

Submission on Article 3 (*revised*) from
Philippines ...

5ter. A global mechanism for transparency and traceability along the value chain of plastic products containing chemicals with hazardous properties shall be established under the guidance of the COP.

5quater. Each party shall require producers, importers, and exporters of plastic products to provide information on the presence of hazardous chemicals in these products to national authorities. Each party, in accordance with national laws on protected information, shall report the list of chemicals and their uses to the Conference of the Parties every (X) years. The lists submitted by parties shall be reviewed and compiled by the subsidiary body and made available to the public.

Rationale:

A binding system for chemical transparency and traceability of plastics is critical, given that over 16,000 chemicals are associated with plastics, of which more than 4,000 are hazardous and <1% are regulated globally.

Many chemical additives have been shown to leach out from plastic products throughout their life cycle, posing risks to consumers, recyclers, waste workers, and others along the value chain. Without transparency and proper tracking of products with hazardous chemicals, activities such as reuse, refill, repurposing, recycling, and disposal can expose humans to hazardous substances, reintroduce hazardous chemicals into recycled products, and contaminate the environment.

Without chemical information, governments are unable to regulate or restrict the imports and exports of plastic products with hazardous substances. Transparency and tracking enable producers, workers in manufacturing facilities, regulators, recyclers, waste managers, consumers, and impacted communities to take informed action.

A global system of mandatory disclosure and tracking would benefit SIDS and LMICs that do not have the resources to test plastic products for hazardous chemicals.

Regarding disclosure, paragraph 22 of the Dubai Declaration on Chemicals Management notes that “information about chemicals related to health and safety of humans and the environment should not be regarded as confidential”. The information does not include chemical compositions and other proprietary data.