

EXPRA Position Paper on the European Commission's Plastic Bag Proposal

This paper outlines the response of the Extended Producer Responsibility Alliance (EXPRA) to the Commission proposal on Lightweight Plastic Bags amending Directive 94/62/EC on Packaging and Packaging Waste.

EXPRA's position on the amending Directive on lightweight plastic bags can be summarised as follows:

EXPRA believes that **efforts to achieve environmental improvements should include initiatives involving the business sector to reduce the use of lightweight plastic bags, which can be developed in constructive collaboration with local authorities and governments.** Such initiatives can prove to be more effective than restrictive measures, in reducing consumption of lightweight plastic bags, especially when they are combined with awareness raising and education campaigns, as well as with the promotion of reusable bags. **The issue to be addressed is the problem of consumption rather than one of the use of materials and therefore the correct way to address the problem is through changing consumer behavior.**

The Commission foresees that Member States should determine the measures used to reduce consumption of lightweight plastic bags (considered to be less than 50 microns). However, it is likely that **by allowing Member States to determine the measures the internal market will be adversely affected and companies will be impacted** in their day to day business of cross border trade.

Plastic Bags

Plastic bags have been described as follows:

"A polymer carry bag provided or utilised at the retail point of sale for carrying and transporting retail goods. This includes all plastic retail carry bags, but excludes produce bags used in-store, dry cleaning bags, garbage bags and other primary product packaging".¹

This is an important distinction between point of sale lightweight carrier bags and those used for other purposes, such as food hygiene bags.

In the Commission's amending Directive on lightweight plastic bags it is mentioned that in 2010 every EU citizen used 198 plastic carrier bags, and that 8 billion were littered in the environment. The Commission believes that this leads to marine litter and poses one of the major global challenges. The use of lightweight plastic bags is also considered as a sub-optimal use of resources by the Commission.

¹ NOLAN iTU, Plastic Shopping Bags – Analysis of levies and Environmental Impacts, 2002.

Plastic bags and littering

One of the main rationales for the Commission introducing this amending Directive is the issue of littering and the impact of plastic on the environment, including the marine environment. **However, a study in Ireland showed that plastic bags account for only 0.24% of litter.** A similar result has been found for marine litter. **According to a study by OSPAR, out of 1000 items in the sea, small plastic bags and shopping bags ranked 17 and 18**, below plastic pieces smaller than 50cm and rope, cord and nets and several other products.²

Solving littering requires other measures such as consumer awareness raising campaigns against littering and also better waste management with more collaboration between industry and municipalities. **Educational campaigns addressed to consumers would be a more effective way of addressing the problem presented by plastic bags that are discarded.** If littering is approached through an educational campaign to reduce overall littering, then the issue of marine litter and plastic bags will also be addressed by reducing its incidence.

When considering any legislative measures on lightweight plastic bags, the actual environmental impact of plastic bags needs to be kept in mind to ensure that the measures are not disproportionate to the environmental benefit that they bring. Putting in place high profile measures on such a small proportion of the waste stream risks sending the wrong environmental message because consumers may think they are "doing their bit" by reducing or reusing bags and ignore the rest of their environmental impacts, which could be far more significant.

EXPRA does believe, however, that oxo-degradable plastics should not be used in the production of plastic bags as they have a long lasting negative impact on the environment.

The impact of measures against plastic bags on consumer behaviour

It is not likely that a ban on plastic bags will suddenly change consumer behaviour and shoppers are still going to need a means to transport their goods from a store to their home, and impulsive sales will still be made meaning that bags are needed for such occasions. EXPRA therefore cautions that **measures against plastic bags will simply lead to a substitution in materials used to produce consumer bags.**

In Ireland there has been an increase in paper bag usage by consumers since a levy on plastic bags was introduced in 2002. This presents its own issues such as the need to ensure that such materials are produced and sourced sustainably. Due care should be taken when promoting alternatives to lightweight plastic bags since these should always be supported within a life cycle thinking context.

The amending Directive also contains no specific recognition of the importance of very lightweight plastic bags that are used for fruit and vegetables, or cold meats and fish. These bags play a crucial role in the preservation of foods and reinforce food hygiene, which can support a reduction in food waste. These bags should clearly be exempt from any measures envisaged under this Directive, as their use has a fundamental importance for the health of consumers.

² OSPAR Commission "Marine litter"
(http://www.ospar.org/html_documents/ospar/html/marine_litter_unep_ospar.pdf)

EXPRA agrees that lightweight plastic bags should not be given away for free but this should apply to all materials and not just plastic, the focus on plastic in this amending Directive is therefore misguided.

Producer responsibility

Successful economic instruments such as **producer responsibility-based recycling systems for packaging, should be taken into consideration** when assessing the environmental impacts of lightweight plastic bags. These systems are effective for delivering environmental improvement in a way that is more efficient than through taxation. Producer responsibility systems are a cost-effective and flexible way to achieve environmental objectives.

It is important to recall that plastic bags are considered under the Packaging and Packaging Waste Directive as a form of packaging and are therefore already covered under its provisions.

Environmental impacts of the use of raw materials, production processes and consumption can be addressed most effectively through material recycling and energy recovery of a high proportion of products. At the present time in countries like Spain, Sweden, Germany, Austria, the UK and Ireland plastic bags can be included in the collection system in place and therefore do not offer a considerable challenge. In such systems technological solutions are offered that permit the collection, sorting, recovery or recycling of plastic bags. Thus such systems reduce the amount of plastic bags ending up in landfill or litter. **The environmental impact of plastic bags is at its lowest when they are recycled or incinerated with energy recovery, with other plastic waste.**

Therefore promoting such systems where plastics are collected and recycled would offer a much more resource efficient way of addressing plastic bags, rather than bans which can be counterproductive. Governments should also support the development of markets for reprocessed plastics.

The Impact on the Internal Market

The Commission state that the measures foreseen will be derogated from Article 18 of the Packaging and Packaging Waste Directive (PPWD), which guarantees the free movement of all packaging materials and packaged goods. This sets a dangerous precedent, as it will allow unilateral market restrictions to be applied by the 28 Member States. **This means that industries trading in Europe could now face 28 different regimes relating to lightweight plastic bags, which undermines the principles of the internal market and will hamper businesses and industry.**

EXPRA also doubts that bans on lightweight plastic bags would adhere to the proportionality principle relating to the internal market. Less burdensome alternatives to bans exist, the Commission also acknowledges that measures other than bans can reduce consumption of lightweight plastic bags. Therefore EXPRA calls on policymakers to reject the idea of a blanket ban on lightweight plastic bags in Member States.

From this perspective, **voluntary agreements with retailers including realistic short-term reduction targets and long term ambitious goals are a sustainable solution** in order to reduce the use of lightweight plastic bags. Retailers should, and in most countries they now do charge the price for a bag plus the costs for the collection and recovery system so that consumers understand the value of such a bag.

In Luxembourg, the EXPRA member Valorlux launched a successful project to reduce the use of free plastic carrier bags. In cooperation with the Environment ministry and big retailers, they introduced a levy of 0.03€ on lightweight shopping bags and eco-bags, and PP woven reusable bags. After the introduction of the project, the consumption of one-way plastic bags went down considerably from 90 million to only 10 million payable plastic bags within a year.

EXPRA also believes that setting targets across the EU for average reduction of lightweight plastic bags is not suitable, as countries such as Belgium, Italy, Ireland and Luxembourg have already taken measures. Therefore, they will be penalised against countries who are yet to take measures, as a reduction of 80% for Member States such as Italy will be near impossible to achieve. The Commission must therefore properly examine the situation of every state.

Conclusion

Focusing on lightweight plastic bags is a very limited way to approach plastic litter, because they only constitute a tiny part of overall waste and littering in Europe. In order to reduce the environmental impacts of lightweight carrier bags a more holistic approach is needed.

Consumers need to be given a better understanding of the relative environmental impacts of their lifestyles in order to make effective choices. The introduction of a ban on plastic lightweight bags, does not constitute an adequate tool to reduce the environmental impact of lightweight plastic bags used by consumers.

Efforts to achieve environmental improvements should include voluntary agreements between government and industry. These prove to be more effective when they are combined with awareness raising and education campaigns.

About EXPRA

Founded in 2013, is the alliance for packaging and packaging waste recovery and recycling systems which are owned by obliged industry and work on a not-for-profit basis. EXPRA acts as the authoritative voice and common policy platform representing the interests of all its member packaging recovery and recycling organisations founded and run by or on behalf of obliged industry. For additional information, please visit www.expra.eu