

Policy response to ocean bound plastics as food contact material

Policy risk management response to the Joint Expert Group for Food Contact Materials assessment on ocean bound plastic (OBP).

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) would like to thank the [Joint Expert Group for Food Contact Materials](#) (FCMJEG) for carrying out an [assessment on ocean bound plastic \(OBP\)](#) in relation to its use in food contact materials (FCMs).

The FCMJEG assesses and provides independent expert advice on issues related to FCMs to the FSA. As part of the Risk Analysis process, the FSA and FSS has carefully considered appropriate and proportionate [risk management options](#) concerning the suitability of this material in FCMs based on this expert advice.

Regulatory considerations and recommendations on ocean bound plastic

Any approach to restrict the use of plastic including OBP in FCMs in any capacity may require updates to appropriate FCM legislation and/or specific restrictions set out within individual authorisations for recycling processes. Under the current regulatory system, there is a need to assess the safety of plastic recycling processes. This includes the consideration of the input material as part of its decontamination efficiency, thus potentially making any specific restrictions somewhat challenging at this time. This is because there are no authorised processes to date.

We are recommending that mechanically processed recycled plastic that was originally abandoned in an open environment setting, which includes directly on land, into waterways or the sea ('ocean bound plastics' - OBP), and in locations where waste management infrastructure is lacking, should not be used in FCMs. This recommendation is based on the FCMJEG's conclusion that they could not exclude a safety risk from using this kind of plastic in food contact materials.

Understanding ocean bound plastic

It is important to understand the definitions of so-called "ocean bound plastic." Some sourced plastic may not fit neatly into our interpretation of abandoned environmental plastic and the criteria associated with OBP, and any subsequent risk management action may need to consider the individual circumstances of an initiative that is supplying or using recycled plastic that gives such an indication. This could include method of sourcing and the various steps leading to the final generation of the recycled plastic articles.

The sourcing of plastic from more controlled collections (akin to kerbside collections) that are then subject to suitable mechanical or chemical recycling processes are not subject to these recommendations.

Definition of 'abandoned environmental plastic'

Following the assessment and the FSA/FSS work, it is appropriate to set out a new term to clearly define what plastics are within or outside of the scope of our advice. The term 'abandoned environmental plastic' will be used to cover the following in our advice:

- plastic which reflects the standard criteria of OBP as set out above and in the published literature
- the use of the term 'abandoned' refers to plastic that has been discarded, either intentionally or unintentionally, into the open environment, where there is a risk of exposure to environmental factors such as degradation and UV
- we are excluding plastic that has been collected 'outside' any waste disposal situation (for example, but not limited to, private and public waste collections or recycling bins)

Compliance requirements for businesses

Businesses supplying or using plastic FCMs need to ensure that traceability is ensured across all stages and any marketing of FCMs does not mislead consumers in accordance with current legislation.

All plastic FCMs must adhere to the applicable legislation. We have published [further advice and guidance concerning FCM recycled plastic requirements](#).