

FIFTY SHADES OF OCEAN (PLASTIC) WASHING

A review of the most widely-made
claims on plastics and the ocean

Briefing



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Introduction

European consumers are increasingly¹ subject to environmental messages and green claims. This movement has been triggered by a combination of factors: rising concern among consumers about the environmental and climate crisis, measures introduced by authorities to address the impacts of our production and consumption patterns and growing awareness within the private sector of the need to show leadership in sustainability.

In parallel, science and the media have widely reported on the current state of the Ocean and the extent of plastic pollution and of its impacts affecting blue spaces, from rivers to our seas and Ocean. Citizens have become increasingly knowledgeable about the dire state of our Ocean. Not surprisingly, according to a pan-European study², protecting the marine environment was considered to be the most important goal when respondents were questioned on marine priorities, both for themselves and policymakers³, and marine plastic pollution was seen as one of the most worrying threats to public health/wellbeing for EU citizens⁴. Every year, up to 12 million tonnes of plastic waste flow from land to sea⁵, and in some parts of the globe, plastic represents up to 95% of the total marine debris⁶. More than 800 marine species are estimated to be directly threatened

by plastic pollution⁷. The number of consumers seeking alternatives to single use plastics and packaging is on the increase and consumers are demanding concrete ways to do their part. With this in mind, a number of brands have oriented their marketing efforts towards the protection of the Ocean, and in particular towards protecting it from plastic pollution.

These phenomena have contributed to the emergence of “blue claims”, which, mirroring the current definition⁸ for environmental claims, could be defined as ‘any message or representation, which is not mandatory under Union law or national law, including text, pictorial, graphic or symbolic representation, in any form, including labels, brand names, company names or product names, in the context of a commercial communication, which states or implies that a product or trader has a positive or no impact on the ocean or is less damaging to the ocean than other products or traders, respectively, or has improved their impact over time’.

As in the case of green claims⁹, some of these “blue claims” cannot be verified or have proven to be false, misleading or unsubstantiated, leading us to introduce, alongside greenwashing, the concept of “ocean washing” or “bluwashing”. Capitalising on citizens’ concerns, misleading

claims are on the rise in the public arena. There are now as many blue claims as there are impacts on the ocean, or false solutions to plastic pollution. At “best”, oceanwashing generates confusion, fatigue, and disillusion. It also contributes to unfair commercial practises with regard to companies which commit themselves to deploying genuine efforts to make their business compatible with ocean protection and communicate in a fair and proportionate manner. At worst, oceanwashing di

verts attention away from real solutions and represent an obstacle to the green transition and to actions for ocean protection.

Surfrider Foundation Europe takes oceanwashing very seriously and, in the following pages, would like to share the most prominent and widespread blue claims it has observed over its 30 years of existence, with a focus on plastic pollution. It also wishes to make recommendations on how to best address oceanwashing.

Policy context

The European Green Deal, announced by the European Commission in 2020, set out the European Union's intention to become a world leader in the circular economy and a climate neutral continent by 2050. As part of this, it pinpointed the need for companies making green claims to use a standard methodology to assess their impacts on the environment. The European Commission confirmed this commitment in March 2020 when it published its circular economy package and announced two upcoming initiatives: on one hand, a proposal to empower consumers in the green transition and on the other, a regulation on green claims.

The first initiative was published on 30 March 2022 and is a proposal for a Directive, where better protection against unfair practices and better information on products' sustainability, in particular their durability and reparability, is provided to consumers. It proposes a set of measures, including:

- a ban on displaying a sustainability label which is not based on a certification scheme or not established by public authorities.

- a ban on generic environmental claims used in consumer marketing, where the environmental performance of the product or trader cannot be demonstrated in accordance with Regulation (EC) 66/2010 that concerns the EU Ecolabel, officially recognised eco-labelling schemes in the Member States, or other applicable Union laws as relevant to the claim and,
- a ban on making environmental claims about the entire product, when in fact only one aspect of the product is concerned.

The second initiative is expected on November 30th as part of the second part of the Circular Economy Package. According to previous announcements, it would require that companies substantiate their environmental claims using harmonised methodology, also known as Product Environmental Footprint or PEF methods, to calculate a product's environmental footprint; and it would also introduce requirements on how companies communicate such claims. The initiative is also expected to impose or encourage periodic monitoring of the evolution of green claims.

The 10 most prominent plastic-related blue claims & our recommendations

1

Marine edible plastic

Marine edible plastics are plastics presented as being able to serve as food for marine life.



What's wrong with that?

Such a narrative is unacceptable as it implies that plastic pollution in the ocean could be solved in this way. It diminishes in consumers' minds the impact - including pollution- that plastic all along its life cycle has.

Moreover, the terminology edible plastic is questionable as it gives the impression that plastic is safe, while it is largely toxic as plastic is known to contain pollutants and additives which are hazardous to human health and/or the environment. Consumers misled by the terminology could potentially have a greater tendency to litter than with other plastics, and this would aggravate the contamination of the food chain and impacts on human health. This is especially worrying as studies show we are consuming about 2000 tiny pieces of plastic every week,¹⁰ and marketing plastic as edible could lead to an increase.



Considering the major risks for marine biodiversity associated with such a term, Surfrider Foundation Europe recommends prohibiting its use.

2

Ocean plastic / beach plastic / ocean bound plastic

The terminology refers to plastic that was collected in the ocean, or on the beach during clean ups; “ocean bound” refers to plastic collected within 50 kilometres of the coast.



What’s wrong with that?

The terms give the impression that these products (or their purchase) contribute to reducing the plastic polluting beaches, the ocean, waterways and the natural environment. However, given the quantity of plastic waste that this represents - around 12 million tonnes of plastic end up in the ocean each year - there is clearly a disproportion between the claim implying that buying a given product would “clean” the Ocean and the reality - even the best designed products cannot achieve this. Consumers are misled into purchasing items based on unrealistic claims.

In addition, it goes without saying that collecting these plastics in the marine environment is extremely difficult and costly, and depending on where and how this collection is performed, it can also involve significant impacts for blue spaces.

Exposure to the marine and/or coastal environment degrades plastic. The use and recoverability of such material is thus extremely limited; products cannot be made using only this plastic. ‘Marine plastic’ may also be highly contaminated as plastics are known to act as toxin magnets and transport mediums in the marine environment where they attract, absorb and transport toxic particles (persistent organic pollutants or POPs). The terms are therefore misleading as in reality, virgin plastic is still produced and used to create an “ocean plastic” item.

Whatever the material used to make a product, be it ocean plastic or not, the production process requires very valuable resources, such as water and important infrastructures that all together generate emissions and other impacts on our environment. The term “ocean plastic” tends to mask the reality of all these impacts.

Contrary to what the designation implies, ocean/beach/ocean-bound plastic is not part of a closed loop. The message is also misleading as regards feasibility, financial implications, and the real impact these products would have on global plastic pollution.



The terms “ocean plastic”, “beach plastic” and “ocean-bound plastic”, along with variations on the theme, should be banned. They do not provide any substantial information on the quality of the product and its real impact on the environment. Worse still, they give the impression that buying a product means cleaning up plastic pollution, whereas in reality virgin plastic continues to be produced and used to support this economy and create these products. More importantly, the terms perpetuate the idea that we can continue to consume at the current rate without reducing our consumption because ways have been found to use marine litter in a positive manner.

3

Plastic neutrality / plastic offset / plastic compensation

Imitating carbon neutrality claims, products are now more and more being labelled as “plastic neutral” or with “plastic compensation”. Concretely, credits are communicated as given to companies when they claim that the financial support for environmental projects related to plastic pollution compensates for the purchaser’s own environmental impact, or that of their goods or services. These plastic credits typically represent a certain amount of plastic waste that has been recycled, or recovered as litter from the open environment, or else prevented from entering the environment¹¹.



What’s wrong with that?

Such claims do not reflect reality as they create the illusion that one can create more and more plastic as long as they collect and/or recycle plastic waste and deviate from the necessary deplastification pathway. Ethically, the concept raises concern as “neutrality” is often used when a company supports the collection of the waste by waste pickers in a country other than the one where the waste was created in the first place. Considering the power imbalances between large multinational companies and informal waste workers, there are risks of unfair treatment, poor payment and other concerns around workers’ rights. But foremost, neutrality is not achieved as the global mass of plastic on our planet keeps increasing, along with the release of microplastics. Plastic’s life cycle is not a closed one, it generates waste, losses, and pollution on the way, and it is misleading to claim that activities such as clean ups compensate for all the impacts of plastics, such as for example the upstream greenhouse gas emissions they generate or their endocrine disruption effects.

Even if we were to accept the unrealistic concepts of plastic compensation and neutrality, no standardised nor robust methodology currently exist to ensure equivalence between plastic credits, as the way they are for now defined, calculated, or verified greatly varies from one company to another. These uncertainties about how plastic offsets are quantified make them unreliable in counterbalancing even just the littering aspect of plastic pollution. In addition, it is also impossible to differentiate the various projects which coexist behind the same concepts. Indeed, plastic neutrality projects present substantial differences in the way the plastic is collected or in the way it is dealt with once the collection has been performed, with in some cases, the plastic waste being recycled or in some others plastic being purely burnt or landfilled. As in the case of carbon compensation, there also are significant risks of double counting (i.e., two or more companies claiming the same plastic offset) and of non-additionality, with companies buying

credits for “compensation” action that would have still taken place without it or that are or could be included in Extended Producer Responsibility (EPR) schemes. Finally, this plastic that is claimed to be compensated for will eventually end up either in nature, landfill, or incineration as there is no permanence of the capture of the plastic since plastic is not infinitely recyclable and can’t just degrade right away with no impacts.



Even if companies are committed to a collecting and recycling scheme, they cannot claim to achieve “plastic neutrality”. Thus, we recommend banning the terms “plastic neutrality”, “plastic offset” and “plastic compensation” as they imply that the product would be less damaging to the environment when the mere concept is inherently unobtainable/unattainable.

Marine biodegradable plastic

Marine biodegradable plastics are biodegradable plastics supposedly designed to degrade specifically in the marine environment over a pre-defined timeframe.



What's wrong with that?

When it comes to marine biodegradability, it is not possible to develop environmentally sound criteria for the marine biodegradation of all plastics, ensuring no environmental risk during the biodegradation process in all the possible environmental compartments encountered, which differ in many ways from one to another (temperature, salinity, oxygen levels, sand, etc). More importantly, we consider that designing products for “marine biodegradability” is not desirable. Plastics in no way belong to the marine environment; they should not end up there and their presence there should not be legitimised in any way. We consider that the risks of developing a standard on marine biodegradability to support the use of such claim would largely overcome any supposed benefits. The mere existence of such a claim could create a market, generating new uses for single-use, to the detriment of reusable alternatives and the protection of the marine environment. It perpetuates the linear economy and the proliferation and dependency on (fossil-based) single use plastics for unnecessary applications or uses for which reusable options are available. Such a claim could encourage people to believe these products were designed to be abandoned in the marine environment, or that their presence would not have any risk or impact for this vulnerable environment. Such a claim could de facto stop prevention efforts, increase plastic pollution and harm the marine environment. It does not address, much less prevent, the harm inflicted on wildlife and ecosystems during the biodegradation period, which tends to be long in this complex environment.¹²



The marine biodegradability claim is misleading per se and does not reflect current reality. Prohibiting this term would be the best way to avoid confusion for consumers. They would not be encouraged to dispose of waste in the marine environment, in the belief that this would not have adverse consequences. No marine biodegradability standard should be developed, given the risks of confusion and increased littering it entails.

Biodegradable plastic

Biodegradable plastics are plastics that are designed to break down into CO₂, water and biomass by the action of microorganisms and fungi. However, biodegradability depends on various criteria, including the plastic materials used and environmental conditions. Furthermore, to speak of biodegradability without mentioning a timeframe and decomposition rate is meaningless.



Oceanwashing risks

Most of the time, biodegradable plastics are designed to biodegrade only in industrial facilities under very specific environmental conditions that are rarely, if ever, found in the environment, even less so in the marine environment. In such cases, to avoid any further confusion among consumers, these biodegradable plastics should be referred to strictly as industrially compostable plastics.

When a product is claimed to be made from biodegradable plastic, it can create confusion for consumers. The differences between compostable – usually meaning biodegradation in industrial facilities – and biodegradable – meaning in all environments since no specification is provided –, and between bio-based and biodegradable plastics are often misunderstood. It is often believed that biodegradable plastic can be thrown away along with organic waste in home composting facilities, when in fact they are not home-compostable, or they are thought to come from non-oil sources when in fact this is not so. Moreover, the term “biodegradable” is not for the moment based on any strict or legal definition, thus making it easy to overuse or misuse this claim.

Despite the implication that the end of life of such plastic does not have an impact on the environment, biodegradable plastic can still release chemical pollutants and microplastics when degrading and are per se single use, as they are intended to eventually degrade.

In addition, biodegradable plastic is often not recycled – nor has it been designed to be recyclable – when collected with conventional plastic, and there is no insurance that it will be disposed of in appropriate ways given its characteristics.¹³ As for other waste management options, it is also important that the right infrastructures are put in place; in the case of industrially compostable plastics, it is important that citizens sort them properly so that they end up in industrial composting facilities where they can be processed accordingly, without impacting the composting process of organic and food waste. In the case of home-compostable plastics, it is essential for home composting systems to be well managed, in a way that favours rapid biodegradation.

The risk of labelling a product as biodegradable is that consumers may believe that its end-of-life has fewer impacts on the environment while being left with no instruction on how to best dispose of it and with no infrastructure to actually collect it -. While the bio prefix can give the feeling of a greener product, the name gives no indication that a biodegradable plastic is very much single use and cannot be reused nor recycled.



We recommend banning the claim biodegradable for plastic items as it does not refer to a specific environment, nor does it give any indication of a specific time frame. A few countries have already decided to do this. The European Commission, in its proposal for a Directive on empowering the consumers in the green transition, has also advocated banning this claim. The proposal introduces an amendment to Annex I of the Directive 2005/29/EC on unfair business-to-consumer commercial practices in the internal market, and prohibits a whole series of generic environmental claims, including “biodegradable”. We support this proposal and call on the European Parliament and the Council to do likewise. The only terminology that should be allowed is industrially compostable plastics, and only in countries where the right infrastructures are in place, when it concerns a product in its entirety and when clear indications are provided to consumers. Since biodegradable plastics are single use, Surfrider Europe recommends stressing their limitations; reusable products and zero waste come first in the waste hierarchy and represent true solutions to the current plastic and ocean crisis. Given the littering risks the terminology entails, the mention “do not dispose in the environment” should also be mandatory with such claims.

The claims below relate to concepts which are not, in themselves, detrimental to the marine environment, some of them are in fact extremely positive. However, when the claims are misused, they further contribute to environmental damage:

Biobased plastic and algae-based plastic

Biobased plastics are plastics made partially or wholly from biomass feedstock (such as corn, potato starch, wood pulp or sugarcane).

Algae-based plastics are bioplastics made from algae sources. Algae include cyanobacteria, eukaryotic micro-algae and seaweed. The algae sector was described as the most notable sub-sector in Blue bio-economy. With algae production in Europe generating an annual turnover of more €10 million, the sector is expected to grow further in the coming years, with potentially more products using algae as one of their components being put on the market. An illustration of this trend is the 150% increase in the number of companies producing algae in Europe in the last ten years¹⁴.



Oceanwashing risks

Using “biobased plastic” (BBP) as a claim on plastic products is problematic for various reasons.

The prefix “bio” could be interpreted by the consumer as identifying an organic product, or at least a product with a lesser impact on the environment. It is thus misleading in itself but also in terms of what it implies, because there seem to be no overall environmental benefits in comparison to fossil plastics¹⁵.

The evidence shows that “the vast majority of biobased plastics today is produced from virgin raw materials, increasing pressures on land particularly where their production is supported by intensive and fossil-fuelled agriculture, and may not by default perform any better than their fossil-based counterpart from an environmental and circularity perspective.”¹⁶

Moreover, products and items claiming to contain biobased plastics can also be mixed with fossil-based plastics, sometimes present in greater proportions.

In the specific case of algae-based plastic products, very few studies have looked at the potentials and dangers of using algae to create products.

The products are often advertised as having a short life-cycle and degrading easily in our environment. This perpetuates the narrative of quick disposal at the expense of reusable or more durable alternatives. It also raises the question of algae supply and the pressure such innovations may put on

marine ecosystems, especially if the sector develops further¹⁷. The risks include eutrophication, spreading of non-native species, increased land and marine use competition, as well as those associated with the development of a monoculture. Depending on the way algae are produced, the development of algae-based plastic products could require considerable amounts of energy and growth media and raises concerns similar to those posed for intensive industrial farming. Furthermore, as with other bio-based plastics, toxic additives may have been used to create them. Questions on environmental impacts thus remain unsolved.

However, if consumers are faced with a product made from algae-based plastic, they may expect a product with a less damaging effect on the environment, notably the marine environment. Given that the market for this new material is currently somewhat limited, the question of end-of-life management remains partially unsolved and should be the object of caution.



Surfrider Foundation Europe recommends a precautionary approach in regard to biobased plastics: the lack of evidence on its environmental benefits in comparison to conventional plastics, in particular as far as sourcing is concerned, should be taken into account, as well as the fact that so called bioplastics are usually not made 100% from bio-based feedstock.

We recommend banning the generic claim “bio-based” when it is used with no further indication. This ban has been proposed by the European Commission in its proposal for a Directive on empowering consumers in the green transition, modifying Annex I of Directive 2005/29/EC on unfair business-to-consumer commercial practices in the internal market. The percentage of bio-based plastics should be specified on all plastic products that claim to be bio-based, and the bio-based sources explicitly mentioned. Consumers should be able to quickly identify the proportion of fossil-based plastic and bio-based plastic present in their products. Given the existing confusion with biodegradable plastics, the mention “Do not dispose of in the environment” should also be mandatory with such claims.

Recyclable plastic

A recyclable plastic is a plastic that can be recycled, meaning it can undergo a recycling process. Although it is not the solution to the global plastic pollution crisis, it is considered to be a better alternative than incineration and/or landfill. But today, not all recyclable plastics are being recycled. Claims relating to recyclable plastic need to reflect this complex reality.



Oceanwashing risks

In theory, with the proper infrastructure and collecting services, most plastic products could be recycled. However, the claim “recyclable plastic” does not paint a true picture of current reality.

In 2014, the EU generated about 25 million tonnes of post-consumer plastic waste, of which only 30 % was recycled¹⁸. In 2018, this number rose to 29 million tonnes of plastic waste collected in Europe (EU-28, Norway, and Switzerland), of which an estimated 32 % was sent for recycling. In fact, despite claims that a plastic is recyclable, actual recycling can only take place if the plastic has been designed with this intention, and then it needs to be collected, sorted and processed. For this to go ahead, the right infrastructure needs to be in place. Already, at the design phase, different plastics and materials are mixed, making it complex to ensure full recyclability of a product once it becomes waste. Then, at the collection stage, the collection rate from one EU country to another differs considerably. It is only 20% in Bulgaria and Finland for example¹⁹. Finally, even when successfully processed, many plastics are discarded, not only because different plastic materials are being used, but also because they contain types of plastics or additives that create barriers to recycling or can prove dangerous in certain uses if the plastics have been recycled. On other occasions, recycling is considered too costly.



Considering the current challenges that recycling channels are facing, the claim that a product is made of recyclable plastic should appear only if this is true both in theory and in reality.

The mention should therefore be prohibited if the product is composed of inseparable material combinations²⁰. There should be explicit information for consumers as to whether the entire product is 100% recyclable or whether the claim concerns simply a component, the content, or the container. If national recycling facilities do not accept certain types of plastics, these should not be promoted as being recyclable in these countries.

Recycled plastic

Recycled plastic is the result of plastic waste undergoing a recycling process and is incorporated into products in order to reduce the proportion of virgin plastic being used. From the 21 million tonnes of plastic waste collected annually in the EU between 2016 and 2019, 5.2 million tonnes of recycled plastics were used in new products each year²¹.



Oceanwashing risks

Possibly, the most misleading aspect of this claim concerns the amount of recycled plastic present in the product and the perceived lesser impact of such plastic on the environment.

First, recycled plastics, like other plastics, were made using additives that can be highly toxic for human health and the environment. Second, to ensure the quality of the final product, recycled plastics are often mixed with other materials, making recyclability almost impossible. In addition, products made of recycled plastics are most often down-cycled into non-essential and lower-quality consumer products; they are not recycled in a closed loop, meaning they are not turned back into what they were initially. Furthermore, there is currently no harmonised methodology on the way recycled content is accounted for, which leaves companies free to report and promote the recycled content of their products in very different ways: some report on the recycled content of only one section of their products, others report on plastics that were recycled on the other side of the planet but have nothing to do with the product displaying such claims. Finally, presenting a product as made from recycled plastic encourages consumers to believe that using recycled plastic removes plastic waste from our environment. However, these products continue to release microplastics into the environment.



Surfrider Foundation Europe is fully aware of the benefits that recycled plastic can represent in comparison with the use of virgin plastic. However, we are also fully aware of the impacts that recycled plastic can have on the environment (and climate) and how communication on the subject can mislead consumers.

Our main recommendation would therefore be to mention the proportion of recycled plastic and virgin plastic present in the item advertising the claim. In the spirit of constant improvement, a minimum percentage of recycled plastic should be set, and raised after a given period. Finally, any claim suggesting that there is no environmental impact for recycled plastic should be avoided, as well as any message creating confusion between recycled and recyclable plastic.

Plastic-free

Plastic-free refers to the fact that an item contains no plastic whatsoever in its composition or formulation.



Oceanwashing risks

Items claimed to be 'plastic-free' have multiplied on the market, while investigation has revealed some were in fact made of bio-based plastics. Similarly, some products made of cardboard and other materials but incorporating a thin coating of plastic can misleadingly be marketed as plastic-free products.



Surfrider Europe is asking for mandatory detailed display of the composition of materials used in packaging and product, with clear distinction as to which information refers to the product itself and which refers to the packaging. When plastic materials are being used, this information should be provided to consumers in a visible manner. Mandatory controls on products and the material that goes into their composition should be carried out on a regular basis.

Reusable plastic

A reusable plastic product or packaging is a plastic conceived and designed to be used multiple times for the same purpose, in contrast with a single-use plastic that is designed to be used for a limited amount of time or limited number of uses and then thrown away.



Oceanwashing risks

During the S.U.R.E²² campaign led by Surfrider Foundation Europe, we discovered that some products were labelled as reusable when in reality this characteristic was debatable. The products were claimed to be reusable where in fact they were not robust enough to resist several washes or uses. A similar observation was made by Zero Waste France which tested plates presented as reusable. The test revealed that right from the first wash, the plates came out slightly deformed and dented, and that after less than 10 uses, most were cracked or had taken on the colour and fatty traces of the food they had contained.

Another frequent “oceanwashing” risk is that more often than not, in the case of refillable products, the refills are single use, which makes the “reusable” claim misleading.

The reuse and refill of reusable and refillable plastic products together with zero waste are the best options we can hope for and true solutions to the plastic pollution problem as they help reduce plastic production and use.



In order to create a real incentive for consumers to reuse products, the claim “reusable plastic” should be only applied after a mandatory test involving a minimum number of reuses, without breakage or degradation of the product.

Industries should also provide clear explanations for consumers on the reusability of a product.

Our approach to blue claims

We believe that the Ocean's appeal and consumers' concern to protect it should not be used to target them with misleading marketing messages. Consumers should be informed in a clear and honest way. We consider consistency between words and actions to be crucial. In order for consumers to be fully aware of the impact of their purchasing choices, it is essential to secure their trust. Industries are conscious of the role they have to play in the ecological transition, and they should therefore make blue claims that fit the reality of their products' impacts. We believe that blue claims should be regulated further in the Green Claims initiative expected at the end of November, and in the proposal for empowering citizens currently being examined by the European Parliament and Member States. It is of uttermost importance to make sure these claims are accurate, sound and substantiated, since they influence consumers' behaviour, particularly that of ocean lovers, and in fine our blue ecosystems. To ensure citizen empowerment, consumers should not be misled at the expense of our environment.

The claim	Our recommendations
Marine edible plastic	Ban the term
Ocean/beach/ocean bound plastic	Ban the terms
Plastic neutrality / Plastic compensation	Ban the terms
Marine biodegradable plastic	Ban the term
Biodegradable plastic	<p>Ban the term</p> <p>Impose the mention “Do not discard in the environment”</p> <p>Allow the terminology “industrially compostable” only in very strict conditions</p>
<p>Biobased plastic</p> <p>Algae plastic</p>	<p>Ban the generic term “bio-based”</p> <p>Impose the compulsory mention of the proportion of fossil-based plastic</p> <p>Impose the mention “Do not discard in the environment”</p> <p>Conduct further research on the impacts of algae plastic products.</p>
Recyclable plastic	Allow only if achievable both in theory and in practice
Recycled plastic	<p>Impose the compulsory mention of the proportion of virgin plastic</p> <p>Set a minimum requirement for recycled plastic use</p> <p>Raise the ambition at a set date</p> <p>Agree on a shared methodology to communicate on recycled plastic content</p>
Plastic free	Mention the presence of plastic whenever plastic materials are used, whether in the product or its packaging
Reusable plastic	<p>Apply a mandatory test with a minimum requirement</p> <p>Ensure the existence of necessary programs and services</p> <p>Provide clear explanations to consumers</p>

Conclusion

All products allowed on the EU market should be sustainable and compatible with a healthy Ocean. This being far from being achieved, blue claims could help direct consumption towards best products in the meantime. Yet, they can also be misleading when these claims are turned into oceanwashing and do not reflect the reality or reflect only one side of the coin and omit to present the true environmental impacts of a product. As this report has shown, decision makers should accelerate their action and make use of the legislative opportunities being examined at the moment, as well as those to come, in order to restrict any marketing message that denies and/or minimizes the harmful effects of

the product on the marine environment and biodiversity. This paper focuses on the most common blue claims and associated oceanwashing practises observed in relation to plastics, but there are many others. Blue claims have multiplied, most prominently on sunscreen products which will need to be investigated further. In the current context of growing competition between products, increased environmental concerns and a pressing need to act against climate change, biodiversity loss and ocean degradation, businesses should take these developments as opportunities to raise their ambitions in terms of commitment to preserving the ocean and hence increase their credibility.

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End notes

- 1 In 2014, it was already observed that 76% of all the products assessed in shops contained an environmental claim: https://ec.europa.eu/info/sites/default/files/factsheet-environmental-claims-non-food_en.pdf. However, a study conducted in 2021 by the EU Commission found that “in 42% of cases the claims were exaggerated, false or deceptive and could potentially qualify as unfair commercial practices under EU rules”: https://ec.europa.eu/commission/presscorner/detail/en/ip_21_269. In the same way, a sweep on misleading sustainability claims organized in 2020 by the Consumer Protection Cooperation authorities found that “in almost half of the cases authorities had at least a reason to believe that the claim may be false or deceptive and potentially could be qualified as an unfair commercial practice under the Unfair Commercial Practices Directive (UCPD)”: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en#2020-sweep-on-misleading-sustainability-claims
- 2 The Seas, Oceans and Public Health in Europe project: <https://sophie2020.eu/>
- 3 <https://sophie2020.eu/wp/wp-content/uploads/2018/05/SOPHIE-survey-infographic-report.pdf>
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Surfrider Foundation Europe, an NGO created in 1990, works to protect the oceans, the coastline, the waves and their users. For 30 years, with a team of experts and 49 volunteer chapters in 12 European countries, the NGO has been working with stakeholders (citizens, private and public sectors) on several major issues: marine litter, coastal development, climate change, water quality and user health.



Rethink Plastic, part of the Break Free From Plastic movement, is an alliance of leading European NGOs, representing thousands of active groups, supporters and citizens in every EU Member State.



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