

Single Use Plastics Directive Implementation Assessment Report

September 2022





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Introduction

In June 2019, the EU formally adopted a pioneering legislation to curb single-use plastics (SUP) - Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment (hereinafter “the Directive”, “the EU text” or “the SUPD) which inspired legislation in other parts of the world.

Rarely has a European directive been the subject of that much media coverage and attention at European level. It was the first EU Directive requiring Member States to ban a series of plastics - certain single use plastic items and oxo degradable plastics, for which alternatives were considered to be easily available and affordable.

For non-banned products, the focus is on waste prevention measures, such as consumption reduction, marking requirements and product design requirements and on improved waste management.



The SUP Directive applies to single-use items listed in the Annexes of the Directive, including to single-use plastic items that are bio-based and/or that are biodegradable or compostable, as well as those made of different materials (multi-layered or composite materials), such as plastic-coated paper or plastic-lined cartons.

This report provides an overview of the progress of EU Member States in transposing the EU Directive and adopting measures at national level. It is up to date on developments until July 2022.

The information presented in this report is a result of a collective work from the Rethink Plastic alliance and the Break Free From Plastic movement; it comes from three main sources:

- A survey and data collection exercise led by Seas At Risk, Surfrider Europe and Zero Waste Europe involving organisations and volunteers who are monitoring the implementation of the Directive in their country.
- National public authorities' websites and adopted national legislative acts.
- Our prior assessment report, conducted and published in 2021.

This report includes five sections, with Chapter 1 detailing the overall SUP Directive implementation status across Europe in the different EU 27 Member States and the following chapters digging into four out of the set of measures the Directive introduced, namely **market restrictions, consumption reduction, awareness-raising and labelling measures and Extended Producer Responsibility**.

These measures were chosen either because they could be evaluated in terms of their realisation and level of ambition or, because an opinion on their implementation on the ground could be shared given the SUP Directive timetable.

The report seeks to provide a thorough analysis of **where EU Member States stand in their transposition of the SUP Directive and of their level of ambition in achieving the objectives of the SUP Directive and in addressing plastic pollution**. The report highlights the **best practices** when it comes to the implementation of the different provisions of the Directive, while also alerting about **problematic exemptions or gaps, to support less advanced countries in identifying solutions**.



1. Overall SUP Directive Implementation Across Europe

Three years after the adoption of the single-use plastics (SUP) Directive and one year after the end of the transposition period and our 2021 assessment, this new assessment shows progress has been made across the board.

According to our previous 2021 assessment report, only a few countries had fully explored the potential offered by the SUP Directive to phase out single-use plastics and effectively prevent plastic pollution by the official deadline to implement the single-use plastics Directive. In July 2021, a majority of countries had either adopted the bare minimum requirements to comply with the Directive or were missing some of the measures (e.g. related to Extended Producer Responsibility) to be adopted.

The transposition process was still in progress or had not started in many countries. Yet, some countries had clearly set a path to transition away from single-use plastics and promote reusable products and solutions and had adopted - or were in the process of adopting - quantitative reduction for single-use plastics, further restrictions on single-use plastics and/or reuse targets.

Since then, some Member States have adopted ambitious measures and have made use of their obligation to transpose the SUP Directive to take up the challenge of plastic pollution such as **France, Greece, Luxembourg, Sweden, Ireland, Cyprus or Portugal**. Yet, some Member States remain laggards which show big delays in implementing the directive one year after the official transposition deadline. As a matter of fact, in January 2022, the Commission had reported publicly in its infringement database having sent 16 letters of formal notice for lack of transposition of the SUP Directive to 16 Member States - **Belgium, Cyprus, Croatia, Czechia, Estonia, Finland, Ireland, Latvia, Lithuania, Luxemburg, Malta, Poland, Portugal, Slovakia, Slovenia and Spain**. In the meantime, Member States such as **Slovakia and Spain** have caught up with their transposing obligations since our last assessment and have finally ended the adoption process of their transposing laws at national level. Some others are unambitious in their implementation of the Directive, have still not adopted all the measures needed while a few have adopted damaging measures or exemptions, in breach of the Directive.

As expected in our 2021 report, **Czech Republic** missed the EU deadline. The law has just been adopted and will take effect in October 2022. In **Poland** legislation is also very late and still has to go through the legislative pipeline. In **Finland and Estonia**, the transposition is moving forward and a full legislative package is expected to be adopted by the end of 2022.

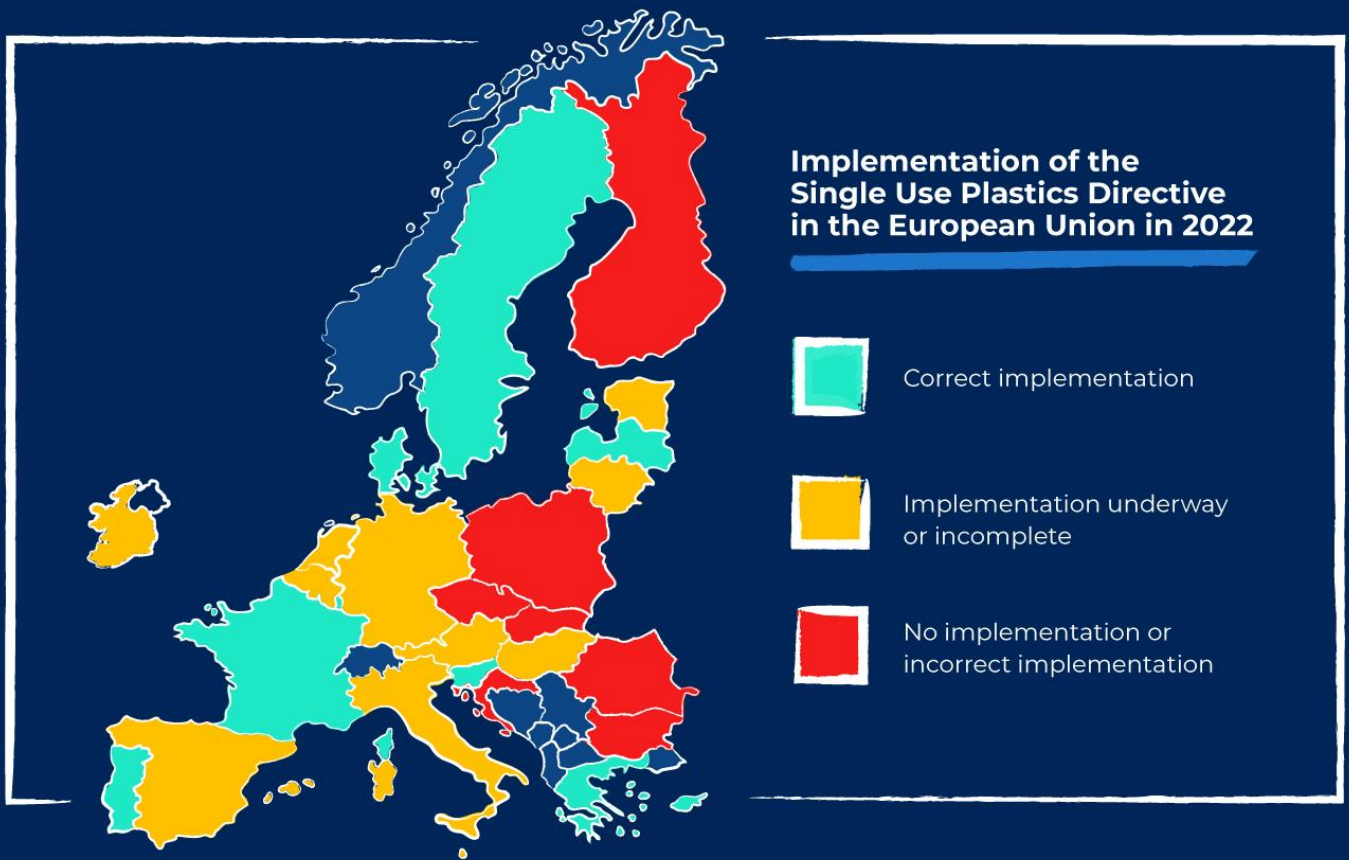
In **Hungary, Romania, Croatia, Bulgaria and Slovakia**, the directive has been transposed yet with minimum ambition and overlooking some of the key measures (Consumption Reduction, Extended Producer Responsibility, awareness-raising).

This is at odds with Europeans' concerns who are worried about the environmental impacts of everyday products made of plastic and have indicated a desire for more to be done to protect the environment by national and EU authorities via tighter legislative control and higher national scrutiny by the EU in terms of implementation (Eurobarometer survey).

Implementation status per measure

Disclaimer: most of the EU Member States have now transposed the Directive and are already implementing the first batch of measures (articles 4, 5, 7 and 10), yet we can only assess here the transposition status for the other measures (articles 6, 8 and 9) to enter in force in 2024 and draft legislations for countries which have not ended their transposition process.

Member State	Art. 4 Consumption Reduction	Art. 5 Bans	Art. 6-7 Design - Marking	Art. 8 Extended Producer Responsibility	Art. 9 Separate Collection	Art. 10 Awareness Raising	Overall National Ambition
Austria	Green	Green	Green	Red	Green	Green	Yellow
Belgium	Yellow	Green	Green	Yellow	Red	Red	Yellow
Bulgaria	Red	Yellow	Green	Red	Red	Green	Red
Croatia	Red	Yellow	Green	Red	Green	Red	Red
Cyprus	Green	Green	Green	Green	Yellow	Yellow	Green
Czech Republic*	Red	Green	Green	Yellow	Green	Red	Yellow
Denmark	Yellow	Green	Green	Green	Green	Yellow	Green
Estonia*	Yellow	Green	Green	Red	Green	Green	Yellow
Finland*	Red	Green	Green	Yellow	Green	Red	Red
France	Green	Green	Green	Green	Yellow	Yellow	Green
Germany	Yellow	Green	Green	Yellow	Green	Red	Yellow
Greece	Green	Green	Green	Green	Green	Yellow	Green
Hungary	Red	Green	Green	Red	Green	Red	Red
Ireland	Yellow	Green	Green	Yellow	Green	Yellow	Yellow
Italy	Yellow	Red	Green	Red	Yellow	Yellow	Yellow
Latvia	Green	Green	Green	Yellow	Green	Green	Green
Lithuania	Red	Green	Green	Green	Green	Yellow	Yellow
Luxembourg	Green	Green	Green	Green	Green	Yellow	Green
Malta	Yellow	Green	Yellow	Yellow	Green	Yellow	Yellow
Netherlands	Red	Green	Green	Yellow	Green	Yellow	Yellow
Poland*	Red	Red	Red	Red	Yellow	Red	Red
Portugal	Green	Green	Green	Yellow	Yellow	Green	Green
Romania	Yellow	Yellow	Diagonal	Green	Yellow	Red	Red
Slovakia	Yellow	Green	Red	Red	Green	Red	Red
Slovenia	Yellow	Green	Diagonal	Green	Yellow	Green	Green
Spain	Green	Green	Green	Yellow	Yellow	Yellow	Yellow
Sweden	Green	Green	Green	Green	Green	Yellow	Green



Map highlighting implementation of the Single Use Plastics Directive across all Member States in the EU as of September 2022

2. Market restrictions (bans) across Europe

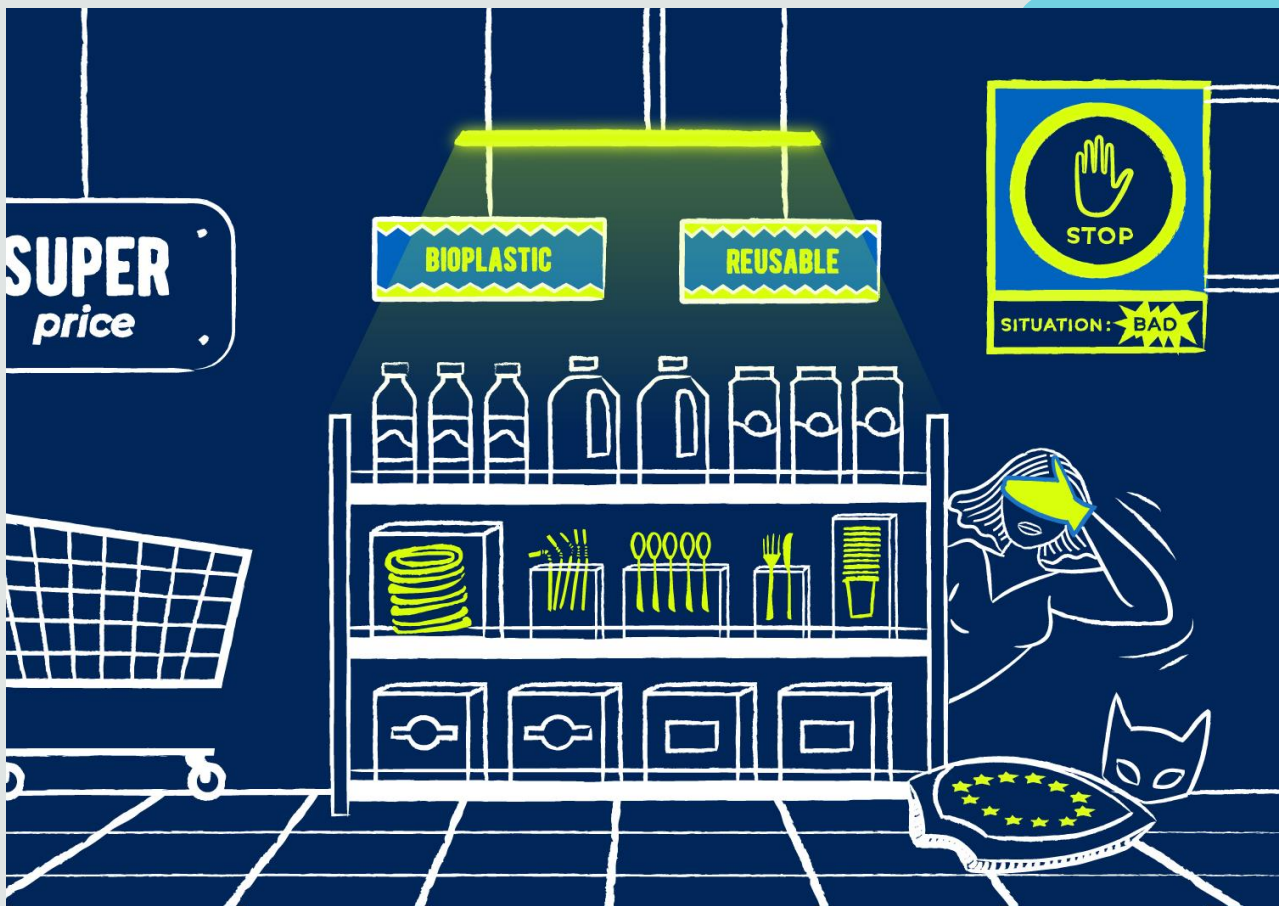
Article 5 of the SUP Directive introduced bans, as from July 2021, for **oxo-degradable plastics** and the following products: **cotton-bud sticks, cutlery (forks, knives, spoons, and chopsticks), beverage stirrers, straws, plates, sticks for balloons as well as food containers, beverage containers and cups in expanded polystyrene (EPS)**. The Directive foresaw exemptions to these bans for cotton-bud sticks and straws used for medical purposes (i.e. where they are used as medical devices).

Overall, these measures were pretty **well transposed** in the legislation of the different Member States. Almost all Member States strictly copied and pasted the list of items and the wording of the EU Directive.

Some Member States took (or are planning to take if they are still in the process of transposing the directive) advantage of their obligation to transpose the SUP Directive to revise the way they had responded to the consumption reduction objectives set in the Plastic Bags Directive and introduce (additional or new) market restrictions on all or on certain single use plastic bags. This was the case for example of **Belgium, Bulgaria, Croatia, Germany, Italy (which had already introduced an exemption for compostable bags), Malta, Hungary and Portugal** where market restrictions also concern certain bags and is under discussion for **Cyprus**. Other Member States introduced additional bans to those required by the EU text, such as **Spain** which **banned microbeads** intentionally added in (some) products or **France and Greece** which **banned beverage and food single use plastic related items**. For more details on additional SUP bans, please see Chapter 3 on Consumption reduction measures.



Examples of “reusable” SUP cutlery found in Belgium, France and Spain and reported to Surfrider’s S.U.Re campaign



Late transposition

Some European countries have not yet finalised incorporating the SUP Directive into national law as shown in chapter 1 - or have transposed the SUP Directive late after the July 2021 deadline causing delay in the entry into force of the SUP bans which were together with awareness raising and labelling measures the first measures to be implemented in the SUP Directive timeline.

Incorrect transposition

Two countries introduced changes to the list of items to be banned and introduced exemptions. Romania introduced exemptions when defining the single use plastic sticks and beverage stirrers concerned by the bans, excluding drink stirrers used for medical purposes or used by a health professional for medical purposes as well as disposable plastic chopsticks used by a forensic service provider or for scientific purposes (diagnostic, educational or research). Italy stands out as it introduced exceptions from Article 5 of the SUPD measures for biodegradable and compostable plastic certified in compliance with the European standard UNI EN 13432 and for single use plastics with less than 10% plastic. In doing so, and despite guidance provided by the European Commission and calls from the European Commission and NGOs to remove the exemptions, Italy is breaching the EU Directive.

One country - Malta - had first introduced a ban on the importation and production instead of introducing full market restrictions on all SUP items concerned by the ban as required by the EU text. It only did so late 2021 with the entry into force of a ban on the provision, distribution and use of the single use plastic items falling under the scope of Article 5 of the SUP Directive as from February 2022.

Lack of enforcement and greenwashing practices

As far as enforcement of these measures is concerned and as revealed by an investigation in the EU and the Single-Use Rebellion (S.U.RE) campaign, some of the banned single-use plastic items under the SUPD are still in circulation in 2022, in physical and in online shops. This is the result of several issues having to do with companies resorting to different strategies in order to circumvent the legislation and continue marketing these plastics.

The S.U.Re campaign ran from the 13th of September until the 28th of November 2021. With this campaign and with support from the Break Free From Plastic movement in Europe, Surfrider Europe and its partners invited their community of volunteers, supporters, NGOs and citizens to **report through an online platform all single-use plastic items banned by the SUP Directive that they could still find in shops and supermarkets. After 3 months of mobilisation, a total of 300 reporting files were received.** Following this mobilisation and with evidence of infringements of the Directive, three short videos explaining the by-pass strategies of selling bioplastics, using greenwashing marketing and selling stocks were released during the European Week for Waste Reduction (EWWR) **to inform citizens and to call on businesses to stop selling these plastic items** and to switch to reusable alternatives, sell in bulk, and provide consumers with clear information. **On the basis of these results and reporting, a letter was also sent to the Commission calling for better control of the implementation of the SUP Directive.**

A series of single-use plastic products to be banned or reduced, yet bearing a reusable label, have started appearing even though these are items that are unlikely to be washed and reused several times.

One member of the BFFP Europe movement and member of Zero Waste Europe, Zero Waste France, conducted a test and tried to eat from single-use plastic plastics marketed as reusables, with their labelling indicating they could resist 20 washes. They ate in these plates and put them in the dishwasher. Their test revealed that 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.

In addition, in some countries, a number of single-use biobased and/or biodegradable plastics continue to be illegally available in supermarkets or restaurants, despite being clearly banned by the European Directive and as confirmed by the guidelines (Commission guidelines on single-use plastic products in accordance with Directive (EU) 2019/904 (2021/C 216/01), which were adopted to provide more clarity on definitions. On many occasions, these items are presented to consumers as greener alternatives.



Examples of “reusable” SUP cutlery found in Belgium, France and Spain and reported to Surfrider’s S.U.Re campaign

As a result, most illicit single use plastics which were reported under the S.U.Re campaign were claimed to be 100% natural, plastic-free and/or reusable.

On top of that, in certain countries, some private companies have been capitalising on the transitional period granted for selling off existing stocks, making it impossible to check if the conditions under which this transitional period has been granted at EU level were respected. Very few countries had incorporated this into their national law, leaving a lot of room for interpretation for many companies on whether or not they were granted transitional periods to sell off stocks, many interpreting they could so. Only a limited number of countries had specifications in their national laws.

These specifications were not always in line with the guidelines provided by the European Commission on stocks. For example, Bulgaria mentions in its transposing law that all stocks can be sold until exhausted, without setting a precise ending date.

A significant number of small businesses, whether established or present at markets and events, as well as hotels have been reported to continue to use, offer and/or sell single-use plastics that are banned by the EU Directive. If they can be given the benefit of the doubt as to their knowledge of the legislation, public authorities have an important role to play in ensuring that everyone knows the rules and complies with them.



Examples of illegal SUP cutlery found in Greece, Bulgaria, Belgium and Romania and reported to the S.U.Re campaign

While the bans apply to all single-use plastic items covered by Article 5 of the Directive regardless of whether they are produced in the EU market or imported or made available in shops or online, the S.U.Re campaign revealed that many of the items normally covered were being offered for sale on online sites aimed at the EU market. A number of imported products, particularly for exotic foods, were also still being sold in shops on European soil. These observations also call into question the quality of the control carried out by the national authorities, which is crucial for the proper application of the Directive. Bans have shown to be easy-to-transpose measures in addition to being very effective in reducing single use plastic pollution. Full implementation of the flagship ban measures and their enforcement are vital issues that EU institutions need to address seriously. It is a task for the EU Member States themselves, and for the Commission who has the responsibility to oversee the application of EU law in particular when breaches of the EU text appear at the transposition stage as it is the case in Italy.

3. Achieving consumption reduction across Europe

In addition to these bans, article 4 of the SUP Directive requires Member States to “take the necessary measures to achieve an ambitious and sustained reduction in the consumption of food containers and cups for beverages (and their caps and lids). According to the Directive, “those measures shall achieve a measurable quantitative reduction in the consumption (...) by 2026 compared to 2022.” Such a general measure, provided it is implemented with some ambition, can also prove to be very powerful in reducing consumption, since Member States are permitted by EU environmental legislation to go beyond the minimum requirements set at EU level to target more items, if these are causing an important source of pollution at the national level.

Member States also remain free to choose the measures to implement in their country, according to the specific national context but the Directive specifies that EU Member States can adopt the following measures (among others) to achieve this reduction:

- Additional bans at the national level on non-banned SUP items, such as cups and takeaway food containers.
- National consumption reduction targets.
- Measures ensuring that reusable alternatives to single-use plastic cups and food containers are made available to the final consumer at the point of sale.
- Economic instruments such as taxes on single-use packaging or instruments ensuring that single-use products are not provided free of charge at the point of sale to the final consumer.
- Marketing restrictions to ensure that single-use plastic cups and food containers are substituted with alternatives that are reusable or do not contain plastic.



Additional bans on specific single-use products and packaging

The most promising measures taken by Member States so far seem to combine several of corresponding level of ambition.

1 - Additional bans on specific single-use products and packaging:

Luxembourg has adopted 2 additional bans:

- an additional ban on SUP packaging for fresh fruits and vegs : as of 1 January 2023, single-use plastic packaging will be banned for a list of fruits and vegetables (under 1.5kg only).
- an additional ban on SUP used at public events as of 1 January 2023, targeting trays and other food containers, mini-picks, bottles and other beverage containers. This ban will be extended by 1 January 2025 to single-use beverage cans and cartons.

Portugal and France also adopted a ban on SUP packaging for fresh fruits and vegetables, as of 1 July 2023 and 1 January 2022 respectively, with exceptions and with several deadlines running until 2026 for certain fruits and vegetables. France also banned bottled water in public administrations and events as of 2022, confettis, tea and herbal tea bags except for biodegradable ones, plastic wrap for press publications and advertisements.

Spain adopted an additional ban on single-use plastic packaging for fresh fruits and vegetables under 1.5 kg, albeit with an exemption for easily damaged products. The newly adopted Waste Law also leaves the door open for additional bans in the future, with its article 37 stating that marketing restrictions may happen “where it is demonstrated that the waste generated by such products have a very significant and negative impact on human health or the environment.”

- It is also worth mentioning that some **Spanish regions** are already aiming at a higher ambition: Balearic Islands banned other single-use items such as food trays, candy sticks and single serve food packaging as well as other SUP in the Horeca sector as of 1 January 2021, **Canary Islands** banned the use of SUP at public events and of bottled water in public services as of 1 January 2021, and **Catalonia** is planning to ban SUP food packaging as of 1 January 2024.

There is also potential for local bans as the local law on waste management and clean-up in the **Lisbon** capital mandated a ban, as of 2020, on the use of SUP cups and beverage containers outside at restaurants and cafés. The enforcement of such laws is difficult to assess but they play an important role in raising awareness for both businesses and consumers.

Sweden adopted an ambitious additional ban for cups, plastic lids and beverage containers containing over 15% of plastic as of 2022. More bans were discussed for other SUP items but these haven't been adopted to date.

Belgium introduced a ban for all plastic cups as of 2022 as well, albeit with an exemption for paper cups with a plastic lining. Therefore, caution is needed for the implementation of this ban, in order to not undermine its effectiveness and to avoid a substitution of single-use plastic cups to single-use paper coated cups.

Cyprus' national law includes measures targeting plastic cups and food containers to achieve consumption reduction by 2026, notably by ensuring customers are charged for disposable cups and food containers. Market restrictions on single-use food containers and cups are also foreseen (details of which are not provided in the law) as well as measures to ensure consumers have access to alternative products. In addition, the government is planning to set up concrete national targets by the end of 2022.

Our recommendation:

Additional bans on SUP are the best way forward towards phasing out all SUP in the longer run. These bans can only be effective in reducing consumption and pollution if no exemptions are allowed, notably for claimed compostable and biodegradable plastics. Local bans also allow the targeting of specific local sources of pollution.



Luxembourg, Portugal, France and Spain have adopted bans on SUP packaging for fresh fruit and vegetables"

2 - National consumption reduction targets:

France was the first member state to set up national reduction targets:

- a 20% reduction target for plastic packaging of which at least 50% is achieved through reuse and the progressive elimination of single-use plastic packaging.
- a 100% reduction target for unnecessary single-use plastic packaging, defined as that which does not have an essential technical function, such as protection, health and product integrity, transport, or regulatory information support, by 31 December 2025.
- a 50% reduction target for plastic bottles placed on the market by 2030.

Greece has set a 30% national reduction target by 2024 and a 60% reduction target by 2026 for all SUP beverage cups and food containers, mainly targeting the takeaway sector in its reduction strategy. With the covid pandemic having considerably increased the demand for takeaway food over the last 2 years, this is a key measure also considered by other countries.

Portugal has adopted very high reduction targets aiming at for 80% by 2026 and 90% by 2030 (of the number of units placed on the market, compared to 2022 data) but there are many exemptions (e.g: containers with food or beverages: (i) intended for immediate consumption, both on site and to take away; (ii) that are typically consumed from the container; and (iii) ready-to-eat without further preparation). Therefore, the implementation is expected to be challenging.

Slovenia plans to set a 20 % reduction target by 2026 (compared to 2022 data). The language of the Slovenian draft also includes specific measures targeting plastic cups: single-use plastic producers and food and beverage producers must reduce SUP food containers and cups, event organisers must phase them out, and beverage vending machine operators must ban them in the public sector (health sector excluded).

Spain: 50% reduction by 2026 and 70% by 2030 (in weight, compared to 2022 data). These are ambitious objectives yet there is still no specific strategy at national level available to date detailing measures to be taken to ensure these targets are achieved.

Sweden : 50% reduction by 2026 (compared to 2022 data).

Cyprus also plans to set a national consumption reduction target by the end of 2022, the level of ambition of which remains unknown to date.

Our recommendations:

Having clear and binding quantitative targets creates greater certainty for market actors, investors and new business model development. In the absence of such targets, business-as-usual will likely prevail.

Rather than the vague goal of achieving an “ambitious and sustained reduction”, quantitative targets have the benefit of clarifying the types of measures needed and the degree to which they should be used, as well as ensuring simple, clear monitoring and reporting.

Targets are helpful if they are high enough to justify ambitious measures, we therefore recommend a minimum level of reduction of 50% or above by 2026, and of 80% by 2030, which a few Member States have already gone for. These levels of targets are in line with the impact assessment accompanying the Commission’s proposal for a Directive on single-use plastics, and are similar to those set in the Plastic Bag Directive.

3 - Reuse targets and promotion of reuse and packaging free options:

Another effective strategy to achieve consumption reduction is through the scaling up of reusable packaging and plastic items. Numerous member states have therefore included measures to promote reuse in their national legislation:

Reuse targets:

Austria has set a mandatory refillable quota for beverage containers, which mandates beverage distributors in the retail food sector to provide for refillable bottles by 2024 - at least 15% for beer, mixed beer beverages and for mineral and table water and at least 10% for fruit juice, vegetable juice, nectar, non-alcoholic soft drinks and milk. However, the ambition of this measure has been lowered significantly compared to the initial draft law, and an exemption has been introduced for beverages under 0,5 l.

Regional targets have been set in Spain:

- Since 2018, a regional law in Navarra requires businesses in the hotel, retail and catering (HORECA) sector to serve 80% of beer, 70% of soft drinks and 40% of water in reusable containers, by 2028. By the same deadline, 15% of beverage containers sold in shops must be reusable.
- In 2019, the Balearic Islands have set similar requirements: for the Horeca sector reuse targets of 40% have been set for bottled water, of 80% for beer packaging, of 70% for soft drinks, and for other sectors a general target of 15% has been set.
- In the Canary Islands, from 1 January 2020, the regional plastics strategy mandated that delivery containers for commercial goods are reusable or made of recycled material. Water fountains are being promoted and a ban on bottled water implemented in public administrations. SUP are also banned from public events and substituted with reusable alternatives.



*Rehab public's packaging free shopping label
(Munich, Germany)*

Obligation to provide reusable packaging:

Portugal mandated that by January 2024, restaurants are required to provide reusable packaging to its customers (through a deposit to be returned after use) for takeaway or delivery of food and beverages. It also instructed that the price of reusable packaging should not be higher or less advantageous than the single-use packaging. Also, restaurants must provide reusable utensils for onsite consumption of food or beverages in their establishments.

Latvia mandated establishments to offer or sell to consumers reusable packaging for food and beverages as an alternative to single-use as of 3 July 2021.

France adopted an implementing act (decree) for a minimal share of reusable packaging on the market imposed on producers placing at least 10 000 units of packaged products on the market per year and on any approved PRO for packaging. The objectives vary depending on the annual turnover declared by producers: for a turnover below 20 million euros, it amounts to 5% in 2026 and 10% in 2027, for a turnover between 20 and 50 million euros, it was set at 5% in 2025, 7% in 2026, 10% in 2027. Finally, for a turnover of more than 50 million euros, it is 5 % in 2023, 6 % in 2024, 7% in 2025, 8% in 2026 and 10% in 2027.

Luxembourg mandated that, as of January 2025, containers, trays, plates and cutlery used in the context of takeaway meals have to be reusable.

Germany mandated for restaurants and take away establishments over 81 square metres and 6 employees to use reusable cups and food containers by January 2023.

Promotion of packaging-free initiatives:

Portugal mandated that by January 2024, vending machines providing ready-to-eat meals or drinks and packaged at the time of purchase by the consumer must allow consumers to use their own containers.

Latvia mandated establishments to inform consumers of the possibility to bring their own cups for beverages or food containers for takeaways as of 3 July 2021 (date of entry into force).

France, Italy and Germany have seen the development of multiple local initiatives to promote reuse over the past 10 years. Below are examples of some initiatives which could be scaled-up at the national level, with supportive legislation.



Packaging free grocery shop in Lyon (France)

Italy has many local packaging-free initiatives in place which could be upscaled at the national level (plastic-free airports, school based initiatives to reduce takeaway packaging and bottled water for example, water houses and fountains).



Water fountain localisation on dedicated websites for cities (Roma)



Muestra el QR y llévate el Bûmerang

Enseña el código QR en el restaurante para poder empezar a disfrutar del servicio de préstamo.



Bumerang app allows consumers to locate 70+ restaurants to take your reusable takeaway packaging to. (Catalonia, Spain)

Our recommendation:

The reduction in the consumption of single-use plastics should not lead to substitution with single-use items in other materials but, rather, increased use of reusable versions of those items. The adoption of reuse targets is therefore very complementary to other SUP consumption reduction measures towards achieving a full implementation of article 4 of the directive. Yet too few countries still have set ambitious reuse targets at the national level.

Rethink Plastic strongly encourages countries to set quantitative reduction and reuse targets for other single-use plastic products whether or not they are covered in the scope of the SUP directive.

4 - Economic instruments:

Taxes (understood in a broad sense) can play an important role in changing behaviours, reducing production and consumption. A tax could be levied at various parts of plastic production, conversion, consumption and waste chain, depending on the main purpose of the tax (reduction of overall production, changing producers' practices, changing consumer behaviour).

Another strategy is to show the cost of single-use packaging to the end consumer to raise awareness of its environmental footprint. Several EU member states have chosen to achieve consumption reduction of food and beverage containers through a ban on the provision of these for free and making their price visible to the consumers. Member States should make sure to provide reusable alternatives at an accessible price.

Spain: as per the new Waste Law, from January 2023 cups for beverages and food containers will not be provided for free anymore. They will be charged a price which will be visible to consumers on their receipts.

Estonia: according to the Estonian draft law, single-use beverage cups and food containers may not be provided free of charge to consumers at the point of sale. The price for single-use packaging should not be less than 0.50 euros and establishments must inform consumers under which conditions reusable containers are accepted.

Portugal: a 30 cents levy on all plastic takeaway containers has been implemented as of July 2022, and, as of Jan 2023, it will also apply to aluminium.

Ireland: the so-called "latte levy tax" on single-use coffee cups is in the making, within the Irish Circular Economy bill. Levies will apply on hot beverage packaging to disincentivize the use of single-use cups; they are expected to be adopted in the second half of 2023.

Italy: a national "plastic tax" on packaging has been under discussion for some time although, as a result of the Covid pandemic, it has been postponed to 2023. Such a debate is a very positive sign and shows how some member states are more comprehensive in their approach to reduce the use of single-use plastics.

Poland: the proposed fee for single-use cups was taken out from the proposal as a result of the consultations with industry and distributors. No alternative proposal is known to date.

Latvia: According to the Latvian transposed law, which entered into force on 3 July 2021, establishments must not provide consumers with single-use food and beverage containers free of charge as of the date of entry into force.

Our recommendations:

Economic instruments will not reduce SUP consumption alone but can play a big part in reducing the consumption of single-use plastic and have proved to be effective in combination with other measures as they introduce an additional incentive.

The establishment of a fee or levy on plastic bags has led to significant reductions in countries that applied such measures broadly, thoroughly and with strong awareness-raising campaigns. For example, Ireland achieved a 90% decrease when it applied a plastic bag levy in 2002. The levy also had a positive impact on the environment, with plastic bags accounting for 0.13% of litter pollution in 2015, compared to some 5% in 2001. The levy also generated EUR 200 million revenue over 12 years, going to environmental projects managed by an environmental fund.

Levies can also be brought in for food containers to incentivise consumers to go for a reusable option, whether brought from home or provided through a DRS. Discounts for consumers that bring their own cups or containers are also a good incentive to switch to reusable solutions.

5 - Market restrictions in specific sectors or locations:

Cyprus plans to impose market restrictions on single-use cups and food containers, taking measures to ensure consumers have access to alternative products.

Italy adopted in 2019 a measure to mandate plastic-free areas in supermarkets which is directly linked to the promotion of reuse alternatives and the reduction of single-use packaging.

Belgium: In 2019, the Belgian region of Flanders adopted a regional law prohibiting local authorities from serving drinks in disposable cups (regardless of the material), cans and PET bottles in the workplace and at public events. This prohibition similarly applies to non-municipal events, such as school parties, local community fairs and festivals, unless the organisers can ensure the separate collection and recycling of at least 90% of those items (95% by 2022).

Our recommendation:


One of the quickest and most effective ways to reduce the consumption of cups and food containers is to place restrictions in certain high-volume locations or sectors, such as bans on on-site consumption in the HORECA sector and green public procurement policies in public buildings, administrations and during events.

6 - National consumption reduction plans and strategies:

Although these were not explicitly mandated by the SUP Directive, national strategies make it easier for Member States to combine measures in a coherent and effective manner to achieve consumption reduction as mandated by article 4 of the Directive. Here are a few examples and our critical analysis of national plans and strategies already in place, which can provide inspiration for other Member States to develop their own plan.

France has shown high ambition by introducing a whole set of measures as part of a national circular economy strategy for the reduction, reuse, refill and recycling of single-use plastic packaging with five-year targets (2021-2025). Specific measures were taken for food services and events as well as for the use of SUP in public services and events:

- As from 2021, the use of plastic bottles for cultural and sport events is banned, followed by their bans in administrative buildings and events by 2022 and the obligations to provide water fountains and free access to drinking water in restaurants and bars by 2022.
- By 2023, France has set an indirect ban on disposable tableware packaging for on-site catering as the law sets the obligation to use reusable tableware for onsite catering in restaurants and fast food restaurants.
- By 2025, a ban on plastic containers for cooking, reheating and serving containers, in school catering & paediatric, obstetric and maternity wards will have been introduced.
- More generally, the French law also includes a general ban on all single-use packaging by 2040.



Luxembourg also has a comprehensive reduction strategy in place as part of the national zero waste plan which includes the additional bans mentioned above as well as the following measures:

- **By 1 January 2023, restaurants have to serve food and drinks consumed on the premises with reusable cups, mugs, glasses, plates, containers, cutlery.**
- **By 1 January 2025, containers, trays, plates and cutlery used in the context of take-away or delivery meals must be reusable.**
- **By 1 January 2025, beverage containers, food containers and bags cannot be provided free of charge at the point of sale of goods or products.**

Estonia has put in place an ambitious set of measures to promote reuse:

- **By 1 January 2023, local public administrations will ensure that reusable containers and cutlery are used at public events in their administrative territory. These requirements apply to all single-use items, not just plastic ones.**
- **By the end of 2023, restaurants and cafés must offer consumers the option to purchase food and beverage in reusable packaging;**
- **By the end of 2025 restaurants and cafés must fully switch to reusable packaging.**

In **Ireland**, the Circular Economy bill is expected in the second half of 2023 which will institute a latte levy on hot beverage packaging and set reuse and reduction targets on packaging. The National Waste action plan which includes measures to implement the SUP directive in Ireland is considered a best practice by our partner Seas At Risk, who has collected best practices to phase out SUP from public administrations across Europe and includes:

- **the introduction of a Latte Levy on single-use coffee cups for hot beverages by the end of 2023, which should extend to cold drink cups over time**
- **setting up a national DRS for plastic bottles and aluminium cans by the end of 2022 (now delayed to 2023)**
- **the introduction of bans on condiment and sugar sachets, small hotel toiletries, disposable plastic cups (starting with a trial banning them first for on-site consumption in selected towns, higher education institutions and other transport/commercial centres) and non-medical wipes**
- **measures to ban in-house consumption using disposable packaging for restaurants and cafes and reducing the unnecessary use of plastic cups (such as in sit-in cafes and large-scale events)**

Less ambition or delays in implementing measures are observed in the following countries:

Denmark only opted for voluntary agreements and the government has negotiated with the HORESTA (hotel and restaurant sector) to set a 50% reduction target (voluntary agreement) on takeaway cups and containers. According to its EPR legislation, Denmark also committed to adopt reduction and reuse targets in 2026, should the EU fail to establish these for the whole of Europe.

Finland only plans to achieve consumption reduction through voluntary agreement, which remains to be negotiated. Interesting initiatives are nevertheless considered such as a plastic cup deposit return scheme, which is under discussion for the city of Helsinki.

To this date, **Italy, Belgium, Croatia, Bulgaria, Czech Republic, Poland** remain without a national plan or targets to achieve consumption reduction.

7 – Voluntary agreements

In **Belgium** the Flemish region has put together a Green Deal running from 2022 to 2024 in which subscribing companies commit to run pilot projects which have the potential by being scaled up to reduce the annual volume of single-use packaging by at least 15,000 tons or 300 million units.

In **Finland**, in the Finnish Plastic Roadmap, authorities are planning to achieve their consumption reduction target through two mechanisms: a green deal agreement between key businesses and the Environment Ministry, and a revision of the national waste management plan which is binding for its central government. The Green Deal includes replacing single-use plastic portion packaging with reusable or plastic-free single-use portion packaging and collecting a separate fee for their use from consumers; using single-use portion packaging containing little plastic; developing new solutions, operating models and packaging materials to replace single-use plastic portion packaging and prevent littering related to them; educating corporate staff and informing consumers of the environmental impacts of single-use plastic portion packaging and alternative solutions for reducing their consumption and environmental impacts of consumption; setting ambitious quantitative goals for 2024–2026 for reducing the overall amount of plastic in single-use portion packaging compared to the 2022 level, ensuring that the overall amount of other materials in portion packages made partly of plastic does not increase. At the time of writing, this Finnish green deal agreement was not adopted, remained declaratory and was also presenting many risks of harmful substitution. According to on-going discussions, the final quantitative targets would only be set in 2023 and the agreements should be in force from 2024 to 2026.

These initiatives being of voluntary nature, their uptake and achievement remain uncertain and are not guaranteed to be sustained over time. We therefore recommend against opting for voluntary agreements to achieve consumption reduction goals.

Our recommendations:

The inclusion of data on measures taken and products placed on the market within Member States' annual reports to the Commission would allow regular checks on consumption reduction and additional measures could be put in place where necessary. We strongly support that the ultimate goal is a full ban on single-use cups and food containers, in order to fully eliminate negative impacts from these products. Such a ban is foreseen by France in 2040.

This includes cups and food containers made from conventional, bio-based plastics and compostable plastics, as well as composite materials. The gradual and ambitious consumption reduction mandated over the next decade should be used to develop and scale-up reusable systems for these items in order to facilitate a complete phase-out of the most prevalent single-use items in the longer run.

4. Labelling and Awareness raising measures

Awareness-raising measures constitute a key complement to consumption reduction and bans of single-use plastic products, since many individuals and corporations remain unaware of the plastic present in some of the products they buy and consume, such as cigarettes and filters, plastic-lined paper cups, wet wipes and plastic packaging. As a consequence, certain single-use plastic products such as plastic coated cups, synthetic wipes and menstrual items end up in the environment, as a result of inappropriate disposal through the sewage system.



It is therefore critical to ensure that both citizens and businesses can make informed purchasing choices and drive behavioural change in the consumption, use and disposal of single-use plastic products. To achieve that goal, the SUP directive provides a package of measures within its articles 7 and 10:

a “conspicuous, clearly legible and indelible” label on the most polluting SUP items remaining on the market (article 7 of the directive, targeting single-use plastic cups, wet wipes, tobacco products and sanitary items);

the provision of specific information to the end user on the label, with regard to the presence of plastic in the product, the waste disposal methods to be avoided and the negative impact on the environment;

specific measures at the national level (article 10 of the directive) to raise awareness on the availability of reusable alternatives and of sound waste management options for listed items and the impact of littering and of inappropriate waste disposal of listed items, in particular on the marine environment, as well as on the sewer network.

Generally speaking, **article 7** of the directive on labelling has been well-received and so far correctly implemented across EU Member States, the exceptions being Italy (with implementation delays on labelling for other products than tobacco) as well as countries which have not finalised the transposition such as **Czech Republic, Poland, Estonia**.

Some touristic destinations such as Croatia have also taken the opportunity to include in their national label more translations of the message on plastic contents.

Article 10 goes much further, providing an opportunity for EU Member States to develop dedicated national strategies to increase public and business awareness-raising on SUP. Yet, to date, this opportunity has not been exploited to its full potential by EU member states, with only a few having launched national awareness campaigns after they transposed the Directive.

However, good examples exist and some member states have already taken steps towards promoting reusable alternatives to single-use packaging, using labelling and awareness-raising measures to effectively complement their national consumption reduction measures and targets. This is the case for example in **Portugal, Slovenia and Cyprus** (with the last 2 remaining to be implemented).

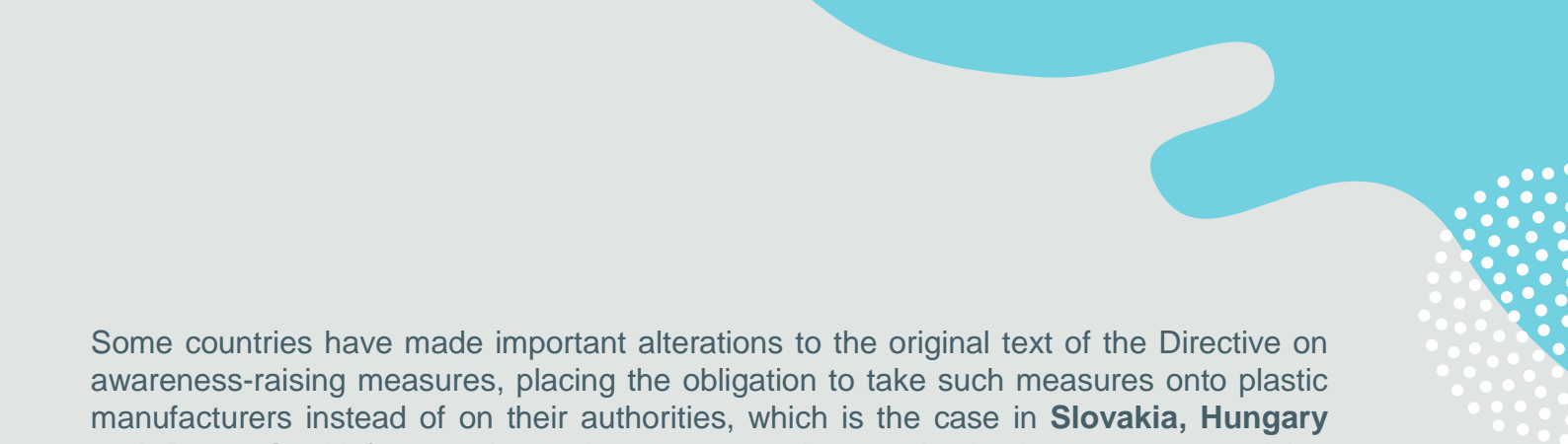


Airport awareness-raising campaign on SUP aimed at international tourists (Italy)

A majority of member states, unfortunately, opted for a rather basic implementation of the directive requirements, transposing the wording of the EU text into their national laws but at most limiting their action to providing funding or incentives for existing campaigns carried out at the local and regional level: **Belgium, Denmark** (national anti-littering campaigns on cigarette butts do exist), **Spain, Croatia, Greece and Ireland**. Although these local campaigns will contribute to making a difference, a strategy at national level is still needed to coordinate and scale-up these local successes.

Other countries such as **Germany, Sweden, Slovakia, Latvia and Lithuania** rely on plastic producers for awareness-raising as part of their extended producer responsibility requirements, when in reality their campaigns tend to focus on consumer littering and clean-up and therefore do not target businesses nor promote reuse or reduction.





Some countries have made important alterations to the original text of the Directive on awareness-raising measures, placing the obligation to take such measures onto plastic manufacturers instead of on their authorities, which is the case in **Slovakia, Hungary and Romania**. Unfortunately, such a strategy also results in the awareness-raising activities remaining limited to anti-littering campaigns.

In a similar trend, countries such as **Luxembourg and the Netherlands** tend to focus their awareness raising efforts on influencing consumer behaviour towards less littering, which constitutes quite a conservative approach to awareness-raising on SUP, since users at large should be targeted, including public administrations and small and large businesses.

Interestingly, countries like **Spain and Romania** have identified specific groups - youngsters and students, respectively - as specific targets of their campaigns. Romania has introduced an obligation for its school system to launch awareness raising campaigns for students on waste prevention in general and on preventing single-use plastics and reducing their impacts on the environment and on health. Along the same line, **France** has introduced an obligation in its transposing law.

Bulgaria is one of the few countries to have set a calendar for its awareness raising campaign, committing by law to have a national campaign running every three years.

Finally, the following countries remain laggards on awareness and should be encouraged to develop measures and plans to achieve the goals of article 10 of the Directive: **Italy, Germany, the Netherlands, Belgium, Croatia, Finland, Poland, Hungary, Romania, Slovakia and Slovenia**.

Our recommendation:

Governments at national level have been given full flexibility by the European environmental legislation to go further than the directive and should seize that opportunity to go beyond the baseline provisions of the directive with regards awareness-raising measures.

We recommend that Member States apply the label to all most polluting SUP items rather than only those listed in Part D of the Annex to the Directive, and develop national strategies to coordinate awareness-raising campaigns, gather information on results and reinforce the effectiveness of each individual action.

In that sense, some of the most advanced in implementing the Directive like Sweden, Denmark, Greece, France and Cyprus could do much better, for example by designing a country-wide awareness campaign or strategy.

5. Extended Producer Responsibility

Article 8 of the Directive recognises the ‘polluter pays’ principle and requires Member States to make sure extended producer responsibility (EPR) schemes are established to cover a series of costs for the following list of single use plastics (Annex E of the Directive): food and beverage containers, cups, packets and wrappers, light-weight carrier bags as well as wet wipes, balloons and tobacco products with filters and separate filters.

The SUP Directive distinguishes between three categories of products, each of them being associated with different costs to be covered by the EPR schemes or different deadlines by which the schemes should have been established:

- The first category of products mostly consist of SUP packaging items: food and beverage containers, cups, packets and wrappers, light-weight carrier bags,
- The second category of products includes wet wipes and balloons,
- The third category includes tobacco products with filters and separate filters.
- For the first and second categories, EPR schemes are to be established by the end of 2024.
- For the third category, they are due earlier, at the beginning of 2023.
- For the first and third categories, the schemes should cover the following costs: awareness raising costs, waste collection costs (including infrastructure, operation, transport and treatment costs) and clean-up costs (including transport and treatment). For the second category, the costs to be covered differ slightly: producers should cover the same costs, except the costs of waste collection for products that are discarded in public collection systems.
- For the second and third categories of products, the Directive specifies that the costs for data gathering and reporting are to be covered.

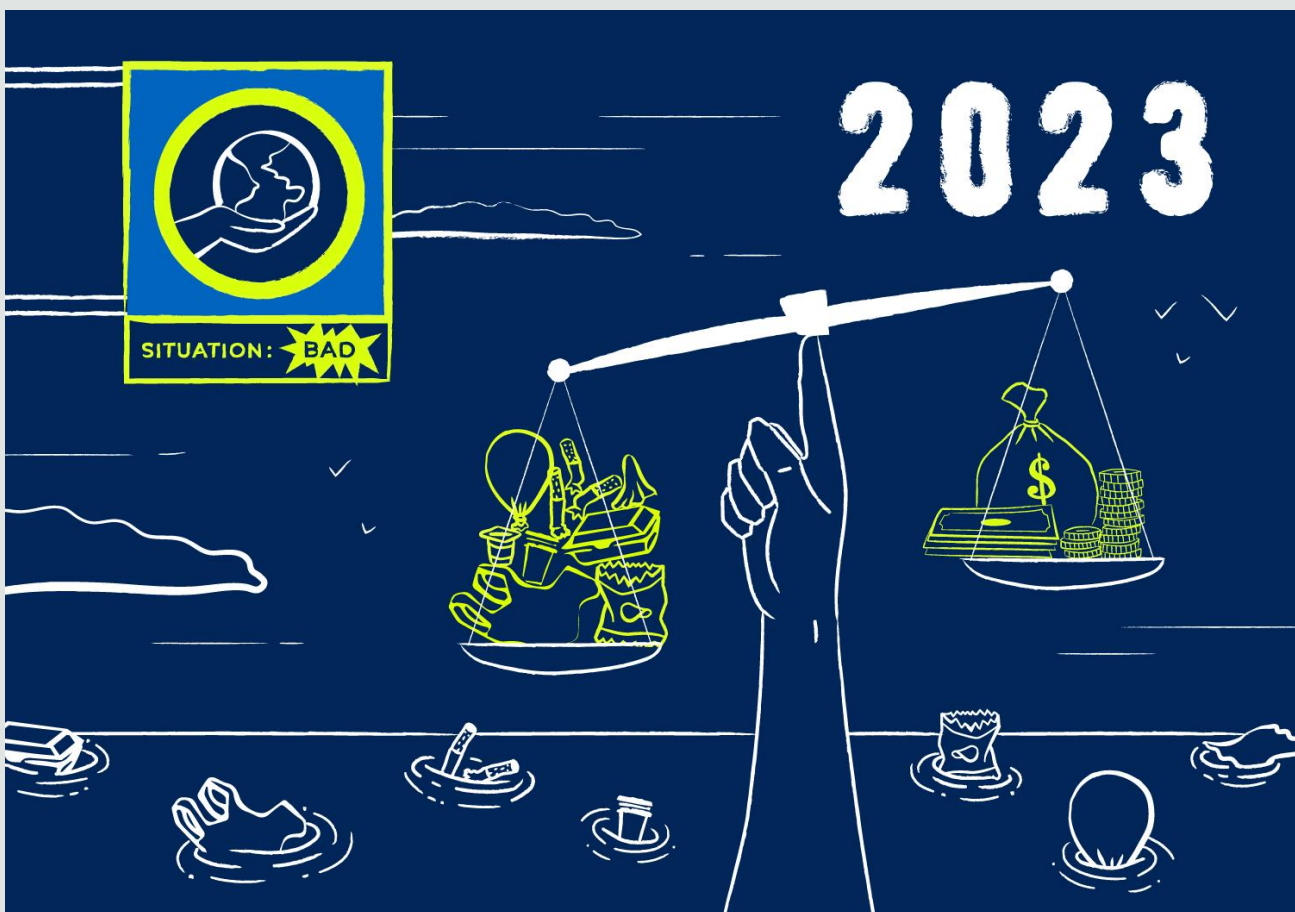
In parallel, EU countries are also required to ensure that EPR schemes are put in place for fishing gear containing plastic and to monitor and assess quantities of waste fishing gear with a view towards establishing EU-wide collection targets.

Extended Producer Responsibility schemes are a policy instrument which in theory allows placing the responsibility of a product’s full lifecycle and its full net costs - from production to waste treatment - on the businesses that produce and use said product, rather than taxpayers. EPR schemes are a necessary tool which usually contributes to ensuring greater equity regarding who bears the cost of pollution. Indeed, they aim to internalise the negative environmental costs of products. They can be conceived and implemented in a manner - notably through modulated fees - which will therefore have an impact on how a product is designed, encouraging waste prevention, reuse and recyclability. When correctly implemented, they can really help companies transition towards a circular economy and more sustainable products.

The obligation for producers to cover certain costs for a series of single-use plastics, introduced by the SUP Directive, was a major step forward. It made the 'polluter pays' principle concrete. Before the Directive was adopted, all the costs of cleaning up littered SUP items were borne by municipalities and civil society, rendering the polluter pays principle ineffective. But this obligation is still a long way from covering the full price of the harmful economic, environmental, climate, and human health impacts single-use plastics create all throughout their lifecycle.

Nevertheless, it is also very worrying to observe that some Member States, such as **Estonia, Poland and Portugal**, have not yet transposed EPR measures into their national law and are still in the process of agreeing on measures on this topic. Some others only have transposed them partially. For example, **Slovakia** has transposed the obligations but without specifying which are the costs to be covered by EPR schemes. In **Austria**, EPR measures for some of the products, such as beverage containers and cups are also missing from the legislation, which currently only includes EPR measures for wet wipes, balloons, tobacco products and fishing gear.

It is also concerning to see that, even in cases where transposition has been carried out correctly, most Member States have not started to set up these new EPR schemes before the deadlines set in the Directive. A deadline only indicates by which date it is mandatory to have implemented a measure so Member States were perfectly free to implement measures beforehand.



This is what **Cyprus** did, for example, by choosing 5 January 2023 as the deadline to establish EPR schemes for all product categories. It is urgent that all Member States across Europe transpose the EPR requirements into their national laws, and start to set the EPR schemes considering the deadlines of 2023 and 2024 are fast approaching.

On a positive note, some Member States have also taken advantage of their transposing obligations to establish EPR schemes for other single-use plastic items which were not in the scope of the single-use plastics Directive.

In **France**, for example, it was decided to set new EPR schemes for toys, sports and leisure goods, do-it-yourself and gardening products, building products and materials, cars, vans, two- and three-wheeled motor vehicles and motor quadricycles and for mineral or synthetic oils as from 1 January 2022 as well as for tyres from 1 January 2023 and finally for chewing gums, as of 1 January 2024.

In **Belgium**, Flanders has opted to go a step further and decided to extend producer responsibility to all products with a relevant share in the cost of litter. Other countries, such as **Sweden, Denmark and Lithuania**, have set EPR schemes with modulated fees.

Some Member States decided to create plastic funds to cover some of the costs identified by the EU text. In **Germany**, for example, public authorities are discussing the creation of a plastic fund to be administered by the Federal Environment Agency to reimburse municipalities and road administrations for their collection and cleaning costs. Manufacturers would have to register to the fund electronically. The levy would be calculated by reporting the type and mass of the single-use plastic products placed on the market by the manufacturers and a levy rate (still to be determined by a legal ordinance). Unfortunately, as the fund is foreseen for now, its income would not flow into promoting reuse but would instead be earmarked for the reimbursement of costs for cleaning up public spaces and for awareness-raising measures on single-use plastic products.

A few Member States such as **Bulgaria, Finland and Italy** have also taken advantage of the freedom left in the Directive for Member States, which allows them to implement certain EPR measures through voluntary agreements between industry and authorities. Along the same line, **Romania**, mentioned in its transposing law, that the costs to be covered were to be determined by the private organisations.

Our recommendations:

Considering a number of Member States have not yet transposed the EPR measures and most of them have yet to implement them, we would like to reiterate our call to:

- **Set up and implement mandatory EPR schemes as soon as possible**
- **Emphasise that the deadline set in the EU directive - end of 2024 - is very late and that its compliance requires to have set the schemes in advance**
- **Ensure EPR schemes are set up effectively by establishing them under binding national legislation, ensuring that the minimum requirements are met, with effective eco-modulation of fees and by covering additional costs to internalise all the costs of the impacts of products throughout their lifecycle**
- **Guarantee that producers bear 100% of the clean-up costs for littered items, including those conducted by civil society organisations and volunteers and individuals.**
- **Ensure EPR schemes' awareness-raising activities do not remain focused on anti-littering campaigns, nor place the responsibility of plastic pollution on a single actor (consumers) but rather acknowledge the shared responsibility of all players, including of plastic manufacturers, in the plastic pollution crisis.**

A closer look at EPR on tobacco products

EPR schemes are to be established either in the form of an individual producer responsibility scheme, where a producer organises their own system or - as is the case most of the time - of a collective system where several producers from the same sector decide to collaborate and fulfil their extended producer responsibility collectively through a specific organisation known as Producer Responsibility Organisation (PRO). PROs are normally created as a third party to coordinate and operate the collection, sorting, and managing of the items after they have become waste/litter. PROs are responsible for setting up, developing and maintaining the EPR scheme.

This is the format which was chosen in **France** by tobacco companies to respond to their EPR obligations set in the French transposing law. They created ALCOME, a PRO responsible for setting up, developing and maintaining the EPR scheme on behalf of their tobacco companies. With this system, tobacco companies in the French market pay their fees to ALCOME, which in return pays the waste management operators to collect and treat filters either found in public bins and collection systems or littered in public spaces. As an industry-led PRO, it is supervised by public authorities to ensure it fulfils its roles and responsibilities. This means board members - including tobacco companies and French public authorities - interact to manage the organisation, leading to the important collusion of two worlds which law has tried to separate in order to avoid corruption and guarantee public health. ALCOME's organisational structure has been openly questioned by health organisations which see it as another opportunity for tobacco organisations to communicate with an image of respectability and legitimate participation in decision-making. In reality, the EPR system places them in a strong position to advocate useless or even counterproductive measures, such as the distribution of pocket ashtrays against much more effective measures such as the development of smoke-free spaces. In August, the French Council of State cancelled the specifications of ALCOME after actions taken by the Cigar Manufacturing Federation stating that consultation obligations had not been respected.



Smoking free beach in Bibione (Italy)

While setting an EPR system on tobacco products with filters and separate filters is without a doubt a good tool and important first step towards reducing plastic cigarette filter pollution, it remains key to make sure the governance system chosen is appropriate and compliant with international commitments such as the World Health Organisation Framework Convention on Tobacco Control.



Clean-up initiative as part of a nation-wide campaign for a ban on cigarette filters, The Netherlands

It is also very interesting to note that some countries, such as the Netherlands, may be going beyond the measures which concern tobacco products with filters and separate filters - namely in awareness-raising measures, marking requirements and the flagship establishment of an EPR system from January 2023. In the Netherlands, two motions are being discussed at the Parliament, respectively, on setting a reduction target of 70% of the number of cigarette filters in the environment in 2026 compared to 2022 and on banning cigarette filters.

Our recommendations:

We call on Member States to make sure EPR schemes and measures for tobacco products with filters and filters:

are urgently transposed and implemented so as to meet the deadline of January 2023, set in the Directive

are established in such a way that no collusion with public authorities is possible

support awareness raising campaigns which in no way, directly or indirectly, promote tobacco products or smoking, which clearly state that tobacco filter pollution is the responsibility of tobacco producers who place these products on the market, and which are not be limited to conveying the message “do not litter” but also make clear to the public that cigarette butts are toxic to the environment and health

are not limited to the costs of pollution from cigarette butts as required by the EU Directive but also include those coming from plastic tobacco packaging and associated plastic items (ie. batteries for e-cigarettes), as these items also contribute to significant plastic pollution. These too are single-use plastic items and are regularly picked up in litter clean-up activities.

are set in addition to other complementary much-needed measures, such as the adoption of reduction targets and the designation of smoke-free spaces.



General Conclusion

Our collective analysis shows that, one year after the end of the transposition period, a large majority of EU Member States is now on track to implement the Single-Use Plastic Directive across all its various measures, even if some loopholes have been identified.

These should be corrected with the support and under the scrutiny of the European Commission and civil society.

In particular, more attention should be brought to setting up national targets or strategies to achieve consumption reduction for cups and food containers by 2026, national awareness-raising plans to coordinate and scale-up effective local awareness campaigns and ambitious EPR schemes based on eco-modulated fees and covering all clean-up costs.

When implementing the Directive, priority should be given to supporting reusable alternatives to single-use plastics rather than substitution with other single-use materials.

The Single Use Plastics Directive is unprecedented, and has enabled European countries to take a significant step in the fight against plastic pollution with a united front. It has also generated awareness of the plastic pollution issue across the globe and inspired non-EU countries in developing their own measures eg. India, Canada, Chile, Japan.

Over 150 best practice solutions implemented across the EU to phase out single-use plastics have been identified and are available to view on the Seas At Risk website [here](#).

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<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043458675> Décret n° 2021-517 du 29 avril 2021 relatif aux objectifs de réduction, de réutilisation et de réemploi, et de recyclage des emballages en plastique à usage unique pour la période 2021-2025

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044205692> Arrêté du 24 septembre 2021 relatif à la teneur en plastique maximale autorisée dans les gobelets en plastique à usage unique

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044153885> Décret n° 2021-1279 du 30 septembre 2021 relatif au marquage de certains produits en plastique à usage unique

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044183805> Décret n° 2021-1318 du 8 octobre 2021 relatif à l'obligation de présentation à la vente des fruits et légumes frais non transformés sans conditionnement composé pour tout ou partie de matière plastique

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT00004446> Décret n° 2021-1610 du 9 décembre 2021 relatif à l'incorporation de plastique recyclé dans les bouteilles pour boissons

References per country:

France (continued)

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044833550?datePublication=05%2F01%2F2022&dateSignature=&init=true&page=1&query=&searchField=ALL&tab_selection=jorf Décret n° 2022-2 du 4 janvier 2022 relatif aux situations permettant de déroger à l'interdiction d'acquisition par l'Etat de produits en plastique à usage unique

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000045582284> Décret n° 2022-549 du 14 avril 2022 relatif à la stratégie nationale pour la réduction, la réutilisation, le réemploi et le recyclage des emballages en plastique à usage unique

<https://ec.europa.eu/growth/tools-databases/tris/en/search/?trisaction=search.detail&year=2022&num=167> Décret relatif à l'interdiction de certains récipients pour aliments en plastique à usage unique constitués de plastique expansé ou extrudé

Germany

EWKKennzV - nichtamtliches Inhaltsverzeichnis ([gesetze-im-internet.de](https://www.gesetze-im-internet.de))

EWKVerbotsV - nichtamtliches Inhaltsverzeichnis ([gesetze-im-internet.de](https://www.gesetze-im-internet.de)) [bundestag.de](https://www.bundestag.de)

Drucksache 19/27634 ()

Referentenentwurf des Gesetzes zur Umsetzung bestimmter Regelungen der EU-Einwegkunststoffrichtlinie | Gesetze und Verordnungen | BMUV

References per country:

Greece

https://eur-lex.europa.eu/legal-content/EL/TXT/PDF/?uri=CELEX:72019L0904GRC_289521&from=EN

<https://www.hellenicparliament.gr/UserFiles/c8827c35-4399-4fbb-8ea6-aebdc768f4f7/11691151.pdf>

Hungary

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<https://mkogy.jogtar.hu/jogszabaly?docid=A2100002.TV>

<https://www.parlament.hu/irom41/17439/17439.pdf>

<https://net.jogtar.hu/jogszabaly?docid=a2100301.kor>

Ireland

<https://www.irishstatutebook.ie/eli/2021/si/326/made/en/print?q=European+Union+Single+Use+Plastics>

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Italy

<https://www.gazzettaufficiale.it/eli/id/2021/11/30/21G00210/sg>

References per country:

Lithuania

<https://www.etar.lt/portal/lt/legalAct/8429d85043b111ec992fe4cdfceb5666>

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<https://eseimas.lrs.lt/portal/legalAct/lt/TAP/0757c9b02c1211ec99bbc1b08701c7f8>

Latvia

<https://eur-lex.europa.eu/legal-content/LV/TXT/PDF/?uri=NIM:202101150>

<https://eur-lex.europa.eu/legal-content/LV/TXT/PDF/?uri=NIM:202104032>

<https://eur-lex.europa.eu/legal-content/LV/TXT/PDF/?uri=NIM:202200669>

Luxembourg

Loi du 9 juin 2022 relative à la réduction de l'incidence de certains produits en plastique sur l'environnement

Other laws have also been revised to address some measures of the Directive:

Loi du 9 juin 2022 relative aux emballages et aux déchets d'emballages

Loi du 9 juin 2022 relative aux déchets

Loi du 9 juin 2022 relative aux piles et accumulateurs

Loi du 9 juin 2022 relative aux déchets d'équipements électriques et électroniques

Malta

<https://legislation.mt/eli/sl/549.140/eng> (restrictions on placing on the market of SUP)

<https://legislation.mt/eli/sl/549.134/eng> (beverage containers recycling amendment)

References per country:

Netherlands

<https://wetten.overheid.nl/BWBR0045257/2022-01-01>
(decree on Single-Use Plastics)

Poland

Not transposed yet.

Portugal

<https://files.dre.pt/1s/2019/09/16700/0003500036.pdf>
<https://files.dre.pt/1s/2021/09/18700/0000300027.pdf>

Romania

Ordinance no. 6 of August 25, 2021 on reducing the environmental impact of certain plastic products:

<https://legislatie.just.ro/Public/DetaliiDocument/245908>

Draft Decision for establishing the warranty-return system for non-reusable primary packaging:

<https://ec.europa.eu/growth/tools-databases/tris/index.cfm/en/search/?trisaction=search.detail&year=2022&num=56&dLang=EN>

Slovakia

302/2019 Coll. The Law on the Backup of Disposable Beverage Packaging | Current version (epi.sk)

<https://www.minzp.sk/spravy/jednorazove-plasty-nemaju-pouzivat-statnej-sprave-ani-verejnych-podujatiach.html>

<https://www.minzp.sk/spravy/zalohovanie-napojovych-obalov-vstupuje-do-druhej-etapy.html>

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Slovenia

<http://www.pisrs.si/Pis.web/pregledPredpisa?sop=2021-01-2724>

<http://www.pisrs.si/Pis.web/pregledPredpisa?sop=2021-01-3806>

Spain

National laws:

Law 7/2022 of 8 April on waste and contaminated soils for a circular economy:

<https://www.boe.es/boe/dias/2022/04/09/pdfs/BOE-A-2022-5809.pdf>

Proyecto del Real Decreto de Envases y residuos de envases: <https://ec.europa.eu/growth/tools-databases/tris/en/search/?trisaction=search.detail&year=2022&num=325> (version of April 27, 2022)

Regional laws:

Balearic Islands' law on waste and contaminated soil:

<https://www.boe.es/eli/es-ib/l/2019/02/19/8>

Canary islands' plastic strategy:

http://www.gobiernodecanarias.org/medioambiente/piac/descargas/Cofinanciacion-europea/PLASTICOS/Orden_44-2020_Consejero_aprobacion_Estrategia_canaria_sobre_plastico_definitivo.pdf

Catalonia's law on prevention and waste management:

<https://eldiariodeabogados.com/cataluna-dice-adios-a-los-plasticos-de-un-solo-uso/>

Navarra's regional waste law:

<https://www.boe.es/buscar/pdf/2018/BOE-A-2018-8953-consolidado.pdf>

References per country:

Sweden

<https://svenskforsattningssamling.se/sites/default/files/sfs/2021-11/SFS2021-996.pdf>

https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-202032-om-skatt-pa-plastbarkassar_sfs-2020-32 (2020 law on taxing carrier bags)

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