



## Confidentiality and Non-Disclosure Undertaking

**BY**

**Polymer Comply Europe s.c.r.l.**, a société cooperative à responsabilité limitée under Belgian law, its registered office being located at 1000 Brussels, Avenue de Cortenbergh 71, hereby duly represented by Mr. Alexandre DANGIS, Managing Director.

Hereinafter referred to as “PCE”

### **WHEREAS**

The European Commission announced a new initiative to address the unintentional release of microplastics in the environment with the intended restriction proposal on intentionally added microplastics to products. Simultaneously, EuPC together with Plastics Europe launched a certification programme on pellet loss prevention called OCS EU certification. The certification program will support making transparent the implementation of the industry voluntary commitment to prevent pellet losses.

Whatever the option chosen (regulatory or voluntary), it is important to evaluate pellet losses.

EuPC has entrusted PCE to investigate the testing and implementation of a harmonized reporting methodology among the companies represented in its membership before the upcoming reporting obligation to ECHA.

This serves 4 purposes:

- 1) Informing the company taking pellet loss prevention measures on its progress in emission reduction/minimization and feed its risk mapping, assessment and action plan
- 2) Ensure the compliance with OCS EU reporting requirements
- 3) Enable to evaluate the actual extent of pellet losses emissions in Europe
- 4) Enable to fulfil the upcoming legal obligation that will be foreseen in the intentional microplastics restriction from the European Commission and influence upcoming potential measures on “non intentional microplastics”. We aim to organize this reporting at a sectoral level

Article 101 of the Treaty on the Functioning of the European Union prohibits concerted practices and conscious parallelism of market behaviours, which have as their object or effect the restriction of competition. Such behaviour may result from an exchange of information between several undertakings.

In case of contacts and exchange of information between undertakings, competition authorities may consider, in presence of a parallelism of behaviors, that this parallelism arises from the previous exchange of information or a concerted practice or agreement and directly conclude to an infringement of article 101 TFUE.

Infringements of article 101 TFUE may lead to the imposition of very high fines, up to 10 % of the worldwide turnover of each of the companies participating to the competition infringement.

It is therefore essential for the companies providing information to PCE that the information gathered by the Managing Director remains strictly confidential.

**THEREFORE**

1. PCE undertakes that only Mr. Geoffroy Tillieux (PCE), and staff or consultants duly appointed by PCE will gather and obtain knowledge of the information received from each company supplying data.
2. PCE will summarize the obtained data through a report. In particular, aggregated and anonymized data will be shared with EuPC members. Aggregated data on pellet loss reporting results may be shared with the European Commission, Member State Authorities and their consultants.
3. PCE shall impose the same obligation of confidentiality and secrecy upon its Managing Director and his staff members and shall be responsible towards the companies answering these questionnaires for the proper performance of the latter.

This declaration shall be governed by, construed and interpreted in accordance with the laws of Belgium.

Executed in Brussels on 19<sup>th</sup> May 2023.



Alexandre Dangis  
PCE Managing Director