



**EXTRAORDINARY
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PART-II

Statutory Notifications (S.R.O)

**Government of Pakistan
Pakistan Environmental Protection Agency
(Ministry of Climate Change)**

Islamabad, the 23rd January, 2013.

NOTIFICATION

S.R.O. (I)/2013.- In exercise of the powers conferred by section 33 of the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997), read with clause (xxxiii) of section 2 thereof, the Federal Agency, with approval of the Federal Government is pleased to make the following regulations, namely:-

1. **Short title, application and commencement.-** (1) These Regulations may be called the Prohibition of Non-degradable Plastic Products (manufacturing, sale and usage) Regulations 2013.

(2) These Regulations apply to the Islamabad Capital Territory.

(3) They shall come into force on 1st April 2013.

2. **Definitions.-** In these Regulations, unless the context otherwise requires,-

(a) "Act" means the Pakistan Environmental Protection Act, 1997(XXXIV of 1997);

- (b) “authorized officer” means a person authorized in writing for the purposes of these regulations by the Director General;
- (c) “Director General” means the Director General of the Pakistan Environmental Protection Agency and any person authorized by him in writing to act on his behalf;
- (d) “distribute” means to make any plastic product directly or indirectly available to users or intermediaries, with or without charge;
- (e) “non-degradable plastic product” means a plastic product that is not a product defined in clause (f).
- (f) “oxo-biodegradable plastic product” means a product made of polymer containing a pro-degradant additive supplied by an additive supplier registered with the Agency;
- (g) “oxo-biodegradation” means degradation resulting from oxidative and cell mediated phenomena, either simultaneously or successively;
- (h) “pro-degradant additive” means a chemical formulation containing a transition metal salt, except cobalt, which will cause the polymer to degrade by a process of oxo-biodegradation;
- (i) “person” includes a company or institution;
- (j) “scheduled plastic product” means all disposable plastic products, including those listed in the Schedule and made wholly or substantially of polyethylene or polypropylene or polystyrene;
- (k) “stockpile” means to store for the purpose of trade or distribution;

3. Prohibition of manufacture, sale and use of non-degradable scheduled plastic products.- (1) No person shall import, manufacture, stockpile, trade, supply, distribute, sell or use any scheduled plastic product which is non-degradable.

(2) Any license or permission for the manufacture, sale, importation or distribution of non-degradable plastic products issued under any law before the commencement of these regulations shall cease to be effective and no holder of any such license or permission shall commence or carry on business of manufacturing, selling, importing or distributing non-degradable scheduled plastic products.

4. **Authorization.-** No pro-degradant additive shall be sold, distributed or imported by any company or manufacturer of scheduled plastic product without registration with the Agency. In order to obtain the registration of pro-degradant additive from the Agency, the applicant shall submit the following documents as a minimum, namely:-

(a) test certificates for additive from independent third party laboratory that is accredited in accordance with ISO 17025. Tests must be carried out in accordance with the test methods prescribed by Pakistan Standards and Quality Control Authority (PSQCA) / ASTM D-6954 – 04 standard and the reports must clearly state the percentage of pro-degradant additive which must be consistent for all the tests namely degradation, bio-degradation and eco-toxicity;

(b) certificate of membership of Oxo-biodegradable Plastics Association, and

(c) certificate of ISO 9001 and ISO 14001 accreditation.

(2) Oxo biodegradable carry bags and containers made of virgin plastic shall be in a natural shade or white and containers used for purposes other than storing and packaging foodstuffs shall be manufactured using pigments and colorants as per ISO 787/1-1982. Entitled “General Methods of Test for Pigments and Extenders”. No scheduled plastic product shall be made in black color except for garbage sacks.

(3) Recycled scheduled plastic products shall be marked “Recycled plastic, unsafe for contact with food”.

5. **Identification.-** All scheduled plastic products made with oxo-biodegradable plastic and all packaging in which such products are offered for sale, shall be prominently marked “ Oxo-biodegradable” and shall bear the identifying mark or logo of the supplier of the pro-degradant additive.

6. **Enforcement.-** (1) An authorized officer may, by notice in writing, require a person to supply him within fifteen days with such samples, certificates, records

and information as he may reasonably require for the purpose of ascertaining whether that person is complying with the provisions of these regulations.

(2) Where an authorized officer has reasonable grounds to believe that a person has contravened any regulation, he may proceed against the offender in accordance with section 16 of the Act.

7. **Penalty.**- Whosoever contravenes provisions of regulations 3 and 5 shall be punishable under section 17 of the Act.

8. **Appeal.**- (1) Any person, aggrieved by any action taken under regulation 6, may, within thirty days, prefer appeal to the Environmental Protection Tribunal constituted under section 20 of the Act

(2) aggrieved person may refer appeal to the Islamabad High Court against orders of the Tribunal as provided in section 23 of the Act.

THE SCHEDULE

[See regulation 2 (j)]

Polyethylene, Polypropylene or Polystyrene products

1. Carrier bags or shopper-bags which consumers use to take away their purchases from a retail outlet.
2. Bread bags and food packaging, including frozen food packaging.
3. Garbage bags.
4. Shrink-wrap, pallet-wrap, bubble-wrap
5. Agricultural mulching films.
6. Woven plastic bags.
7. BOPP, CPP and Metalized Plastic films.
8. Agricultural films and netting with an intended service life of less than three years
9. Milk and water packaging.

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