

## **Friends of the Earth Scotland**

### **Response to the Draft Environmental Protection (Single-use Plastic Products and Oxo-degradable Plastic Products) (Scotland) Regulations 2021**

#### **1. Do you have any comments you would like to make regarding the scope of the provisions proposed in these draft regulations?**

Friends of the Earth Scotland fully supports the proposed market restrictions on the supply and manufacture of the proposed items in the draft regulations. Single-use disposable items are a symbol of the throwaway culture in our linear economy and in order to move towards a circular economy, it is vital that we eliminate the use and manufacture of single-use plastic products and move to reusables in line with the waste hierarchy.

However, we are concerned to see that single-use plastic bowls (for soup, on-the-go salad and large capacity single-use bowls for serving) have been removed from the single-use plastic plate category which the Scottish Government consulted on last year.

These regulations have been drawn up to deal with problematic plastic items and the more exemptions we make, the more watered down the effectiveness of the Directive becomes. We are not clear on why these products have been removed when there are alternatives available. And while we acknowledge the Scottish Government has stated it will address bowls alongside food containers under Article 4 of the SUP Directive, this section of the Directive is about reducing the consumption of the products, which is significantly weaker than banning the use and manufacture of single-use plastic bowls under these current regulations.

In regard to oxo-degradable plastics, we support the definition under the regulations but are concerned about how the Government plans to identify oxo-degradable plastics within the Scottish market. Often these products are difficult to recognise compared to one of the easily identifiable products like plastic straws. And in order for this to be effective, steps should also be taken to prevent any new oxo-degradable products from entering the Scottish market in the future.

#### **Question 2 Do you have any comments you would like to make regarding the scope of the exemptions to provisions proposed in these draft regulations?**

Friends of the Earth Scotland fully supports the exemption for the use of plastic straws used for medical use or to support independent living, but we do not believe any exemptions should be made for the use of plastic balloon sticks. All plastic balloon sticks, including the proposed exemption for sticks attached to or used to support balloons for industrial or other professional uses, are still made of fossil fuel derived plastic and cannot be recycled. This means the only way to dispose of them is either in landfill or incineration which adds to the waste problem. Exempt balloon sticks will also be used to prop up plastic balloons which themselves are a single-use product which should be banned. They are very damaging to the environment in particular to wildlife and birds that either get caught in them or ingest them thinking they are food.

However we do not support the exemption which will allow single-use plastic straws and single-use plastic balloon sticks to still be manufactured in Scotland. If we are to tackle the plastic crisis then it is vital we make as few exemptions as possible when eliminating environmentally-harming single-use products.

Instead we need to focus on manufacturing products in Scotland which can be reused and recycled. If Scotland is to be a leader in the circular economy then it must take a robust approach to transitioning plastic manufacturing in Scotland. Moving away from manufacturing single-use items and towards reusable products can provide Scotland with new economic opportunities that incentivise a move towards a more circular economy, ahead of the Circular Economy Bill being reintroduced.

We seek clarity on whether Scottish manufacturers still allowed to produce straws and balloon sticks under the exemption will be able to profit from the export of these products to be used out with the exemptions in other countries.. It would be completely incompatible with Scotland's approach to tackling plastic pollution if straws made here can be exported abroad to be used by anyone not just for medical reasons or independent living.

Overall, these environmentally-harming items know no boundaries and any disposable products manufactured in Scotland will end up polluting the beaches and waterways of any other country they are exported to.

**Question 3 Do you have any other comments on the draft regulations that you would like to make?**

Friends of the Earth Scotland believes it is imperative that in order to fully tackle the problem of plastic pollution, we have to address more products in the SUP Directive list. We would like clarity on the Scottish Government plans to take further action on problematic single-use plastic products including a timetable and scope of products to be looked at.

We note that other countries within Europe are already planning to go above and beyond the SUPD to tackle the plastic crisis, and we would urge the Scottish Government to adopt the best practice that other countries like France and Ireland have by setting ambitious targets to eliminate further unnecessary and problematic plastic items from our environment.

Under Ireland's Waste Action Plan for a Circular Economy , the Irish Government has committed to ban further single-use plastic items including but not limited to the following: plastic condiment sachets, non-medical plastic wet wipes and plastic hotel toiletries. France has also made very strong commitments under the Anti-Waste Law which will make France world leaders in tackling plastic pollution by committing to market restrictions on items including plastic confetti, plastic tea bags and plastic toys supplied with some menus.

While we believe the SUP Directive will help us to reduce our reliance on unnecessary single-use plastic items, Scotland cannot become a world leader in this area unless it sets further ambitious commitments to phase out other single-use plastic and move Scotland towards a circular economy.