NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** Italy  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Ministero dello sviluppo economico  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Ministry for economic development  General Directorate for Market, Competition, Consumer, Vigilance and Technical Regulations  Division XIII - Technical regulation  00187 Rome I – Via Sallustiana, 53  tel. ++39 06 4705.5430  [ucn98.34.italia@mise.gov.it](mailto:ucn98.34.italia@mise.gov.it)  European Commission TBT Enquiry Point: [GROW-EU-TBT@ec.europa.eu](mailto:GROW-EU-TBT@ec.europa.eu) |
| **3.** | **Notified under Article 2.9.2 [X], 2.10.1 [****], 5.6.2 [****], 5.7.1 [****], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):**  Cotton buds made of plastic or of any non-biodegradable and non-compostable material.  Exfoliating rinse-off cosmetic products or detergents containing microplastics. |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft technical regulation banning the marketing of non-biodegradable and non-compostable cotton buds and exfoliating rinse-off cosmetic products or detergents containing microplastics (2 page(s), in Italian) |
| **6.** | **Description of content:** The draft technical regulation that will be included in the 2018 European legislation introduces:  - a ban on the production and marketing on national territory of cotton buds made of plastic or of any non-biodegradable and non-compostable material, pursuant to Standard UNI EN 13432 (Article 180, paragraph 1h of Legislative Decree No 152 of 2006);  - a ban on the marketing of exfoliating rinse-off cosmetic products or detergents containing microplastics. This ban will apply from 1 January 2020 (Article 180, paragraph 1i of Legislative Decree No 152 of 2006).  The regulations in question are adopted and certain amendments made to Article 180 of Legislative Decree No 152 of 3 April 2006 on the prevention of waste production. New articles are also added, namely Article 261-ter ‘Infringement of the ban on the marketing of cotton buds made of plastic or of other non-biodegradable and non-compostable materials’ and Article 261-quater ‘Infringement of the ban on the marketing of cosmetics containing microplastics |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The intervention is specifically intended to prevent marine waste, or 'marine litter' as it is commonly known, made of plastic or other non-biodegradable materials, which is improperly disposed of or released into drains and not intercepted by sewage treatment plants and which, therefore, accumulates in the water and marine environment.  Given the impact of the improper disposal and release of these products into bodies of water and marine environments, the Italian legislator has deemed it necessary to lay down specific provisions imposing measures in order to significantly reduce the pollution caused by this phenomenon. The development of nearly 8000 km of Italy's coastline and its central position in the Mediterranean mean that it is particularly 'vulnerable' to the impact that this waste may have on the marine environment. Numerous scientific studies have shown that the plastic sticks from cotton buds are among the 10 most common types of waste found on beaches. The ban on the production and marketing of cosmetics and rinse-off personal care products containing microbeads is also necessary, given the fact that they cause damage to marine life. These non-biodegradable microbeads accumulate in the marine environment. Once released into bodies of water, they are impossible to retrieve and, as with micro plastics in general, have an impact on biodiversity. |
| **8.** | **Relevant documents:**  References to basic texts:  Legislative Decree No 152/2006 - Articles 180 and 261: annexed  Other texts: Explanatory report– annexed |
| **9.** | **Proposed date of adoption:** September 2018  **Proposed date of entry into force:** January 2019 – January 2020 |
| **10.** | **Final date for comments:** 7 September 2018 |
| **11.** | **Texts available from: National enquiry point [****X] or address, telephone and fax numbers and email and website addresses, if available, of other body:**  [X] - see box 2 Text on line at: <http://ec.europa.eu/growth/tools-databases/tris/en/search> (Notification number: 2018/258/I)  and/or at: <http://ec.europa.eu/growth/tools-databases/tbt/en/search>  <https://members.wto.org/crnattachments/2018/TBT/ITA/18_3200_00_x.pdf> |