Regional Multi-Stakeholder Consultation for Europe and Central Asia on the development of a Voluntary Code of Conduct on the sustainable use of plastics in agriculture

Background Note

Prepared by the FAO's Office of Climate Change, Biodiversity and Environment

1. Meeting Details

1.1 Date and Time

Date: 27 October
Time: 10:30-13:00 CEST
Meeting Platform: Zoom meeting, identified representatives will receive a registration link via email
Language: English and Russian

1.2 Provisional Agenda

Speaker	*Agenda Item*
FAO	Opening remarks
FAO	Background information on the development of the VCoC; proposed scope and core elements; regional relevance
All	Discussion on objective and scope
	Discussion on technical aspects: problematic and avoidable plastic products; substitutes and alternatives; design and product standards; collection schemes and recycling; microplastics
	Discussion on means of implementation: stakeholder engagement; capacity building; financial resources; technical assistance; regulatory and enforcement mechanisms
FAO	Next steps + closing remarks

1.3 Guiding Questions

<u>Discussion on objective and scope</u>

1. What should be the primary objective(s) of the Voluntary Code of Conduct on the sustainable use of plastics in agriculture (VCoC)?
2. How can the VCoC be structured to effectively address all agricultural subsectors (crop and livestock, forestry, fisheries, and aquaculture)?
3. Which stages of the plastic product life cycle, and which stages of the agrifood value chains, should the VCoC include?

Discussion on technical aspects

1. Some plastics used in agriculture are hazardous, problematic, or avoidable. What guidance should the VCoC include on their management, regarding:
    - banning, reducing or phasing out;
    - replacement with alternatives and substitute;
    - sustainable design and product standards.
2. What guidance should the VCoC include to balance the benefits and trade-offs of plastics and their alternatives, considering food security, food safety, nutrition, environment and human health, and economic feasibility?
3. How could the VCoC recommend the establishment of EPR schemes? What are the characteristics of successful EPR schemes?
4. The use of some plastic products in agriculture, and some agricultural practices such as sewage sludge application, generate micro and nano plastics pollution. How could the VCoC address this issue?

Discussion on means of implementation

1. What financial incentives and mechanisms should be referenced in the VCoC?
2. What priorities for technical assistance and capacity building should be included in the VCoC?
3. How could the VCoC include provisions on trade of plastic products used in agriculture?
4. How could the VCoC provide guidance on efficient regulatory and enforcement?
5. How to ensure meaningful engagement of the informal waste sector, Indigenous Peoples, youth, and other communities in the development and implementation of VCoC?

1.4 Identifying representatives

FAO Members are invited to identify up to 2 national representatives to participate in this Consultation. Since this will be a multistakeholder consultation, we welcome participants from government as well as other constituencies. To identify representatives, please submit the name, email address, title, and affiliation of your identified representative(s) to Agri-Plastics@fao.org. Identified representatives will receive a registration link via email.

2. Introduction

The use of plastics in agrifood value chains is pervasive. FAO estimates that every year 12.5 million tonnes of plastic products are used in plant and animal production. The crop production and livestock sectors are the largest users, accounting for 10 million tonnes per year, followed by fisheries and aquaculture with 2.1 million tonnes, and forestry with 0.2 million tonnes[1]. The benefits and trade-offs of using plastics in agriculture were highlighted in the 2021 FAO "Assessment of agricultural plastics and their sustainability. A call for action". The Assessment also included a call for global action for improved inter-sectoral collaboration and governance to address the issues of plastic use throughout agrifood systems.

[1] FAO. 2021. Assessment of agricultural plastics and their sustainability – A call for action. Rome.

3. The development of a Voluntary Code of Conduct on the sustainable use of plastics in agriculture

In December 2022, at its 171st Session, the FAO Council[2] endorsed the recommendations of the 28th session of the Committee on Agriculture (COAG28) and:

i) *encouraged* FAO to undertake further scientific and evidence-based assessments related to the distribution, benefits, trade-offs and risks of plastics for agricultural use and their alternatives, to address knowledge gaps on plastics in agriculture and requested the development of policy instruments, taking into account Members' past and ongoing efforts as well as developing countries' needs and challenges;

ii) *underscored* the need for improved intersectoral collaboration and governance to address plastic use throughout agrifood systems, and recommended FAO to continue to address knowledge gaps, including through inclusive participation of Members and consultations with relevant stakeholders, and subject to the evidence-based assessment referred to in subparagraph i) to develop, within FAO's mandate, a Voluntary Code of Conduct on the sustainable use of plastics in agriculture; and

iii) *encouraged* FAO to support deliberations of the intergovernmental negotiating committee (INC) on plastic pollution to develop an international legally binding instrument on plastic pollution established by the United Nations Environment Assembly Resolution 'End plastic pollution: Towards an international legally binding instrument (UNEP/EA.5/Res.14)' with guidance on the issues of plastics used in agriculture.

To implement these Council recommendations, FAO is carrying out inclusive and geographically representative consultations with FAO Members and a wide range of stakeholders. FAO organised an Informal Briefing for FAO Members scheduled in May 2023, followed by a Global Expert Meeting in June 2023. The Regional Consultations will bring together government representatives and other stakeholders on plastics used in agriculture and their alternatives to discuss relevant issues that could be addressed by the VCoC, including its objective, scope, and general strategic direction; and to discuss regional specificities and needs to inform the development of the VCoC.

4. FAO's participation in the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment

FAO participates in the meetings of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC). FAO attends these meetings as an Observer and prepares pre-session submissions[3][4] to ensure that the new plastics treaty addresses the sustainable use of plastics in agriculture in the context of agrifood systems transformation towards more efficiency, inclusivity, resilience, and sustainability.

[2] https://www.fao.org/3/nl148en/nl148en.pdf

[3] https://apps1.unep.org/resolutions/uploads/fao_submission_to_the_intergovernmental_negotiating_committee_inc.pdf

[4] https://apps1.unep.org/resolutions/uploads/230106_food_and_agriculture_organization_of_the_united_nations_0.pdf

The development of the VCoC will take place in parallel to the development of the new global plastics treaty. The INC is tasked with considering the obligations, measures, and voluntary approaches to be included in the new global agreement that would support the achievement of its agreed objectives[5]. The VCoC would be a valuable voluntary tool in supporting this aim, including the goals of the resolution of working towards resource efficiency and circular economies. The VCoC could inform relevant implementation measures of the new agreement by offering concrete guidelines, best practices, and indicators; as well as providing perspectives from the food and agriculture sector that may also be applicable to other sectors.

5. Proposed scope, structure, stakeholders and core elements of the Voluntary Code of Conduct on the sustainable use of plastics in agriculture

5.1 Proposed scope

The VCoC should aim to better balance the benefits and trade-offs of the use of plastics in agriculture to contribute to food security, food safety, nutrition, human health, environmental sustainability and related dimensions of sustainable development (social, economic and environmental). The scope of the VCoC should be considered in the context of the existing legal and policy frameworks at both the global and regional levels, the current development of the new global agreement to end plastic pollution, and FAO's mandate[6].

In line with the FAO definition of agriculture, the VCoC could cover all agricultural subsectors (crop and livestock production, forestry, fisheries and aquaculture), thus providing guidance regarding a wider and more comprehensive coverage of plastics used in agriculture. Appropriate linkages would need to be established with the FAO Committee on Fisheries (COFI) and the FAO Committee on Forestry (COFO).

The VCoC should be largely focused on plastics used in primary agricultural production (including harvesting). The plastics and practices used downstream of primary production, primarily relating to plastic packaging, would be excluded, as they are not covered by the COAG and Council recommendations.

Lastly, a VCoC could target the full life cycle of plastic products that are used in agriculture, including their design, manufacturing, distribution, use, collection, recycling, and disposal[7]. This approach increases the chances of effecting changes in both upstream and downstream stages of the plastic supply chain and is in line with UNEA Resolution 5/14[8].

5.2 Proposed structure

The VCoC could be structured in a similar way as other relevant codes of conduct dealing with agricultural inputs, namely the International Code of Conduct for Pesticide Management (2014)[9] or the International

[5] UNEA Res. 5/14, para 4a

[6] Note: As defined in the Article I: Functions of the Organization in the Basic Texts of FAO.

[7] Raw material and polymer production stages should be excluded, as they are outside FAO's mandate and direct influence and their impacts are not directly relevant to the agricultural sector.

[8] https://wedocs.unep.org/handle/20.500.11822/40597

[9] https://www.fao.org/documents/card/en/c/I3604E

Code of Conduct for the sustainable use and management of fertilizers (2019)[10], as well as incorporating relevant elements in the Voluntary Code of Conduct for Food Loss and Waste Reduction (2021)[11].

As detailed in section 5.1, the VCoC could address plastics generated in all agricultural subsectors (crops and livestock, forestry, fisheries and aquaculture). To address their specificities, the VCoC may have an "umbrella" structure valid for all agricultural subsectors, followed by specific guidelines dedicated to crops and livestock, forestry, fisheries and aquaculture. Alternatively, the VCoC could have an "umbrella" structure valid for all subsectors, and then be followed by guidelines dedicated to specific recommendations for the management of plastics used in agriculture (including for example: durable products, single use products, licensing and products requirements, labelling, EPR schemes, etc.). These aspects would be relevant to all different agricultural subsectors.

As scientific knowledge on the benefits and impacts of the use of plastics and their alternatives in agriculture is continuously advancing and evolving, the potential VCoC will need to embed some flexibility. FAO Codes of Conduct are supported by technical committees that meet regularly to review developments, recommend improvements and new subsidiary guidance to be developed.

5.3 Proposed core elements

The VCoC could provide recommendations for different stakeholder groups clustered around the following areas:

- Good agricultural practices for avoiding or reducing plastics usage;
- design of products for circularity and minimised risks of harm to human health and the environment, including the potential for product standards and certification;
- relative assessment of benefits and trade-offs of plastic products and their alternatives, and evaluation of their performance;
- guidance on the use of biobased and biodegradable products;
- registration of products including composition of polymers and other additives;
- modes and duration of product use; and practices for retrieval and end of life management;
- labelling of products to improve traceability, provide information for users;
- traceability, monitoring and reporting mechanisms to support enforcement measures;
- extended producer responsibility mechanisms and the roles of each stakeholder group in its implementation;
- incentive mechanisms to encourage good environmental practice by all stakeholders involved in the plastic products' life cycle; and
- financial mechanisms, capacity building, and technical assistance to support the implementation of the recommendations.

5.4 Proposed stakeholders

The VCoC could include recommendations and best practices for stakeholder groups both directly and indirectly involved in the plastic product life cycle in agriculture. Regarding stakeholders involved indirectly, these could include extension and outreach; academia and research; and civil society including youth and Indigenous Peoples. The groups directly involved include:

- Governments (regulatory aspects);

[10] https://www.fao.org/documents/card/en/c/ca5253en
[11] https://www.fao.org/3/nf393en/nf393en.pdf

- Manufacturers of short-term plastic products or their alternatives for use in primary production (e.g., mulching and silage films, twines, tree guards, drip tape, fishing lines);
- Manufacturers of inputs for primary production that are packed in plastics or contain plastics (e.g. feed, seeds, fertilisers, and pesticides);
- Manufactures and installers of durable plastic products (e.g. tools, greenhouse films, irrigation mains, fishing and aquaculture nets);
- Manufacturers of machinery that apply, maintain and retrieve plastic products;
- Distributors of all the above;
- Dealers that supply such products to users;
- Users of the above products (farmers, foresters and fishers);
- Waste Collectors, recyclers and disposers, both from the formal and informal sectors.