CG1: Japan’s text Proposal on Problematic and avoidable plastic products, and Exemption
(Part II 3 and 4 of Zero Draft)

Part II

3. Problematic and avoidable plastic products, including short-lived and single-use plastic products and intentionally added microplastics

a. Problematic and avoidable plastic products, including short-lived and single-use plastic products

Japan understands the importance of this elements such as reducing single-use plastic products. However, measures against problematic and avoidable plastic products should be carefully considered taking into account national circumstances and existing national measures, rather than direct and uniform enforcement of international rules.

Criteria should be defined by a group of technical experts from multiple stakeholders, including scientists, academia, and industry, based on scientific evidence, and such a group should be established on a formal process. The entire main para of the Zero Draft should be bracketed.

It should be noted that the perspective of risk assessment is important, and in particular, expert discussion on how to assess exposure level (e.g. distribution status) of plastics in the environment is essential.

The proposed article should be drafted in consideration of the above-mentioned points, and instead of setting a uniform list of phase-out/reduction targets as in Option 1, each country should make a decision and take appropriate measures according to its circumstances and needs, taking into consideration the objective of the instrument, as in Option 2.

The scope of "short-lived plastics" and "single-use plastics," such as avoidable plastics that are used only once and can be easily substituted for other materials, should also be carefully discussed.

Essential uses such as medical devices that are single-use due to infection control should be excluded.

If the need to list problematic plastic products and take reduction measures is determined on scientific grounds, it is essential to take measures such as setting a certain period of exemption from the viewpoint of avoidability, taking into account the marketability and commercialization schedule of alternative plastic and non-plastic products. Therefore, the technical feasibility, availability, and accessibility of alternatives should also be considered.

Based on these points, we propose the following text:

Option 2

1. Each Party should take necessary measures to reduce, as appropriate, not allow the production, sale, distribution, import or export of problematic and avoidable plastic products, including single-use plastic product with high risk of environmental leakage, identified based on the criteria contained in part I of annex B taking into consideration technical feasibility and accessibility of alternative plastics and plastic products, and socio-economic impacts. The measures taken to implement this provision, including the appropriate nationally determined timeframes for reduction and, as appropriate, phase-out, shall be reflected in the national plan communicated pursuant to [part IV.1 on national plans].
b. Intentionally added microplastics

The scope of microplastics that are intentionally added, making it difficult to discuss Option and detailed regulatory content, where the scope of the regulation is not clear. The target scope of the discipline should be discussed first.

Regarding the intentional use and addition of microplastics, as stated in the purpose of the article, each country should take measures when it is recognized that there are adverse impacts on humans and the environment. With that said, we are aware that some countries have achieved results in preventing the use of microplastics and their release into the environment through voluntary industry initiatives for certain products.

The text of the article and criteria should be formulated in consideration of these viewpoints, and instead of setting a uniform list of exceptions and disallowing all others, as in Option 1, each country should make a decision based on the actual situation and needs, as in Option 2, in light of the objective of the instrument, in addition to the difficulty of replacing microplastics, Appropriate measures should be taken.

In addition, the rationale for targeting only microplastics in the online registry is unclear. It is considered sufficient to have them reported by the national action plans in the same way as other initiatives.

The medical applications should be indicated as exemptions because they are products directly related to the protection of public health.

Based on these points, we propose the following text;

**Option 2**

1. Each Party shall identify plastics and products containing intentionally added microplastics based on the element contained in part V of annex B, and take the necessary measures to manage, where appropriate restrict and not allow, their production, use in manufacturing, sale, distribution, import or export, taking into consideration technical feasibility, availability and accessibility of alternative plastics and plastic products, and socio-economic impacts.

2. The measures taken to implement this provision shall be reflected in the national plan communicated pursuant to [Part IV.1 on national plans].

4. Exemptions available to a Party upon request

This provision is based on the premise of Option 1, which lists problematic plastic products and intentionally added microplastic products uniformly around the world and disallows their manufacture, etc. For national regulations based on the listed criteria in Option 2, and this provision, it is not appropriate because there is no world-wide common list of products. Therefore, discussion of this provision is reserved until the discussion of problematic plastic products and intentionally added microplastic products is settled.