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FOLLOW-UP WORK EMANATING FROM THE ACTION PLAN TO ADDRESS MARINE PLASTIC LITTER FROM SHIPS

Comments on document MEPC 84/10: plastic pellets

Submitted by FOEI, CSC, Pew and IPEN

SUMMARY

Executive summary: This document comments on document MEPC 84/10 and the ongoing work to develop mandatory measures for plastic pellets. It provides comments on the development of a dedicated plastics code under MARPOL Annex III as the preferred instrument to effectively reduce the environmental risk associated with the maritime transport of plastic pellets.

*Strategic direction,
if applicable:* 4

Output: 4.3

Action to be taken: Paragraph 21

Related documents: MEPC 84/10; PPR 13/WP.1/Rev.1, PPR 13/11/11 and
MEPC.1/Circ.909

Introduction and background

1 This document is submitted in accordance with paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.6) and comments on the options outlined in MEPC 84/10 regarding the finalization of work on mandatory measures for the maritime transport of plastic pellets. The co-sponsors support the development of a dedicated plastics code and consider that it should be made mandatory under MARPOL Annex III. While Member States may choose to also reflect the code under SOLAS, the primary risk posed by plastic pellets is marine pollution. Regulatory coherence and legal certainty, therefore, require that the code be anchored in MARPOL's pollution prevention framework.

2 At MEPC 81, the Committee approved *Recommendations for the carriage of plastic pellets by sea in freight containers* (MEPC.1/Circ.909), marking the first stage of a two-stage approach agreed at the tenth session of the Sub-Committee on Pollution Prevention and Response (PPR). The second stage envisaged the development of mandatory measures. At PPR 12 and PPR 13, the working group undertook a detailed analysis of possible regulatory pathways, including the development of a plastics code under MARPOL or SOLAS. Convergence emerged at PPR 13 around a plastics code structure; however, Member States were unable to reach full agreement on the parent instrument.

3 MEPC 84 is therefore invited to provide clear direction on the most appropriate legal instrument for the development of mandatory measures and on the further work needed to advance substantive drafting. The co-sponsors consider this decision not merely procedural but foundational to regulatory coherence and environmental effectiveness.

Nature and scale of the environmental risk

4 Plastic pellets transported in freight containers do not present an intrinsic hazard to crew safety during normal carriage. They are not toxic in a manner that threatens the safety of life at sea. The risk arises when pellets are lost into the marine environment. Global primary plastic production is projected to increase by more than 50% by 2040 under business-as-usual (BAU) trajectories.¹ As production expands, so too does the volume of pellet transport by sea, increasing exposure to loss across the supply chain. Absent effective controls, plastic pollution is projected to more than double over the same period.² The environmental risk is not confined to catastrophic container loss events. Pellet releases occur through damaged packaging, poor sealing, handling failures during loading and unloading, and loss following maritime accidents. Even small, routine releases accumulate at scale.

5 Once released, pellets disperse widely, persist for decades and are extremely difficult, if not impossible, to recover. Decades of scientific research demonstrate that pellets are ingested by marine organisms across trophic levels, can impair growth and reproduction and can transport hazardous chemicals associated with plastics, including additives.^{3,4} They therefore contribute directly to marine microplastic pollution and associated chemical exposure in marine ecosystems, with ecological and socio-economic consequences for coastal communities, including those not engaged in the import or export of the material.

6 However, modelling demonstrates that targeted systemic interventions to prevent pellet loss, including strengthened packaging standards and transport controls, could reduce pellet pollution by up to 96% by 2040 relative to BAU trajectories.¹ This indicates that increasing production and transport volumes do not inevitably result in increased marine pollution, provided that effective and enforceable preventive measures are implemented.

7 Given projected growth in production and maritime transport, each year without mandatory preventive measures increases cumulative environmental exposure. Because pellet pollution is persistent and largely irreversible once dispersed, delayed implementation compounds long-term harm. Progression from voluntary guidance to binding requirements is therefore proportionate and urgent. The nature and scale of the risk, therefore, clearly indicate that the issue to be addressed is marine pollution arising from the carriage of plastic pellets. The choice of regulatory instrument should reflect that characterization.

Comments on the appropriate instrument for the plastics code

8 The Committee is currently faced with a choice between regulating plastic pellets under MARPOL Annex III, SOLAS, or both. This choice should be guided by the nature of the risk identified above.

¹ The Pew Charitable Trust (2025). Available [here](#).

² Id. at p. 20.

³ Karlsson, T., et al. (2026). Available [here](#).

⁴ Morales-Caselles, C., et al. (2026). Available [here](#).

9 MARPOL was adopted to prevent pollution from ships. Annex III addresses harmful substances carried in packaged form and establishes requirements relating to packaging, marking, documentation, stowage and operational practices to prevent pollution. Plastic pellets, when lost into the marine environment, give rise to pollution impacts that Parties designed Annex III to address: environmental harm arising from packaged substances lost.

10 SOLAS, by contrast, is directed at the safety of ships and the safety of life at sea. Its provisions relating to container loss focus on navigational, structural and operational safety considerations. Plastic pellets transported in freight containers do not present an intrinsic hazard to crew safety during normal carriage. The environmental consequences of pellet loss fall within MARPOL's mandate, even if the proximate cause may involve operational or cargo handling failures regulated under SOLAS.

11 The co-sponsors recognize that certain operational aspects of pellet carriage, such as stowage and securing, are addressed under SOLAS Chapter VI. The co-sponsors could support the development of a plastics code that is reflected in both instruments, recognizing their complementary functions. However, it is essential that the code be made mandatory under MARPOL, given that the regulatory objective under consideration is the prevention of marine pollution resulting from the release of plastic pellets. Where the risk to be addressed is environmental harm, MARPOL provides the appropriate legal foundation.

12 Ensuring that the plastics code is made mandatory under MARPOL would maintain the clear distinction within the IMO framework between safety regulation and pollution prevention. While SOLAS may address operational safety aspects of cargo carriage, MARPOL is the Convention that establishes and enforces environmental protection obligations. Anchoring the code in MARPOL would therefore ensure that the environmental dimension of pellet loss is addressed within the appropriate legal instrument, consistent with the structure and purpose of the Convention regime.

13 The co-sponsors consider that the development of a dedicated plastics code under Annex III would constitute a technical refinement in the application of Annex III to a defined pollution risk. Annex III has traditionally operated by reference to substances identified through the IMDG framework. The proposed code would clarify how Annex III's pollution prevention objectives apply to plastic pellets outside the IMDG framework, but where their release has given rise to documented marine environmental harm, which Annex III was designed to prevent. While this would shape how Member States operationalize and implement Annex III, it would remain within its object and purpose. It would operate through the established Annex amendment procedures without an amendment to MARPOL.

14 A plastics code made mandatory under MARPOL Annex III and reflected as appropriate under SOLAS, in relation to operational safety aspects, if Member States deem it necessary, would provide a coherent and proportionate means of addressing the identified risk. Such an approach would respect the complementary roles of the two Conventions while ensuring that enforceable, globally uniform pollution prevention requirements apply to the carriage of plastic pellets in freight containers by sea.

Comments on the draft code

15 The co-sponsors support the drafting of a dedicated plastics code at PPR 14, building on the structure and technical elements contained in MEPC.1/Circ.909. The circular provides a useful operational foundation, reflecting practical experience across the supply chain. However, experience with its voluntary implementation and ongoing pellet loss incidents indicate that certain elements require strengthening to ensure effective prevention.

16 Stowage is critical to preventing pellet loss arising from container damage or loss at sea. The circular includes recommendations on appropriate stowage, which the co-sponsors strongly support. Given that large-scale pellet releases have followed container loss events, strengthened and enforceable stowage provisions are essential for reducing risk.

17 The co-sponsors recognize that several significant pellet release incidents have followed container loss from outer deck stacks in heavy weather, which underscores the importance of implementing mandatory stowage requirements for pellets, including prioritizing below-deck stowage and restricting high-risk on-deck positions. Analyses of container loss dynamics highlight the heightened vulnerability of outer stack containers to structural stress and weather-related forces.⁵ Thus, the code must establish clear and enforceable stowage requirements to reduce the likelihood of container loss.

18 The code should also strengthen requirements relating to packaging integrity, secondary containment within freight containers and handling procedures during cargo operations. Member States should consider minimum packaging performance standards, measures to prevent pellet escape during container opening and procedures to address damaged consignments.

19 In light of recent spill experience, the co-sponsors also consider it appropriate to revisit whether existing recommendations on notification, reporting and response are sufficient. Pellet releases are often detected only after shoreline contamination, by which point recovery options are limited. The draft code should therefore ensure clear, immediate reporting obligations, enhanced transparency regarding pellet carriage, and coordination mechanisms to facilitate timely response by coastal authorities.

20 Given the dispersive and persistent nature of pellet pollution, prevention is considerably more effective than post-release remediation. The plastics code should therefore translate best practices reflected in MEPC.1/Circ.909 and experience gained from its implementation into clear, enforceable and globally uniform requirements, with strengthened preventive and response provisions informed by implementation experience.

Action requested of the Committee

21 The Committee is invited to:

- .1 consider the comments set out in paragraphs 8 to 20 concerning the appropriate legal instrument and the strengthening of the draft plastics code;
- .2 instruct PPR to proceed with substantive drafting of the plastics code, building on MEPC.1/Circ.909 and incorporating strengthened provisions on stowage, packaging, handling, notification and response; and
- .3 progress the development of mandatory measures without further delay, considering the documented and cumulative environmental risks associated with pellet loss.

⁵ Faber J., et al. (2023). Available [here](#).