

C-232

GREEN DEAL Reliable evidence for applications of plastic recycle

The Parties:

1. The Minister for the Environment and Housing, Mrs S. van Veldhoven-van der Meer;
2. The Minister of Economic Affairs and Climate Policy, Mr E. Wiebes;

Parties 1 and 2, acting in their capacity as an administrative authority, are hereinafter jointly referred to as **'the Government'**;

3. The Dutch Federation of the Rubber and Plastics Industry (NRK), represented by Mr W.F. de Ruijter, Director of Policy and Advice, hereafter referred to as NRK;
4. NRK Recycling, represented by Mr M. Kras, chair;
5. PlasticsEurope Netherlands, represented by Mr T.M.P. Stijnen, director;

Parties 3 through 5 are hereinafter jointly referred to as the **'Sector Organisations'**;

6. SABIC Petrochemicals B.V., represented by Mr M. Williams, general manager Europe;
7. BASF Nederland B.V., represented by Mr I.J. Hoekstra, managing director;
8. Morssinkhof-Rymoplast, represented by Mr M. Veerman, business development manager;

Parties 6 through 8 are hereinafter jointly referred to as the **'Chemicals and Plastics Companies'**;

9. Philips Electronics Nederland B.V., represented by Mr R.M. Metzke, head of sustainability;
10. Unilever Benelux B.V., represented by Mrs F. van Bruggen, communications director;

Parties 9 through 10 are hereinafter jointly referred to as the **'End Processors'**;

11. The Royal Netherlands Standardization Institute (NEN), represented by Mr R. van Terwisga, managing director, hereafter referred to as NEN;

Parties 3 through 11 are hereinafter jointly referred to as the **'Private Parties'**;

All hereinafter jointly referred to as **'the Parties'**;

General considerations

1. For the prosperity of future generations, we will need to strengthen the competitiveness of our economy while reducing our impact on the environment and our dependence on fossil fuels and scarce natural resources.
2. Creativity, entrepreneurship and innovation will be essential to facilitate this transition to green growth. Companies, private individuals and civil society organisations are launching many tangible initiatives to green our economy and society. Through the Green Deals, the government seeks to harness the energy of this social movement to optimally promote green growth.
3. Green Deals build on grassroots initiatives by companies and individuals and organisations, and give them access to government partners with whom they can work on green growth. In areas where initiators encounter obstacles that they believe can be resolved at national level, the government will strive to eliminate or resolve these barriers in order to facilitate and accelerate the initiatives. In a Green Deal, parties lay down arrangements to this end in writing.

4. The results of a Green Deal can be used in other, comparable projects, enabling others to follow the example and the Green Deal's reach to be expanded without specific government support.

Specific considerations: Reliable evidence for applications of plastic recyclate

1. The circular economy is a model for achieving sustainable economic growth, developed in light of the increasing pressure that production and consumption exert on the global supply of natural resources and on the environment. To achieve sustainable growth, manufacturers and consumers will need to use their natural resources in smarter, more efficient ways, e.g. by recycling and reusing raw materials from waste and discarded goods. The circular economy demands innovative production methods that are more efficient and that therefore also offer economic opportunities.
2. Plastics are generally manufactured from fossil fuels. Burning them with other waste at the end of their life cycle results in CO₂ emissions. The Netherlands and the EU can achieve significant reductions in CO₂ emissions if plastics are recycled instead of burned. Although important strides have been made in plastic recycling, the quality of and scope for using recycled plastics are still limited. An increase in the use of recyclate, from both mechanical and chemical recycling, could make an important contribution to Dutch climate policy.
3. Governments and companies accelerate the transition to a circular economy by making sustainable choices in the products they purchase and use. A conscious choice to prioritise sustainable and circular options creates more demand for sustainable, recycled and renewable plastics. However, this does not happen automatically. A methodology is needed that provides transparency on the percentage of recyclate in a semi-manufactured or finished product, which can thus be used as reliable evidence of the percentage of recyclate in products. Especially during the transitional phase, when recyclate is not yet available in sufficient quantities, industry will gradually increase the percentage of recyclate in plastic products, generally by mixing it with fossil-based raw materials.
4. The development of such a methodology requires a comprehensive understanding of what takes place in the various links of plastics chains, from processing plastic waste flows all the way to manufacturing finished products. It also requires knowledge of and experience with the methodology's practical application and correct use of the evidence regarding the percentage of recyclate in products. Transparency across the entire plastics chain is essential; the methodology developed for this purpose must be suitable for use by all companies in the supply and value chain. The results will be recorded in a widely available document, such as a Netherlands Technical Agreement (NTA).
5. This Green Deal relies on knowledge and experience obtained with the Green Deal on Green Certificates. This deal resulted in an approach to make trustworthy claims on the percentage of sustainable biomass in plastics, that are obtained by co-feeding of biobased raw materials with fossil feedstock for the production of partially renewable plastics.
6. This Green Deal helps achieve the goals of the Plastics chapter of the Circular Economy Implementation Programme, and helps implement the Dutch Plastics Pact and EU policy on the circular economy (notably the Circular Economy Package 2018 and the European Strategy on Plastics).
7. When implementing this Green Deal, the Private Parties will take due care to ensure that specific actions are not in conflict with competition law. If necessary, they will consult a lawyer specialising in competition law.

Parties agree as follows:

1. Aims

Article 1

1. The aim of this Green Deal is to develop a methodology to provide transparency on the percentage of recyclate in a semi-manufactured or finished product, which can thus be used to give reliable assurance of, or make reliable claims about, the percentage of recyclate in products. This method will describe what information in any case needs to be available and be passed on from link to link in the chain, and what type of claim is permitted for a particular product. Claims may vary for different types of recycling processes, such as mechanical and chemical recycling.
2. The method must be suitable for use by all the companies in the plastics value chain. The Green Deal also aims to investigate how this method could be widely adopted in the market. In so far as possible, the method will be based on existing standards.
3. The Parties to this Green Deal will also seek to roll out the method at European level, generating broad European support for it by advocating its use in comparable European standardisation initiatives.

2. Measures and actions

Article 2 Measures and actions of all the Parties and the Private Parties

- The Private Parties will develop a methodology to provide transparency about the percentage of recyclate in a semi-manufactured or finished product, which can be used to make reliable claims about the percentage of recyclate in products. This methodology will be delivered as soon as possible, but in any case no more than 18 months after this Green Deal is signed.
- The methodology will include guidelines on which claims can be used in relation to the various Chain of Custody models, similar to the guidelines developed in the context of the Green Deal on Green Certificates.
- The Private Parties will submit relevant information needed to achieve the aims, with due observance of prevailing European and Dutch data protection legislation.
- The Parties will explore the options for making the methodology suitable for wide use by all companies, for instance by developing an NTA and an analysis of existing, international certification schemes that meet the requirements, including the assurance that claims used are independently verifiable. Other key factors are the quality of governance and the audit procedures.

Article 3 Measures and actions by End Processors

- The End Processors will contribute through the sharing of insights into customer and consumer needs, no later than autumn 2020. This will deal with customer opinions on the various recycling routes, Chain of Custody models and the types of evidence and claims that can be made, which barriers exist, and what business-to-consumer communication they believe will ensure widespread use of recyclate in the market.

Article 4 Measures by Private Parties

- The Private Parties will contribute their knowledge and best practices, make suggestions for resolving bottlenecks, and provide access to relevant networks.
- If Private Parties deem it necessary to test the method's feasibility, they may conduct a limited number of pilot projects.
- The Private Parties will communicate actively about the Green Deal and its results, for instance via newsletters, magazines and the internet.
- The results of the Green Deal will be disseminated to relevant organisations, such as CEFIC, PlasticsEurope, European Plastic Converters (EuPC), Plastic Recyclers Europe (PRE), CEN and certification bodies.
- The results will also be disseminated during a European conference to be organised by the Ministry for

the Environment and Housing for the purpose of sharing knowledge and generating support within the European Commission, member state governments and a wide-ranging group of companies with a view to rolling out the approach/method at European level.

Article 5 Measures and actions by NEN

- NEN will contribute knowledge on relevant norms and standards that already exist or are being developed in the Netherlands, in Europe (CEN) and worldwide (ISO).
- NEN can guide the process of consolidating the formulated methodologies into a document that is suitable for widespread use by all companies in the value chain. NEN will work with the other Parties in this Green Deal to explore the option of developing a Netherlands Technical Agreement (NTA).
- NEN is prepared to conduct a study into the support base within the European Committee for Standardization (CEN) for further developing an NTA into a CEN Workshop Agreement (CWA) or a European Norm (EN), with the aim of consolidating the Dutch methodology at European level.

Article 6 Measures and actions by the Government

- The Government will explore how it can design its instruments to promote the use of plastic recylate.
- The Government will initiate actions that generate support at European level for the developed methodology/approach.
- Operating via the Netherlands Enterprise Agency, the Government will provide the secretariat to promote cooperation in this Green Deal.
- The Green Deal secretariat will be responsible for:
 - contributing knowledge and experience gained from the Green Deal on Green Certificates and other relevant government initiatives;
 - communicating on progress and results;
 - monitoring implementation of and progress with the actions;
 - evaluating the results of the Green Deal.

3. Final provisions

Article 7 Implementation in accordance with Union law

The agreements set out in this Green Deal and their further elaboration will be implemented in accordance with international law, European Union law and Dutch law, in particular to the extent that the agreements are within the scope of the international, European and Dutch rules on procurement, competition, state aid and technical standards and regulations.

Article 8 Amendments

1. Any Party can request the other Parties in writing to amend the Green Deal. Amendments must be approved in writing by all Parties.
2. The Parties agree to hold consultations within six weeks once a Party has sent a written request to this effect to the other Parties.
3. Copies of the amendment and statements of agreement must be appended to the Green Deal.

Article 9 Working methods

Within two months after this Green Deal comes into effect, the Parties will draw up a detailed working plan. Representatives of the Parties will then meet at least four times a year to discuss the actions and their progress in implementing this Green Deal.

Article 10 Accession of new parties

1. New parties may accede to this Green Deal.
2. An accession request must be submitted to the NRK in writing. Once all Parties have approved the request in writing, the new party acquires the status of Party to the Green Deal. From that moment the rights and obligations arising from the Green Deal for that Party then apply to it.
3. The accession request and statements of agreement must be appended to the Green Deal.

Article 11 Termination

Any Party can terminate its participation in this Green Deal in writing. A two-month notice period applies.

Article 12 Compliance

The Parties agree that compliance with the agreements in the Green Deal is not legally enforceable.

Article 13 Entry into force

1. This Green Deal will come into effect from the day after the date it is signed by all Parties and will remain in effect for a period of 5 years [up to and including 31 December 2024].
2. The Parties will begin implementation of all the agreements in this Green Deal as soon as possible.

Article 14 Public disclosure

Like other Green Deals, this Green Deal will be published in the Government Gazette ('Staatscourant') and by other means, so that others can take note of the Green Deals and be encouraged to follow suit.

Agreed and signed in duplicate at The Hague on 7 January 2020.

.....
S. van Veldhoven- van der Meer,
Minister for the Environment and Housing

.....
E. Wiebes,
Minister of Economic Affairs and Climate Policy

.....
W.F. de Ruijter, Director of Policy and Advice
Dutch Federation of Rubber and Plastics Industry (NRK)

.....
B. Kras, chair
NRK Recycling

.....
T. M.P. Stijnen, director
PlasticsEurope Netherlands

.....
M. Williams, general manager Europe
SABIC Petrochemicals B.V.

I.J. Hoekstra, managing director
BASF Nederland B.V.

M. Veerman, business development manager
Morssinkhof-Rymoplast

R.M. Metzke, head of sustainability
Philips Electronics B.V.

F. van Bruggen, communications director
Unilever Benelux B.V.

R. van Terwisga, managing director
Royal Netherlands Standardization Institute (NEN)