chemical traceability of plastic pellets. That report shall at least consider:</u>		
Article 17b, first paragraph, point (a)				
201g		<u>(a) the technical feasibility of introducing a unique and differentiable, chemical signature which is not harmful to the environment or human health;</u>		
Article 17b, first paragraph, point (b)				
201h		<u>(b) setting up a Union database of all chemical signatures.</u>		
Article 17b, second paragraph				
201i		<u>Where appropriate, the report referred to in the first paragraph shall be accompanied by a legislative proposal.</u>		
Article 18				
202	Article 18 Exercise of the delegation	Article 18 Exercise of the delegation	Article 18 Exercise of the delegation	
Article 18(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
203	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
Article 18(2)				
204	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for a period of 5 years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for a period of 5 years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	2. The power to adopt delegated acts referred to in Article 17 shall be conferred on the Commission for a period of 5 [...] five years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Regulation].- The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
Article 18(3)				
205	3. The delegation of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the	3. The delegation of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the	3. The delegation of power referred to in Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 18(4)				
206	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 18(5)				
207	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 18(6)				
208	6. A delegated act adopted pursuant to Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	6. A delegated act adopted pursuant to Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	6. A delegated act adopted pursuant to Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	
Article 18a				
208a			Article 18a Committee procedure	
Article 18a(1)				
208b			1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 18a(2)				
208c			2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	
Article 18a(3)				
208d			3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
Article 18b				
208e			Article 18b	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Evaluation and review	
Article 18b(1)				
208f			1. Within five years from the date of its application, the Commission shall conduct an evaluation of the implementation of this Regulation in light of the objectives that it pursues. The Commission shall present a report on the main findings of the evaluation to the European Parliament and to the Council. The report shall include:	
Article 18b(1), point (a)				
208g			(a) the experience gathered from the implementation of this Regulation;	
Article 18b(1), point (b)				
208h			(b) the information reported by Member States pursuant to Article 8;	
Article 18b(1), point (c)				
208i			(c) the information made available by economic operators on the reduction of plastic pellet losses resulting from the handling of plastic pellets;	
Article 18b(1), point (d)				
208j			(d) the contribution of this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Regulation to the overall target of reducing microplastic pollution by 30 % by 2030;	
Article 18b(1), point (e)				
208k			(e) an assessment of whether there are additional sources of unintentional releases of plastic pellets or microplastics which are not sufficiently regulated;	
Article 18b(1), point (f)				
208l			(f) the latest data and scientific findings;	
Article 18b(1), point (g)				
208m			(g) the interaction of this Regulation with relevant international initiatives addressing plastic pellet losses, in particular with regards to maritime transport;	
Article 18b(1), point (h)				
208n			(h) an assessment of the effectiveness of the thresholds on the quantities of plastic pellets handled in accordance with Articles 4 and 5, considering the information reported by Member States pursuant to Article 8, including an evaluation on the impacts of lowering those thresholds;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18b(1), point (i)				
208o			(i) an assessment of how the exemptions granted under Article 5a impact the effectiveness of this Regulation;	
Article 18b(1), point (j)				
208p			(j) an assessment of the need to establish a threshold on the quantities of plastic pellets transported by carriers;	
Article 18b(1), point (k)				
208q			(k) an assessment of the functioning and responsibilities of authorised representatives established under Article 3a.	
Article 18b(2)				
208r			2. Where appropriate, the report shall be accompanied by a legislative proposal to the European Parliament and Council.	
Article 18b(3)				
208s			3. In the event of the adoption by the International Maritime Organisation (IMO) of measures for the safe transport and prevention of marine pollution of plastic pellets by ships, the Commission shall assess these measures, including	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the need to ensure alignment with those measures, and shall if appropriate, adopt a legislative proposal amending this Regulation accordingly.	
Article 19				
209	Article 19 Entry into force and application	Article 19 Entry into force and application	Article 19 Entry into force and application	
Article 19, first paragraph				
210	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 19, second paragraph				
211	This Regulation shall apply [OP: please insert the date = 18 months after the entry into force of this Regulation]. However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].	This Regulation shall apply [OP: please insert the date = 18 months after the entry into force of this Regulation]. However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].	This Regulation shall apply [OP: please insert the date = 18 24 months after the entry into force of this Regulation]. However, Article 3(1) shall apply from [OP: please insert the date the date of the entry into force of this Regulation].	
Article 19, second paragraph a				
211a			By way of derogation from the second paragraph of this Article, Article 1, paragraph 2, point ba, Article 2, points ga, gb, gc, Article 4a, Article 8, paragraph 1, and Article 12 and Article 14 as far as operators, agents and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			masters of sea-going vessels are concerned, shall apply from [36 months after the entry into force of this Regulation].	
Article 19, third paragraph				
212	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Formula				
213	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
214	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
215	The President	The President	The President	
Formula				
216	For the Council	For the Council	For the Council	
Formula				
217	The President	The President	The President	
Annex I				
218	Annex I	Annex I The insertions in the annexes were made as good as possible in TTE.	Annex I	
Annex I, first paragraph				
219	RISK ASSESSMENT PLAN FOR INSTALLATIONS	RISK ASSESSMENT PLAN FOR INSTALLATIONS	RISK ASSESSMENTMANAGEMENT	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			PLAN FOR INSTALLATIONS	
Annex I, second paragraph				
220	The risk assessment plan referred to in Article 4(1) shall contain the following elements:	The risk assessment plan referred to in Article 4(1) shall contain the following elements:	The risk assessment management plan referred to in Article 4(1) shall contain the following elements:	
Annex I, third paragraph				
221	(1) the site plan;	(1) the site plan;	(1) the site plan;	
Annex I, third paragraph a				
221a		<i>(1a) the number of tonnes of plastic pellets handled per year;</i>		
Annex I, 2 paragraph				
222	(2) the locations where pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk locations;	(2) the locations where pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk locations;	(2) the locations where pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk locations;	
Annex I, 3 paragraph				
223	(3) the handling operations during which pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk operations;	(3) the handling operations during which pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk operations;	(3) the handling operations during which pellet spills and losses may originate from within the installation's boundaries, specifying high- and low-risk operations;	
Annex I, 3 paragraph a				
223a		<i>(3a) information relating to the chemical nature of each polymer contained in plastic pellets on site, including information on physico-</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>chemical properties and hazard proprieties;</u>		
Annex I, 4 paragraph				
224	(4) the estimation of the quantities of spills and losses in the identified locations and operations;	(4) the estimation of the quantities of spills and losses in the identified locations and operations;	(4) the estimation of the quantities of spills and losses in the identified locations and operations;	
Annex I, 5 paragraph				
225	(5) drawing up of the list of the activities over which the installation might have authority to exercise control, including suppliers, sub-contractors and off-site storage facilities;	(5) drawing up of the list of the activities over which the installation might have authority to exercise control, including suppliers, sub-contractors and off-site storage facilities;	(5) drawing up of the list of the activities at which plastic pellet spills or losses might occur over which the installation might have authority to exercise control, including suppliers, sub-contractors (sub)-contractors and off-site storage facilities;	
Annex I, 6 paragraph				
226	(6) the definition of one specific role of a member of staff responsible for recording, investigating and follow-up on spills and losses, including reporting to competent authorities as in Article 4 (7) and Article 9 (1);	(6) the definition of one specific role of a member of staff responsible for recording, investigating and follow-up on spills and losses, including reporting to competent authorities as in Article 4 (7) and Article 9 (1);	(6) the definition of one specific role of a member of staff responsible for recording, investigating and follow-up on spills and losses, including reporting to competent authorities as in Article 4 (7) and Article 9 (1);	
Annex I, 7 paragraph				
227	(7) description of equipment in place to prevent, contain and clean up spills and losses.	(7) description of equipment in place to prevent, contain and clean up spills and losses.	(7) description of equipment put in place to prevent, contain and clean up spills and losses. This equipment shall be adequate and proportionate to the nature and size of the installation and shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			include:	
Annex I, 8 paragraph				
228	Economic operators shall consider at least the following, taking into account the nature and size of the installation as well as the scale of its operations:	Economic operators shall consider put in place at least the following, taking into account the nature and size of the installation as well as the scale of its operations:	<i>deleted</i>	
Annex I, 7 paragraph, point (a)				
228a			(a) For prevention: in case of installations at which packaging takes place, packaging that shall be strong enough to withstand the shocks and loadings normally encountered during transport. The packaging shall be securely constructed and closed so as to prevent any loss of contents which may be caused under normal conditions of transport, by vibration or acceleration forces;	
Annex I, 7 paragraph, point (b)				
228b			(b) For containment: at high-risk spill locations, catchment devices placed to ensure spills on the floor can easily be contained and cleaned;	
Annex I, 7 paragraph, point (c)				
228c			(c) For clean-up: at spill and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			loss locations, vacuum cleaners for internal and external usage, sufficient cleaning tools (e.g., brooms, dustpan and brush, buckets, repair tapes) and disposal bins for collected pellets and empty bags;	
Annex I, 7a paragraph				
228d			(7a) Where appropriate on the basis of the nature and size of the installation as well as the scale of its operations, economic operators shall consider the description of at least the following additional equipment:	
Annex I, 8 paragraph, point (a)				
229	(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant packaging that can withstand degradation in aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; automated transport systems for pellets;	(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant, <u>waterproof, sealed and labelled</u> packaging that can withstand degradation in <u>rough</u> aquatic environments; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; <u>shock-resistant, waterproof, sealed and labelled</u> containers or external silos to store pellets; automated transport systems for pellets, <u>filters to</u>	(a) For prevention: vacuum seals on hoses and pipework; tear- and impact-resistant in case of installations at which packaging that can withstand degradation in aquatic environments stakes place: the strength of the material used and the construction of the packaging is appropriate to the capacity of the packaging and its intended use; the packaging is sift-proof or is provided with a suitable liner; protective covers on forklifts, hydraulic equipment, or other loading and unloading equipment to prevent	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>prevent the spread of pellet dust in the air and on site;</u></p>	<p>the piercing of packaging; equipment to create secure connection points with secondary barriers in place; loading systems designed to ensure transfer lines can be completely emptied after loading and unloading; sealed containers or external silos to store pellets; protection to prevent overfilling of silos; automated transport systems for pellets; plastic pellet dust extraction equipment with appropriate plastic pellet dust filters or catchment devices; for the cleaning of plastic pellet containers or silos, use of filter or catchment devices for rinse water and air cleaning;</p>	
Annex I, 8 paragraph, point (b)				
230	<p>(b) For containment: catchment devices placed along the exterior edge of loading and unloading areas; industrial vacuum cleaners and hand tools for immediate cleaning; internal and external drain covers, storm water drainage or filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system;</p>	<p>(b) For containment: <u>spill trays and</u> catchment devices placed along the exterior edge of loading and unloading areas; <u>in-ground retention tanks with steel grating below spill hotspots such as transfer points;</u> industrial vacuum cleaners and hand tools for immediate cleaning; internal and external <u>indoor and outdoor</u> drain covers <u>on all drains with a mesh size smaller than the smallest plastic pellets handled on site,</u></p>	<p>(b) For containment: secondary catchment devices placed along the exterior edge of loading and unloading areas; industrial vacuum cleaners and hand tools for immediate cleaning around installation; internal and external drain covers, storm water drainage or filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system; closed containers for spilled pellets and empty</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		storm water drainage or filtration systems to manage reasonably foreseeable flood or storm events; a sewage treatment system;	packaging; zones to repair or deal with damaged packaging; a floor or underground at loading and unloading areas which does not hinder the cleaning of spills;	
Annex I, 8 paragraph, point (c)				
231	(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated appropriate containers for recovered pellets that are covered, labelled and secured to prevent further spills and losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.	(c) For clean-up: industrial vacuum cleaners for internal and external usage; dedicated appropriate containers for recovered pellets that are covered shock-resistant, waterproof, sealed , labelled and secured to prevent further spills and losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes); reinforced collection bags.	(c) For clean-up: industrial vacuum cleaners for internal and external usage ; dedicated appropriate containers for recovered pellets that are covered, labelled and secured to prevent further spills and losses; hand tools (e.g., brooms, dustpan and brush, buckets, repair tapes) ; reinforced collection bags;	
Annex I, 8 paragraph a				
231a		<u><i>Exemptions in relation to the installation of certain types of equipment referred to in this point shall be possible for economic operators that are able to justify such exemptions to the competent authorities, taking into account the nature and size of the installation as well as the scale of its operations.</i></u>		
Annex I, 8 paragraph b				
231b		<u><i>Economic operators that are</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>micro-enterprises shall consider at least the elements set out in this point, taking into account the nature and size of the installation as well as the scale of its operations.</u>		
Annex I, 9 paragraph				
232	(8) description of procedures in place to prevent, contain and clean up spills and losses.	(8) description of procedures in place to prevent, contain and clean up spills and losses.	(8) description of procedures put in place to prevent, contain and clean up spills and losses. These procedures shall be adequate and proportionate to the nature and size of the installation and shall include:	
Annex I, 9 paragraph				
233	Economic operators shall consider at least the following, taking into account the nature and size of the installation as well as the scale of its operations:	Economic operators shall consider <u>put in place</u> at least the following; <u>measures</u> taking into account the nature and size of the installation as well as the scale of its operations:	<i>deleted</i>	
Annex I, 8 paragraph a				
233a			(a) informing third parties accessing the installation to load, unload or otherwise handle pellets about the relevant procedures to prevent, contain and clean up spills and losses;	
Annex I, 8 paragraph b				
233b			(b) at high-risk spill locations,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			ensuring that there are regular inspections, cleaning and maintenance of catchment devices and storage facilities as well as of packaging and containers; if leaking or sifting, packaging and containers shall not be used further;	
Annex I, 8 paragraph c				
233c			(c) containing spills and cleaning them up as soon as possible, and at the latest at the end of the operation;	
Annex I, 8 paragraph d				
233d			(d) the outside of the road vehicle, rail wagon or inland waterway vessels ship is free from plastic pellets when leaving the installation; and loading and unloading ramps of road vehicles and rail wagons are closed when leaving the loading or unloading place;	
Annex I, 8a paragraph				
233e			(8a) where appropriate on the basis of the nature and size of the installation as well as the scale of its operations, economic operators shall consider at least the following additional procedures:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 9 paragraph, point (a)				
234	(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in 25kg sacks, and loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;	(a) for prevention: limits on the volumes of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in 25kg sacks <u>tear- and impact-resistant packaging that can withstand degradation in aquatic environments</u> , and loaded no more than 1tonne <u>1 tonne</u> per pallet); regular inspection and maintenance of packaging, containers and storage facilities; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures;	(a) for prevention: limits on the volumes quantities of pellets transported in certain packaging (e.g., pellets must be packaged and sealed in 25kg sacks, and loaded no more than 1tonne per pallet); regular inspection and maintenance of packaging, containers and storage facilities ; use of spill trays under transfer points and during loading and unloading; clear protocols for opening, loading, closing and sealing containers at the start and end of loading; physical testing and monitoring of the effectiveness of prevention procedures; reception and departure procedure for EU carriers and non-EU carriers; plastic pellet dust prevention procedures and measures;	
Annex I, 9 paragraph, point (b)				
235	(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water	(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water	(b) for containment: regular inspection, cleaning and maintenance of catchment devices; regular inspection, cleaning and maintenance of drain covers, storm water drainage or filtration systems; regular inspection and cleaning of vehicles leaving and/or entering a site, outgoing water	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement or repair of leaking packaging; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; maintenance of sewage treatment system.	facilities and fences on the perimeter of the facility <u>installation's boundaries</u> that are in public areas when applicable; immediate replacement or repair of leaking packaging; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; <u>regular inspection, cleaning and</u> maintenance of sewage treatment system.	facilities and fences on the perimeter of the facility that are in public areas when applicable; immediate replacement or repair of leaking packaging; checks for broken and discarded packaging or containers for residual pellets before disposal or repair; maintenance of sewage treatment system.;	
Annex I, 9 paragraph, point (c)				
236	(c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation.	(c) for clean-up: spilled plastic pellets are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated <u>waterproof, sealed and labelled</u> container. If possible, spilled plastic pellets are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation. <u>along with damaged containers;</u>	(c) for clean-up: once the spilled plastic pellets have been are cleaned up immediately to prevent losses to the environment, at the latest upon termination of the operation, and collected in a designated container. if possible, spilled plastic pellets they are reused as raw material to reduce wastage. If spilled plastic pellets cannot be reused as raw materials, they are retrieved and disposed of in accordance with waste legislation.;	
Annex I, 9 paragraph a				
236a		<u>Exemptions in relation to taking the measures referred to in this point shall be possible for</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>economic operators that are able to justify such exemptions to the competent authorities, taking into account the nature and size of the installation as well as the scale of its operations.</i></u>		
Annex I, 9 paragraph b				
236b		<u><i>Economic operators that are micro enterprises shall consider at least the elements set out in this point, taking into account the nature and size of the installation as well as the scale of its operations.</i></u>		
Annex I, 10 paragraph				
237	(9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year shall also take the following actions:	(9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities above 1 000 tonnes have been handled in the previous calendar year <u>not micro-enterprises</u> shall also take the following actions:	(9) in addition to elements described in points (1) to (8), economic operators that are medium or large-sized enterprises and operate installations where plastic pellets in quantities equal to or above a threshold of 1 000 tonnes have been handled in the previous calendar year shall also take the following actions:	
Annex I, 10 paragraph, point (a)				
238	(a) describe the elements that should be reviewed at formal management meetings at least once a year including the estimated quantity and causes of any losses;	(a) describe the elements that should be reviewed at formal management meetings at least once a year including the estimated quantity and causes of any losses;	(a) describe the elements that should be reviewed at formal management meetings at least once a year including the estimated quantity and causes of any losses;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	preventive, mitigating and clean up equipment and procedures implemented and their effectiveness.	preventive, mitigating and clean up equipment and procedures implemented and their effectiveness.	preventive, mitigating and clean up equipment and procedures implemented and their effectiveness-;	
Annex I, 10 paragraph, point (b)				
239	(b) establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;	(b) establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;	(b) establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of pellet losses;	
Annex I, 10 paragraph, point (c)				
240	(c) set the procedures for informing drivers, suppliers and subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.	(c) set the procedures for informing drivers, suppliers and subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.	(c) set the procedures for informing drivers, suppliers and subcontractors about the relevant procedures to prevent, contain and clean up spills and losses.	
Annex II				
241	Annex II	Annex II	Annex II	
Annex II, first paragraph				
242	FORM FOR SELF-DECLARATION OF CONFORMITY	FORM FOR SELF-DECLARATION OF CONFORMITY	FORM FOR SELF-DECLARATION OF CONFORMITY	
Annex II, second paragraph				
243	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
 (name and address of the economic operator). (name and address of the economic operator). (name and address of the economic operator).	
Annex II, third paragraph				
244	Declares under its sole responsibility that the handling of plastic pellets in the installation located in (address) with registration number (if available) meet all requirements of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing plastic pellets losses to reduce microplastic pollution.	Declares under its sole responsibility that the handling of plastic pellets in the installation located in (address) with registration number (if available) meet all requirements of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing plastic pellets losses to reduce microplastic pollution.	Declares under its sole responsibility that the handling of plastic pellets in the installation located in (address) with registration number (if available) meet all requirements of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing plastic pellets losses to reduce microplastic pollution.	
Annex II, fourth paragraph				
245	By signing this declaration, I declare that the risk assessment attached, carried out on the (date) has been implemented.	By signing this declaration, I declare that the risk assessment attached, carried out on the (date) has been implemented.	By signing this declaration, I declare that the risk assessment attached, carried out on the (date) has been implemented.	
Annex II, fifth paragraph				
246	Done at ... on .../.../20....	Done at ... on .../.../20....	Done at ... on .../.../20....	
Annex II, sixth paragraph				
247	Signature	Signature	Signature	
Annex III				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
248	Annex III	Annex III	Annex III	
Annex III, first paragraph				
249	ACTIONS FOR EU CARRIERS AND NON-EU CARRIERS	ACTIONS FOR EU CARRIERS AND NON-EU CARRIERS	ACTIONS FOR EU CARRIERS AND NON-EU CARRIERS	
Annex III, second paragraph				
250	Measures to be taken and equipment to be put in place by EU carriers and non-EU carriers:	Measures to be taken and equipment to be put in place by EU carriers and non-EU carriers:	Measures to be taken and equipment to be put in place by EU carriers and non-EU carriers:	
Annex III, third paragraph				
251	(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior	(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on, <u>visible labelling concerning safe and storage</u> requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing <u>waterproof, sealed tear- and impact-resistant packaging that can withstand degradation in aquatic environments; spill trays and catchment devices</u> ; ensuring that protective covers on e.g. forklifts/hydraulic equipment are	(1) For prevention: verification during and after loading and unloading, that pellets are properly removed from the outside of the transport equipment before leaving the loading/unloading site; clear communication on stowage requirements; prevention of any leakage, including during the transport journey, e.g., by technical suitability of the transport means and containers, supplemented, if necessary, with appropriate sealing; ensuring that protective covers on e.g. forklifts/hydraulic equipment are used to prevent the piercing of packaging; regularly cleaning the loading compartments and the containers to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.	used to prevent the piercing of packaging; regularly cleaning <u>and checking whether</u> the loading compartments and the containers <u>and trailers are in good condition to contain and</u> to minimise the loss of spilled pellets; visual checking of openings and integrity of the loading compartments prior and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports.	and, to the extent possible, during the journey, including in the multimodal terminals, rail terminals, inland and seaports, checking the integrity of the packaging of plastic pellets. When loading and unloading operations take place, it shall be ensured that (i) the outside of the road vehicle, rail wagon or inland waterway vessels ship is free from plastic pellets when leaving the installation, and (ii) loading and unloading ramps of road vehicles and rail wagons are closed when leaving the loading/unloading place.	
Annex III, third paragraph a				
251a		<u>(1a) Additional measures to be taken and equipment specifically applicable to maritime and inland waterway transport:</u>		
Annex III, third paragraph a, point (a)				
251b		<u>(a) provide a clear indication of the containers containing plastic pellets;</u>		
Annex III, third paragraph a, point (b)				
251c		<u>(b) store plastic pellets in containers in good condition and avoid protrusions that could tear bags and boxes and store</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>containers in the hold and not on deck;</u>		
Annex III, third paragraph a, point (c)				
251d		<u>(c) contain, clean up and avoid losses of plastic pellets into water when cleaning the boarding area, deck, hold or in a shipping container.</u>		
Annex III, 2 paragraph				
252	(2) For containment and clean-up: where possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers or bags for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.	(2) For containment and clean-up: <u>replace or</u> where possible, repair damaged packaging (e.g. by using booms, barriers and tape) and contain the remaining pellets in the <u>container or</u> loading compartment; collect the spilled pellets in closed <u>waterproof</u> containers or <u>bags labelled and sealed</u> for proper disposal; in case of transport of pellets in bulk tanks, <u>deploy appropriate spill trays and catchment devices before</u> opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; <u>immediately</u> notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the	(2) For containment and clean-up: where possible, repair damaged packaging (e.g. by using booms, barriers and tape) during transport and contain the remaining pellets in the loading compartment; collect the spilled pellets in closed containers or bags for proper disposal; in case of transport of pellets in bulk tanks, opening the bottom manhole/cone of the silo tank only after entering the cleaning bay; replace the container liner only in suitable and non-public areas, where any spillage can be contained; notify the authorities such as international and national emergency, or environmental authorities, as appropriate, from the Member State where the event occurred.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Member State where the event occurred.		
Annex III, 3 paragraph				
253	(3) Equipment on board: at least one portable lightening apparatus, hand tools (e.g. brooms, dustpan and brush, buckets, repair tapes, etc.); closed collection containers/reinforced collection bags.	(3) Equipment on board: at least one portable lightening apparatus <u>lighting device</u> , hand tools (e.g. brooms, dustpan and brush, buckets, repair tapes, etc.); closed collection containers/reinforced collection bags.	(3) Equipment on board: at least one portable lightening apparatus, hand tools (e.g. brooms, dustpan and brush, buckets, repair tapes, etc.); closed collection containers/reinforced collection bags.	
Annex III, 3 paragraph a				
253a		<u>(3a) Training: establish an awareness and training programme, based on the employees' specific roles and responsibilities, on prevention, containment and clean-up of plastic pellet losses, the installation, use and maintenance of equipment, the execution procedures, as well as the monitoring and reporting of plastic pellet losses.</u>		
Annex IV				
254	Annex IV	Annex IV	Annex IV	
Annex IV, first paragraph				
255	FORM OF THE CERTIFICATE OF CONFORMITY	FORM OF THE CERTIFICATE OF CONFORMITY	FORM OF THE CERTIFICATE OF CONFORMITY	
Annex IV, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
256 (name). (name). (name).	
Annex IV, third paragraph				
257	with registration number	with registration number	with registration number	
Annex IV, fourth paragraph				
258	accredited for the scope (NACE Code)	accredited for the scope (NACE Code)	accredited for the scope (NACE Code)	
Annex IV, fifth paragraph				
259	declares, after having verified the installation of the economic operator (name) located in with registration number (if available)	declares, after having verified the installation of the economic operator (name) located in with registration number (if available)	declares, after having verified the installation of the economic operator (name) located in with registration number (if available)	
Annex IV, sixth paragraph				
260	that the installation meets all requirements laid down in Annex I of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing	that the installation meets all requirements laid down in Annex I of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing	that the installation meets all requirements laid down in Annex I of Regulation (EU) No [...] of the European Parliament and of the Council of [...] on preventing	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	plastic pellets losses to reduce microplastic pollution.	plastic pellets losses to reduce microplastic pollution.	plastic pellets losses to reduce microplastic pollution.	
Annex IV, seventh paragraph				
261	By signing this declaration, I declare that:	By signing this declaration, I declare that:	By signing this declaration, I declare that:	
Annex IV, eighth paragraph				
262	- the verification has been carried out in full compliance with the requirements of Regulation (EU) No [...], including spot-checks performed in (dates),	- the verification has been carried out in full compliance with the requirements of Regulation (EU) No [...], including spot-checks performed in (dates),	- the verification has been carried out in full compliance with the requirements of Regulation (EU) No [...], including spot-checks performed in (dates),	
Annex IV, -a paragraph				
263	- the outcome of the verification confirms that there is no evidence of non-compliance with the applicable legal requirements of Regulation (EU) No [...].	- the outcome of the verification confirms that there is no evidence of non-compliance with the applicable legal requirements of Regulation (EU) No [...].	- the outcome of the verification confirms that there is no evidence of non-compliance with the applicable legal requirements of Regulation (EU) No [...].	
Annex IV, -a paragraph				
264	Done at ... on .../.../20....	Done at ... on .../.../20....	Done at ... on .../.../20....	
Annex IV, -b paragraph				
265	Signature	Signature	Signature and stamp	
Annex IVa				
265a		<u>Annex IVa FORM FOR LOSS TRACKING</u>		
Annex IVa, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
265b		<u>Place of Incident: [Text Box]</u>		
Annex IVa, second paragraph				
265c		<u>Pellet Loss Tracking Form</u>		
Annex IVa, third paragraph				
265d		<u>Date of Incident: [date]</u>		
Annex IVa, fourth paragraph				
265e		<u>Time of Incident: [time]</u>		
Annex IVa, fifth paragraph				
265f		<u>Location of Loss:</u>		
Annex IVa, sixth paragraph				
265g		<u>[] Production Area</u>		
Annex IVa, seventh paragraph				
265h		<u>[] Storage Area</u>		
Annex IVa, eighth paragraph				
265i		<u>[] Manufacturing Area</u>		
Annex IVa, ninth paragraph				
265j		<u>[] Transportation</u>		
Annex IVa, tenth paragraph				
265k		<u>Description of Pellet Loss:</u>		
Annex IVa, eleventh paragraph				
265l		<u>[Text Box]</u>		
Annex IVa, twelfth paragraph				
265m		<u>Estimated Quantity of Lost</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Pellets:</u>		
Annex IVa, thirteenth paragraph				
265n		<u>[Text Box]</u>		
Annex IVa, fourteenth paragraph				
265o		<u>[Text Box – estimated quantity of lost pellets based on the standardised methodology referred to in Article 13]</u>		
Annex IVa, fifteenth paragraph				
265p		<u>Cause of Loss:</u>		
Annex IVa, sixteenth paragraph				
265q		<u>[] Equipment Malfunction</u>		
Annex IVa, seventeenth paragraph				
265r		<u>[] Human Error</u>		
Annex IVa, eighteenth paragraph				
265s		<u>[] Environmental or Weather Factors (Specify): [Text Box]</u>		
Annex IVa, nineteenth paragraph				
265t		<u>[] Other (Specify): [Text Box]</u>		
Annex IVa, twentieth paragraph				
265u		<u>Immediate Actions Taken:</u>		
Annex IVa, twenty-first paragraph				
265v		<u>[Text Box]</u>		
Annex IVa, twenty-second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
265w		<u>Clean-up Measures:</u>		
Annex IVa, twenty-third paragraph				
265x		<u>[[Sweeping</u>		
Annex IVa, twenty-fourth paragraph				
265y		<u>[[Vacuuming</u>		
Annex IVa, twenty-fifth paragraph				
265z		<u>[[Absorbent Materials</u>		
Annex IVa, twenty-sixth paragraph				
265aa		<u>[[Containment</u>		
Annex IVa, twenty-seventh paragraph				
265ab		<u>[[Disposal</u>		
Annex IVa, twenty-eighth paragraph				
265ac		<u>Environmental Impact Assessment:</u>		
Annex IVa, twenty-ninth paragraph				
265ad		<u>[[Soil Contamination</u>		
Annex IVa, thirtieth paragraph				
265ae		<u>[[Water Contamination</u>		
Annex IVa, thirty-first paragraph				
265af		<u>[[Air Quality Contamination</u>		
Annex IVa, thirty-second paragraph				
265ag		<u>[[Wildlife Impact</u>		
Annex IVa, thirty-third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
265ah		<u>Witness Information (if applicable):</u>		
Annex IVa, thirty-fourth paragraph				
265ai		<u>Name: [Text Box]</u>		
Annex IVa, thirty-fifth paragraph				
265aj		<u>Contact Number: [Text Box]</u>		
Annex IVa, thirty-sixth paragraph				
265ak		<u>Email Address: [Text Box]</u>		
Annex IVa, thirty-seventh paragraph				
265al		<u>Reporting Person:</u>		
Annex IVa, thirty-eighth paragraph				
265am		<u>Name: [Text Box]</u>		
Annex IVa, thirty-ninth paragraph				
265an		<u>Position: [Text Box]</u>		
Annex IVa, fortieth paragraph				
265ao		<u>Contact Number: [Text Box]</u>		
Annex IVa, forty-first paragraph				
265ap		<u>Email Address: [Text Box]</u>		
Annex IVa, forty-second paragraph				
265aq		<u>Attachments (e.g., photos, reports):</u>		
Annex IVa, forty-third paragraph				
265ar		<u>[File Upload]</u>		
Annex IVa, forty-fourth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
265as		Additional comments: [Text Box]		
Annex IVb				
265at		Annex IVb Table cannot be inserted in TTE.		
Annex IVb, first paragraph				
265au				