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PART-I

GOVERNMENT OF SINDH
SINDH ENVIRONMENTAL PROTECTION
AGENCY

Karachi dated the 16th December, 2014.

NOTIFICATION

No. EPA/TECH/739/2014:- In exercise of the powers conferred by section 36 of the Sindh Environmental Protection Act, 2014, the Sindh Environmental Protection Agency, with the approval of the Government of Sindh, is pleased to make the following rules, namely:-

1. **Short title, application and commencement.**- (1) These rules may be called the Sindh Prohibition of Non-degradable Plastic Products (Manufacturing, Sale and Usage) Rules 2014.

(2) These rules come in to force at once.

2. **Definitions.**- (1) In these rules, unless the context otherwise requires -

(a) "Act" means the Sindh Environmental Protection Act, 2014;

(b) "Authorized Officer" means a person authorized in writing by the Director General for the purposes of these rules;

(c) "Director General" means the Director General of the Agency;

- (d) "manufacturer, in relation to the non-degradable plastic product" means all actions involved in the production of the non-degradable plastic product with a view to store, sell and distribute the polythene bags;
- (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 causes the polymer to degrade by a process of oxo-biodegradation;
- (i) "person" shall have the same meaning as assigned to it under the Act;
- (j) "scheduled plastic product" means all disposable plastic products listed in the Schedule made wholly or substantially of polyethylene or polypropylene or polystyrene;

(2) All other words and expressions used but not defined in these rules shall have the same meanings as are assigned to them in the Act.

3. Registration of manufacturers, wholesalers and retailers of oxo-biodegradation plastic products and pro-degradant additive with Agency: (1) All manufacturers, wholesalers and retailers of oxo-biodegradation plastic products and pro-degradant additive shall get themselves registered with the Agency within a period of three months from the date of commencement of these rules in such manner or on such terms and conditions as may be specified by the Director General.

(2) The registration may be called if the terms and conditions are contravened by the manufacturers, wholesalers and retailers.

(3) The application for registration of pro-degradant shall contain the following documents, namely:-

- (i) test certificate for additive from independent third party laboratory that is accredited in accordance with ISO 17025;
- (ii) test must be carried out in accordance with the test methods prescribed by Pakistan Standard and Quality Control Authority (PSQCA) / ASTM D-6954 - 04 standard and the report thereof must clearly state the percentage of pro-degradant additive consistent with all tests namely degradation, bio-degradation and eco-toxicity;
- (iii) certificate of membership of Oxo-biodegradable Plastics Association; and
- (iv) certificate of ISO 9001 and ISO 14001 accreditation.

(4) The Oxo-biodegradable bags made of virgin plastic and be in a natural shade or white, and used for the purpose 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".

(5) No scheduled plastic product shall be made in black color except for garbage sacks and the recycled plastic products shall be marked as "recycled plastic, unsafe for contact with food".

4 **Identification.**— All scheduled plastic products made with oxo-biodegradable plastic and all packaging in which such products 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.

5 **Functions and powers of the Authorized Officer.** (1) The Director General shall authorize any officer or official for any area who may —

- (a) inspect any premises wherein non-degradable plastic product are manufactured including the plant, and all relevant records and registers maintained in this behalf;
- (b) inspect any premises wherein non-degradable plastic products are being sold or stocked or distributed, or used, including relevant records;
- (c) enter and search, with such assistance, if any, as he considers necessary, any building or place, in which he has reason to believe that an offence under the Act has been or is being committed or may continue to be committed;
- (d) require any person to be present as witness in the course of search or seizure or for any other legal requirement;
- (e) require any person to appear before him at any reasonable time and place to give statement, assistance or information relating to or in connection with the investigation of an offence;
- (f) exercise such other powers as may be delegated to him by the Director General for enforcement of the provisions of the Act.

(2) The Director General of the Agency shall be ex-officio Inspector for the implementation of these rules.

6 **Disclosure of certain information.** (1) Every person for the time being in charge of any premises wherein non-degradable plastic product are manufactured or kept for distribution or sale shall, on being required by an Authorized Officer to do so, disclose the place wherein non-degradable plastic product are manufactured or kept for sale or used as the case may be.

(2) Where an Authorized Officer seizes any non-degradable plastic products or any other article, he shall tender a receipt therefor.

7 **Action for contravention.** The Authorized Officer on finding any contravention of the Act or these rules shall submit the case to the Director General and seek orders as the action to be taken in respect of such contravention and the non-degradable plastic products or articles seized.

8. Investigation or filing of complaint. The Director General or the Authorized officer shall proceed the investigation and file a complaint as per the provisions of the Act.

**DIRECTOR GENERAL,
SINDH ENVIRONMENT PROTECTION AGENCY**

THE SCHEDULE

(See rule 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.