

## **RESPONSE FROM THE ADVISORY COMMITTEE ON PACKAGING (ACP) TO THE SCOTTISH GOVERNMENT'S CALL FOR EVIDENCE:**

### **Single-use food containers and other single-use items: June 29<sup>th</sup> 2022**

To preserve and improve the environment we believe in the waste hierarchy of Reduce, Reuse, Recycle, Replace and that has to apply to all packaging materials. Thus single-use packaging material is not ideal. We also believe that Plastic as a material should work to this hierarchy. It is not easy to decompose in the environment if left there nor the easiest to recycle (the last UK data suggests 50% is being). On the other hand it has many significant uses that other materials might not provide. Some single-use items -- plastic cutlery, in settings like air planes, is not easy to replace; in some uses like take-away food it provides cheaper food to many people who do not have all the money in the world, or for some purposes, eg preserving food and vegetables, no reasonable alternative exists (see <https://www.wsj.com/articles/one-grocer-wanted-to-give-up-plastic-it-got-rotting-bananas-11655482334>) – have to be treated with care and respect and an overall calculation of costs and benefits to the economy or the environment made.

Thus, we support banning a material or packaging only if it causes harm to humans or if harm caused to the environment is substantially large without any practical mitigation possible. If any slight harm to the environment was the measure, no building on pristine land could be justified. If a material or packaging causes more harm than benefit then we support motivating consumers and industry to change and only if enough time and effort have been placed on those with required change not happening we would support a ban. Introducing a very small charge on plastic grocery bags had impact on consumers and industry that most could not have imagined. We recommend giving industry and others like local authorities the time to change practices or considering financial incentives or penalties for that purpose.

In the case of single-use plastic items we do not believe that their volume is large enough (no reliable market size studies exist) to merit state action (we attempt some estimates of market size in our advice to Defra on single-use plastic sachets that we would be happy to share). In particular, the reason that they cause litter is problematic. All reliable surveys of litter (the latest by Keep Britain Tidy is at <https://www.keepbritaintidy.org/sites/default/files/resources/20200330%20KBT%20Litter%20Composition%20Report%20-%20FINAL.pdf>) suggest cigarette butts, confectionery wrappers, soft drink cans and recyclable plastic bottles, and sandwich paper/plastic wrappers are the main items littered. Single-use plastic as typically defined is about 1% of that mix.

Lastly, we think initiatives are in motion which will reduce single-use items substantially. The Plastic Packaging Tax has already affected plastic prices upwards. Extended Producer Responsibility (EPR) agreed by all four administrations would enable targeted 'taxing' of problematic items and payment of litter collectors by industry. Thus, we recommend that the Scottish Government considers more intelligent ways than banning since that will be inconvenient and inflationary for ordinary people. Collecting information, encouraging industry and local authorities to have voluntary programmes and talking to consumers to change habits will all pay off.

Answers to your specific questions follow.

## **SINGLE-USE FOOD CONTAINERS – QUESTIONS**

### **1. Do you have any evidence of the environmental impact of single use (plastic or non- plastic) food containers?**

We are not aware of any scientific data or research which has been carried out, specifically for Scotland, analysing any environmental impact of single use food packaging.

Table 15 of The Keep Britain Tidy report states that by volume of all litter, Fast Food Inner represented 1.3%, with Snack Packs representing 0.7%.

Given the paucity of evidence we cannot support a ban on single use food containers.

The ACP would support Industry led initiatives to increase recycling rates plus better consumer education.

### **2. Do you have any evidence of the size and nature of the single-use (plastic and non-plastic) food containers market in Scotland?**

We are not aware of any market size studies which have been carried out specifically for Scotland only.

### **3. Do you have any evidence of effective actions taken in Scotland or other nations to reduce consumption of single-use (plastic or non-plastic) food containers?**

Localised EPR schemes are currently being introduced in a number of European countries, these schemes tend to be material specific, not product type specific. We are not aware of any analysis from the schemes which have already been implemented, which will be relevant.

The EPR policy will be introduced by governments across the UK starting in 2023 with data collection and full implementation from 2024. Given the imminent application of EPR, we do not believe that any additional bans on packaging materials should be introduced at this stage.

### **4. Do you have any evidence of barriers to implementing policy measures to reduce the consumption of single-use food containers.**

Consumers of these containers will be disadvantaged and inflation will result.

### **5. Do you have any evidence relating to the impact on businesses (positive or negative) that policy measures to reduce the consumption of single-use food containers could have.**

It is inevitable that any ban on the use of single use food containers would increase costs for the consumer and reduce consumer choice. Large supermarket supply chains are mostly UK-wide thus any ban in Scotland only would require retailers to establish additional supply/logistics chains which will increase costs, which would be passed on to the consumer in Scotland.

### **6. Do you have any evidence of the impact that policy measures to reduce the consumption of single-use food containers might have on people with protected characteristics or who experience socio-economic disadvantage.**

Ready meals for items such as salads and cold meats etc have to be delivered to care homes, hospitals, schools and for distribution to disadvantaged citizens in single use packaging for reasons of hygiene, portion control and distribution. Anecdotal evidence suggests poorer people and manual labourers buy ready meals and takeaways more often than others.

## **PART 2 – OTHER SINGLE-USE PLASTIC PRODUCTS**

### **7. Do you have any evidence of the environmental impact of the single use items set out in Part 2 of the call for evidence paper:**

#### **a) Single-use plastic bowls, trays and platters.**

Without a concise definition of the products that could be impacted, there is a danger of unintended consequences. If for example large serving bowls were in-scope for any ban it is inevitable suppliers would turn to alternative material types, which could result in a higher carbon footprint for the manufacture of any

alternatives. A more comprehensive description of the products that could be in-scope would be helpful to industry with stakeholders looking to develop take-back schemes and customer returns. The ACP supports this type of initiative. However, and once again, the introduction of EPR will facilitate increased collection and recycling rates.

**b) Single-use plastic period and incontinence products**

Any ban on these products would be completely inappropriate. Period poverty has been an issue for many years and to remove single use items that can have an impact on health, hygiene and general welfare is not advised at a time when the alternatives for use are far more costly at the outset. Incontinence pads are required for many reasons and should a ban be imposed on such items this could add significant burden on those that provide healthcare and a health risk to those most in need.

**c) Single-use plastic sachets**

Before any answers can be accurately delivered, clear definitions on sizes and product types must be made available by Government. Sachets are a very small % of the overall packaging market, however, their use in food applications prevents food waste and ensures portion control. EPR, together with the introduction of modulated fees, will encourage industry to take the most appropriate measures. We also believe that Industry led consumer return schemes would be more appropriate for this sector as opposed to an outright ban. (Our advice to Defra in 2021 on this can be shared with you.)

**d) Single-use tobacco filters**

Phase 2 of EPR specifically includes the cost of litter collection, thus Industry (tobacco manufacturers) will pick up the costs for litter of tobacco related products.

**e) Single-use plastic packaging on fruit and vegetables**

Many UK retailers have introduced Front of Store collection schemes for used flexible films and bags including films used to supply fruit and vegetables. For rigid plastic packaging used to supply soft and more delicate fruit, the majority of local authorities have procedures in place, either through kerbside segregation and/or in material reprocessing facilities, to ensure rigid plastic packaging is identified and recycled. The introduction of EPR, especially for plastic packaging collected via kerbside collections will increase collection and recycling rates.

A ban on plastic packaging introduced unilaterally in Scotland would significantly increase retailer costs because additional supply and logistic routes would have to be established for the same reasons as stated in answer Part 1 – Question 5. In addition, and equally important, is the question of food wastage between the grower, packer filler and retailer. Nearly all packaged fresh vegetables and fruit are packed ‘on-site’, i.e. in pack houses adjacent to the production fields or greenhouses. The reason for packing ‘on site’ is simple, without this food waste would increase dramatically.

Alternatively, if plastic packaging was banned, it is reasonable to assume consumer choice would be reduced. There will most definitely be an element of consolidation of ranges should this ban be imposed, particularly due to being able to identify products and product tiering without packaging but also due to the cost of different ranges for different nations being required and the complexity this would bring.

When looking at a likely increase in food waste, if a ban was introduced, then it should be noted that the WRAP plastic packaging study only referred to flexible films, not rigid plastic packaging and did not evaluate food wastage between the grower and the retail outlet.

The cost increases which would result from a ban on plastic packaging for fruit and vegetables would inevitably be passed on to the consumer in the way of higher food prices.

**8. Do you have any evidence of the size and nature of the market for the single-use items set out in Part 2 of the call for evidence paper.**

**a) Single-use plastic bowls, trays and platters.**

- b) Single-use plastic period and incontinence products.**
- c) Single-use plastic sachets.**
- d) Single-use tobacco filters.**
- e) Single-use plastic packaging on fruit and vegetables**

**Answer to all questions above:**

We are not aware of any relevant market size analysis specifically referenced in Scotland.

Extrapolation to the limited data that exists for some of the above on a UK level would not be relevant because of the regional differences in consumer purchasing habits.

Some of the market size estimates produced by the NGOs are not based on true scientific or industry led data. Any data used to justify future regulation should be scientifically researched, not anecdotal.

**9. Do you have any evidence on what alternatives to single-use items set out in Part 2 of the call for evidence paper are available and any negative impacts (environmental or other) that increased use of these alternatives could have:**

**a) Single-use plastic bowls, trays and platters**

As stated in our answer to Q7 (a) without having more detailed product descriptions including size and capacity, it is not possible to accurately answer this question. With product definitions established it would be possible to determine if any appropriate life cycle analyses (LCA) have been carried out. Without LCAs or any other scientific research, particularly with reference to carbon footprint, this question cannot be answered. With the recent Climate Summit held in Glasgow, we would assume accurately answering question 9 would be a pre-requisite for Scottish Government before any firm conclusions are reached.

**b) Single-use plastic period incontinence products**

**c) Single-use plastic sachets**

In many instances sachets provide essential barrier properties to maintain the integrity of the products for health, hygiene and longevity. We are not aware of any sustainable alternatives, though small-scale tests using paper and other materials have been done by Unilever with A Plastic Planet.

**d) Single-use plastic tobacco filters**

**e) Single-use plastic packaging on fruit and vegetables**

Alternatives are mostly available, however, without documented LCAs into the alternatives as in the case of 9 a) it would be unwise to proceed without knowing the carbon footprint of any alternatives. In some instances plastic packaging provides extended shelf life for fresh produce, once again an assessment via an LCA should be a pre-requisite before further decision making. Some products are ripened during transit and need packaging to support this, by removing some primary packaging increased secondary packaging is then required.

**10. Do you have any evidence of effective action taken to reduce the consumption of single-use items set out in Part 2 of the call for evidence**

**a) Single-use plastic bowls, trays and platters**

Increasing collection and re-use models are being developed by Industry and other stakeholders. The introduction of the Plastic Packaging Tax together with the introduction of EPR and modulated fees is driving developments in this area. We see this increasing in many areas and is seen as an area of growth.

**b) Single-use plastic incontinence products**

**c) Single use plastic sachets**

Two trade associations representing the interests of stakeholders in this sector – The Food Packaging Association and the Cosmetics, Perfumery and Toiletries Association – are developing customer returns/take back schemes with their membership including the retail sector.

**d) Single use plastic tobacco filters**

**e) Single-use plastic packaging on fruit and vegetables**

Most UK retailers are developing re-use and return models where by consumers return plastic packaging to a retail outlet for cleaning, prior to it (the packaging) being returned to the packer filler for re-use. This is a very active area and we could give you details of these schemes under confidential cover.

**11. Do you have any evidence related to barriers to implementing policy measures to reduce the consumption of the single-use items set out in Part 2 of the call for evidence**

Answer to all questions except d)

As far as we are aware there are no 'barriers' that would prevent Scotland implementing bans on the items listed. However, Scottish Government must be cognisant of the facts that by doing so this would inevitably lead to an increase in the cost of food, a reduction in consumer choice, higher waste levels and a probable overall higher carbon footprint.

**12. Do you have any evidence related to the impact on businesses (positive or negative) of policy measures to reduce the consumption of the single use items set out in Part 2 of the call for evidence paper.**

Answer to all questions except b) and d)

There will be increased costs for all stakeholders in the supply and retail chains. These increased costs will inevitably be passed on to the consumer in the form of higher food prices. As an example, all major Scottish retailers will need to re-merchandise the fresh produce sections in their supermarkets.

**13. Do you have any evidence of the impact that policy measures to reduce the consumption of the single-use items set out in Part 2 might have on people with protected characteristics or who experience socio-economic disadvantage of the call for evidence.**

Answer to all questions except d)

As previously stated, the overall impact of banning certain plastic packaging items will be an increase in the cost of food and pre-prepared cold meals – these increased costs will impact on all citizens, including those experiencing socio-economic disadvantage. However, anecdotal evidence suggests poorer people, those in restricted settings such as health or nursing care, and manual labourers consume these items more often than others.