

No. 46016/8/2004-PC.II
Government of India
Ministry of Chemicals & Fertilizers
Department of Chemicals & Petrochemicals

Dated, the 11th December, 2006.

OFFICE MEMORANDUM

Subject : Proposed Amendments to the Recycled Plastics Manufacturer and Usage Rules – Regarding.

The undersigned is directed to refer the MOEF OM No. 17-2/2001-HSMD dated 21st September, 2006 on the subject mentioned above. The draft Notification has been examined in this Department in consultation with the concerned stakeholders. Following are the views/comments :

The title in the Draft Notification has been proposed to change from **Recycled Plastic Manufacture and Usage (Amendment) Rules 2003** to **"The Plastic Manufacture Sale and Usage rules, 2006"**. The rationale behind the change is not clear as the original Notification was for the Recycled Plastics whereas the proposed new title covers every thing i.e. Articles made of Virgin Plastic Raw-materials. This may create undue apprehensions in the plastic manufacturing and user industry therefore it and may not be amended .

2. The initial Notifications dated 02.09.1999 and dated 17.06.2003 were issued mainly for the manufacture of plastic carry bags with thickness less than 20 micron which were considered to be creating problems in collection, segregation and other environmental issues. But in the new draft amendment containers made of virgin plastic or recycled plastic for storing, carrying or dispensing commodities have also been included, which is likely to lead to hardship and harassment to the plastic processors by implementing agencies

3. The definition of container is very broad and generic and will even include milk pouches, oil pouches, jerry cans, water tanks etc. The containers are used in various applications like food, non-food and industrial applications etc. There are already specific provisions including BIS specification for use of specific plastic depending on the specific application areas. The need to bring all the container under this Rule is essentially over-lapping or duplication of Rules. It is suggested that containers should be exempted from this Notification.

4. Rule 5(a) says that " Carry bags and containers made of virgin plastic shall be in natural shade or white or manufactured using pigments and colorants as per IS

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9833:1981. in other words it means that carry bags and containers which are not used for food packaging, pharmaceutical and packaged water but are used for storing non food products like industrial raw material etc. will also have to use pigments and colorants as per IS 9833 which is technically not required and which will unnecessarily add to the cost of production of these items.

5. As regard Rule No. 13 i.e. responsibility of manufacturer for collection and recycling of used containers, the Rule No. 13 may be dropped/deleted from the proposed draft amendment. The reason is that the provision of making the manufacturer of containers or packager of goods in containers made of plastics responsible for collecting and recycling is impractical and extremely difficult to implement.

This issues with the approval of Secretary (C&PC).

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11/12/06
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