



THE EU SINGLE-USE PLASTICS DIRECTIVE 2019/904

d₂w biodegradable plastic
approved in an EU member-state



In making the SUP Directive 2019/904 the EU Parliament caused confusion by circumventing the REACH Regulation 2006/1907 (Arts 68-72) and imposing a ban on oxo-degradable plastics without any proposal from the Commission, without any impact assessment or socio-economic analysis, and without a dossier from the European Chemicals Agency (ECHA) showing any justification for any such ban.

However, on 20th June 2025 Symphony's d₂w biodegradable plastic technology received official approval as follows from the Environmental Protection Agency in the Republic of Ireland, a member-state of the European Union:



Following a thorough review of the submitted documentation and relevant scientific studies, we can confirm that d₂w products do not fall within the scope of Directive (EU) 2019/904, which prohibits the use of certain plastic materials due to their contribution to microplastic pollution.

The d₂w technology has been scientifically demonstrated to undergo full biodegradation without leaving behind persistent microplastics or toxic residues. This conclusion is supported by independent studies and aligns with the objectives of the Directive to reduce plastic pollution and promote sustainable alternatives.

Furthermore, we have reviewed the Commission Notice (2021/C 216/01) published in the Official Journal of the European Union on 7 June 2021, which provides guidelines on the implementation of Directive (EU) 2019/904. Based on the evidence submitted, we are satisfied that d₂w products are not subject to the restrictions outlined in the Directive or its accompanying guidelines.

We therefore confirm that there is no objection to the distribution of d₂w products in Ireland, and we consider this investigation closed.



Symphony's CEO, Michael Laurier, commented. *"This decision is consistent with the legal advice we have received from Josh Holmes KC and Peter Susman KC, who are both well respected lawyers. We are very pleased to have now received official approval from the government of a member-state of the European Union for the sale and use of products made with our d₂w biodegradable technology, and we see no reason why it should not now be sold and used in every member-state of the EU. We are confident that it is better for Europe's environment for plastic to be made so that it quickly biodegrades leaving no toxic residues, instead of lying or floating around for decades and creating microplastics."*

The Directive had been challenged by Symphony Environmental in the European Court in Luxembourg, because the confusion caused by the Directive had affected its business and Symphony claimed compensation. The court did not say that the EU had made a correct assessment of the technology, but it refused to award compensation simply because it held (incorrectly our view) that the legislators had not exceeded the limits of their discretion.

This was surprising, as the legislators had not followed the procedure prescribed by the REACH regulation; had failed to make an environmental impact assessment or socio-economic analysis; had failed to await the results of a scientific study being done at the time by the European Chemicals Agency; and had prematurely terminated the study. On 30th October 2018 the Agency said that they had not been convinced that microplastics were formed.



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