

The Rt Hon George Eustice
Secretary of State
Department of Environment, Food and Rural Affairs (DEFRA)
Marsham Street,
London SW1P 4DF

1st June 2020

Dear Secretary of State,

Re: oxo degradable/oxo biodegradable/oxo fragmentable plastics

We the undersigned associations call upon the Government to implement a total ban on the use, sale and distribution in the UK of conventional non-biodegradable plastics containing additives, which are meant to accelerate the fragmentation of plastics into microplastics. Such plastics are variously known as “oxo degradable”, “oxo biodegradable” “oxo fragmentable” “bio-assimilable” but the definitions are not exhaustive¹.

The UK voted for the European Single Use Plastics Directive (Directive 2019/904 <https://eurlex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32019L0904&from=EN>) which includes the clause at Article 5 that “Member States shall prohibit the placing on the market of the single-use plastic products listed in Part B of the Annex and of products made from oxo-degradable plastic.”

Whilst the UK has left the EU we have retained the ambition to achieve at least the equivalent of European environmental norms. At the same time, were the UK to allow these plastics, anything containing them or packaged in them could not be exported to EU markets.

The ban on the use of oxo additives regards not just the EU. The USA also has effectively stopped the sale of such additives by adjudging that the use of marketing terms such as biodegradable for plastics using these additives is considered misleading. Companies have been fined for using such terms and as a result these additives are not used in the USA.²

Why should this ban be implemented now?

As the UK is now in the process of revising legislation on the use of plastic packaging, now is the time to act. Overwhelming scientific evidence, including research commissioned by DEFRA³ and the EU, has demonstrated beyond doubt that the claims these additives transform polyolefin plastics into biodegradable plastics are unfounded. It is scientifically well-known that all polyolefin plastics are naturally prone to oxidation under environmental conditions (aging). Such oxidation ultimately leads to fragmentation and formation of microplastics, which build up in oceans and in soil.

The "oxo-additives" are designed to accelerate the natural oxidation of polyolefins, causing an early fragmentation and the fragmentation of plastic products into microplastics. Thus the effect of these additives (if any) is merely to accelerate the conversion of macroplastics into microplastics, not solving the global problem of plastic pollution but worsening it.

¹ We refer to any plastics to which additives are put in the master batches which disintegrate plastics into fragments and microplastics and which are not certified as “biodegradable” under the standards recognised within UK law such as BSI 13432, BSI 14995, BSI 17033.

² <https://www.khlaw.com/2313>

³ <http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=16263>

Even the claimed disintegration effectiveness is questionable, under some environmental conditions. Experiments undertaken by the University of Plymouth⁴ in 2019 showed that plastic films claiming to be “degradable” due to the oxo additives in them, remained intact in the sea and in soil after 3 years. The UK Advertising Standards Authority in 2019 also found that the use of the term “biodegradable” for dog poop bags made from oxo plastics were misleading as after 2 years these bags were still undegraded.⁵ Nevertheless, they are still sold in the UK.

Moreover, such plastics are not recyclable as the powders contained in them assist degradation and therefore render instable plastic polymers when recycled together. These plastics are also not compostable and lead to confusion among consumers and retailers who consider them to be biodegradable as if they were compostable. A very wide coalition of signatories including some of those signing here, led by the Ellen Macarthur Foundation, called for a ban as long ago as 2017 that was reiterated in 2018⁶. [That is attached](#). We wish to remind you of the call from the Foundation and reiterate it ourselves here.

Whilst we in the UK are ourselves introducing national bans on single use plastics now is the time to also ban the scourge of plastic fragments deriving from oxo additives. We hope you will act quickly to implement this ban in the UK without further delay and respect the undertaking the UK voted for when this issue was raised in the EU.

Yours sincerely,

Signatories (in alphabetical order)



ADBA's members include AD plants that receive food waste and the use of oxo degradable bags is a contaminant they have to extract and landfill or incinerate.



BBIA' members are producers of certified compostable plastics and packaging whose industries are damaged by competing against uncertified and unsubstantiated claims of biodegradability such as those from oxo manufacturers.



The ESA's members include the major UK waste companies that receive but cannot recycle or compost oxo degradable plastics, increasing the landfilling and incineration of them and disrupting plastic recycling.



The FPA's members serve food and drink to the public and the use of oxo degradable materials reduces the possibility of recycling or composting those containers.

⁴ <https://www.plymouth.ac.uk/news/biodegradable-bags-can-hold-a-full-load-of-shopping-three-years-afterbeing-discarded-in-the-environment>

⁵ <https://www.asa.org.uk/rulings/ancol-pet-products-ltd.html>

⁶ <https://www.newplasticseconomy.org/about/publications/oxo-statement>

GREENPEACE

Greenpeace is an independent campaigning organisation, which uses non-violent, creative confrontation to expose global environmental problems, and to force the solutions which are essential to a green and peaceful future. Greenpeace's goal is to ensure the ability of the earth to nurture life in all its diversity.

A PLASTIC PLANET

A Plastic Planet is a UK organisation campaigning for the reduction of plastic use and waste.

REA

REA's members include companies who compost food, garden and compostable packaging waste and who similarly anaerobically digest food waste and all have to extract and dispose of oxo degradables.

RECOUP

RECOUP are a cross sector member based charity working across the plastic value chain to improve UK plastic resource efficiency and recycling.