



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT**

NOTIFICATION

Dated Peshawar, the 16th June, 2017

No. **SO(Env) FE&WD/2-4/2015/Plastic Bags:-** In exercise of the powers conferred by section 31 of the Khyber Pakhtunkhwa Environmental Protection Act, 2014 (Act No. XXXVIII of 2014), read with clause (xii) of section 7 thereof, the Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA PROHIBITION OF NON-BIODEGRADABLE PLASTIC PRODUCTS AND REGULATION OF OXO-BIODEGRADABLE PLASTIC PRODUCTS RULES, 2017.

1. **Short title and commencement.**---(1) these rules may be called the Khyber Pakhtunkhwa Prohibition of Non-biodegradable Plastic Products and Regulation of Oxo-biodegradable Plastic Products Rules, 2017.

(2) These rules shall come into force at once.

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

- a) "Act" means the Khyber Pakhtunkhwa Environmental Protection Act, 2014 (Act No. XXXVIII of 2014);
- b) "non-biodegradable plastic product" means the product that is not oxo-biodegradable;
- c) "oxo-biodegradable plastic product" means the product, made of polymer containing a pro-degradant additive, supplied by an additive supplier, registered with the Agency;
- d) "oxo-biodegradation" means biodegradation resulting from oxidative and cell mediated phenomena, either simultaneously or successively; and
- e) "pro-degradant additive" means a chemical formulation, containing a transition metal salt, except cobalt, which causes or may cause the polymer to degrade by a process of oxo-biodegradation.

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

Prohibition of manufacture, sale and use of non-biodegradable plastic products.---(1) Soon after the commencement of these rules there shall be a complete ban on the manufacturing of non-biodegradable plastic products and no person shall import, manufacture, stockpile, trade, supply, distribute, sell or use any non-biodegradable plastic products: Provided that the existing stocks of non-biodegradable plastic products shall be disposed of by the wholesale dealers and retailers within a period of three months, after the commencements of these rules.

(2) Any license or permit, issued to any person for the manufacture, sale, distribution or import, as the case may be, of non-biodegradable plastic products, under any law, for the time being in force, before the commencement of these rules, shall cease to be effective and the holder of any such license or permit shall not commence or carry a business of the manufacturing, selling, distribution or import, as the case may be, of non-biodegradable plastic products.

4. **Condition for registration of pro-degradant additive.** --- A company or manufacturer shall not sell, distribute or import, any pro-degradant additive without registration with the Agency. The following are the conditions for the registration:

- a) Test certificates for pro-degradant additive from independent third party laboratory that is accredited in accordance with ISO 17025. Tests shall be carried out in accordance with the test methods as specified by the Authority, ASTM D-6954-04, standard or any other well reputed international standard and quality authority, duly recognized by Government of Pakistan and the reports must clearly state the percentage of pro-degradant additive which must be consistent for all the tests namely degradation, bio-degradation and eco-toxicity;
- b) Certificate of membership of national or International Oxo-biodegradable Plastics Association; and
- c) Certificate of ISO 9001 and ISO 14001 accreditation.

5. **Manufacturing of oxo-biodegradable plastic products.**---(1) The oxo-biodegradable plastic products shall be transparent or in a natural shade or white, whereas items, used for purposes other than storing and packaging foodstuffs, shall be manufactured, using pigments and colorants as per ISO 787/1-1 982. (entitled General Methods of Test for Pigments and Extenders).

(2). No oxo-biodegradable plastic product, except for garbage sacks shall be made in black colour.

(3). No oxo-biodegradable plastic products, be of less than fifty (50) micron thickness.

(4). The oxo-biodegradable plastic products as recycled shall be marked as "Recycled Plastic Unsafe for Contact with Food"

6. **Identification.**--- All oxo-biodegradable plastic products, and all packaging in which such products are offered for sale, shall be prominently marked "Oxo-biodegradable" and shall bear the identification mark or logo of the supplier of the pro-degradant additive.

7. **Penalty.**--- Whosoever contravenes, infringes or violates the provisions of rules 3,4 and 5 of these rules, the Director General may proceed against such violator as per provisions of section 17 of the Act.

8. **General.**--- The Director General may, from time to time, by notice in writing, require a person to submit certificate, records, information or any other documents for his inspection for carrying out the purposes of the Act and these rules.

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Secretary to Government of Khyber Pakhtunkhwa
Forestry, Environment and Wildlife Department.