

## STAKEHOLDER CONSULTATION

on options to reduce the use of plastic carrier bags and options to improve the requirements of biodegradability in the Directive 94/62/EC on packaging and packaging waste and the visibility of biodegradable packaging products to consumers

### Background

Plastic carrier bags are classified as packaging in light of the criteria for definition of packaging of Directive 94/62/EC on packaging and packaging waste (Official Journal L 365, 31.12.1994 p.10-23). Packaging is by far the largest contributor to plastic waste (63%). The available data shows that the total volume of production of plastic carrier bags was 3.4 Mt in EU-27 in 2008. Assuming a range in weight of 8-60 g per bag, this translates into an average of 60-450 billion plastic bags and sacks consumed yearly in EU-27. Assuming an EU-27 population size of around 500 million individuals, this amounts to an annual consumption of 113 to 850 bags per person.

Although most plastic carrier bags are theoretically recyclable, their collection, sorting and recycling poses certain challenges, which results in a significant amount being recovered or landfilled. More worryingly, plastic carrier bags are packaging products with a short lifespan that due to their low weight and small size, can easily escape the waste management flows and be conveyed to the sea by rain, drains and rivers. Once in the environment, plastic bags can last for hundreds of years. Because they last so long, every year, the number of plastic bags in the litter stream increases. For example, it has been estimated that there are around 250 billion floating plastic particles and 500 tonnes of plastic in the Mediterranean Sea. Plastic carrier bags in the marine environment can cause suffocating of sea creatures, which ingest them accidentally. In addition, by breaking into tiny particles, plastics have a high potential of contaminating soil and waterways with plastic additives such as persistent organic pollutants (POPs) and possibly enter the food chain when animals accidentally ingest them. Furthermore, the uncontrolled disposal of plastic carrier bags incurs a loss of

the embedded energy used in their production and an inefficient use of resources.

Some Member States have implemented various actions to phase out the use of disposable plastic bags through taxation (e.g. BE, IE, DK) or agreements with the retail sector (e.g. UK). In Ireland the plastic bag levy was introduced in 2002 and it had an immediate effect on consumer behaviour with a decrease in plastic bag usage from an estimated 328 bags per capita to 21 bags per capita overnight ([http://www.environ.ie/en/Environment/Waste/PlasticBags/#Monitoring of Plastic Bag Litter](http://www.environ.ie/en/Environment/Waste/PlasticBags/#Monitoring%20of%20Plastic%20Bag%20Litter)). Other Member States have adopted a more drastic approach by banning the use of certain types of plastic carrier bags, as it is the case in Italy.

With respect to the biodegradability of packaging products, Annex II of the Packaging Directive provides for essential requirements, including a specific requirement on biodegradability, that packaging products must fulfil in order to be placed on the EU market. According to the Packaging Directive, biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water. The technical criteria to fulfil the requirement on biodegradability are set in harmonised standard EN 13432 Requirements for packaging recoverable through composting and *biodegradation - Test scheme and evaluation criteria for the final acceptance of packaging*. The use of this standard is voluntary but it gives a presumption of conformity with the essential requirements provided by the Packaging Directive.

The current legislative provisions do not allow for a clear distinction between biodegradability and compostability. In the current practice, a packaging product is acknowledged to be biodegradable if it biodegrades in composting industrial facilities in controlled conditions. However, a product that is compostable in an industrial facility will not necessarily biodegrade in natural conditions in the environment. Advertising a packaging product as biodegradable when in fact it will not biodegrade in natural conditions can be misleading for the consumer and can contribute to the

proliferation of littering of products that will persist in the environment. Clear legislative provisions are necessary to make a distinction between compostable products (either industrial composting or home composting) and biodegradable products that should biodegrade in natural conditions in the environment.

The Commission has also been signalled claims of biodegradability and conformity with the requirements of the Packaging Directive for degradable materials that do not fulfil the requirements of Annex II of the Packaging Directive and/or the harmonised standard on biodegradability and composting or in cases where no solid supportive proofs of biodegradability could be brought. There seems to be a wide potential variation in degradability of common packaging materials used for household products, especially in the case of plastic packaging. These aspects need to be further specified to avoid misleading the consumer and reinforce the protection of the environment.

Presently there are no labelling or marking requirements at EU level to provide information on the compostable and/or biodegradable nature of products and the materials they are made of. As a consequence, consumers are not able to make an informed choice. Nevertheless, some labelling schemes have been implemented in certain Member States, for example in Belgium.

## Way forward

The European Commission would like to invite stakeholders to share their views on the environmental, social and economic impacts that might result from measures aiming to reduce use of plastic carrier bags as well as measures to improve the requirements of biodegradability in the Directive 94/62/EC on packaging and packaging waste and the visibility of biodegradable packaging products to consumers.

Stakeholders are invited to reply to the following questions. All answers will be published on the European Commission web site, unless stakeholders clearly mark their submission as confidential.

We thank you for your kind cooperation!

## 1 THE RESPONDENT

1.1 Do you reply as: \* (compulsory)  
(at most 1 answer)

- a citizen
- a public authority
- an industry association
- a NGO
- a university
- other

## 2 REDUCTION OF PLASTIC CARRIER BAGS

2.1 Is it necessary, in your opinion, to adopt measures at EU level to reduce the use of carrier plastic bags? \* (compulsory)  
(at most 1 answer)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

No opinion

2.2 Please, provide insofar as possible quantitative data, particularly concerning social, economic and environmental impacts, in support of your answer (maximum 300 words). [\(optional\)](#)  
[\(maximum 2000 characters\)](#)

## 2.1 Waste Prevention Targets

2.1.1 Do you agree that the establishment of waste prevention targets for plastic carrier bags provide for a significant reduction of plastic carrier bags? \* [\(compulsory\)](#)  
[\(at most 1 answer\)](#)

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- No opinion

2.1.2 At which level should the waste prevention targets for plastic carrier bags be established? \* [\(compulsory\)](#)  
[\(at most 1 answer\)](#)

- EU level
- National level
- No opinion

2.1.3 In your view, how should such targets be defined? (optional)  
(maximum 2000 characters)

## 2.2 Ban of plastic carrier bags

2.2.1 Do you agree that an EU ban on plastic carrier bags is needed? \* (compulsory)  
(at most 1 answer)

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- No opinion

2.2.2 Please, provide insofar as possible quantitative data, particularly concerning social, economic

and environmental impacts, in support of your answer as well as the need to define specific exceptions (maximum 300 words). (optional)  
(maximum 2000 characters)

## 2.3 Pricing measures

2.3.1 In your view, can pricing measures effectively reduce the use of plastic carrier bags? \* (compulsory)  
(at most 1 answer)

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- No opinion

2.3.2 In your view, at which level should pricing measures on the use of plastic carrier bags be best defined? \* (compulsory)  
(at most 1 answer)

- EU level
- National level

No opinion

2.3.3 What are in your opinion the optimal conditions for such measures to achieve the objective of waste reduction? (optional)

(maximum 2000 characters)

## 2.4 Exemptions

2.4.1 Measures to reduce the use of plastic carrier bags should make a distinction

between: \* (compulsory)

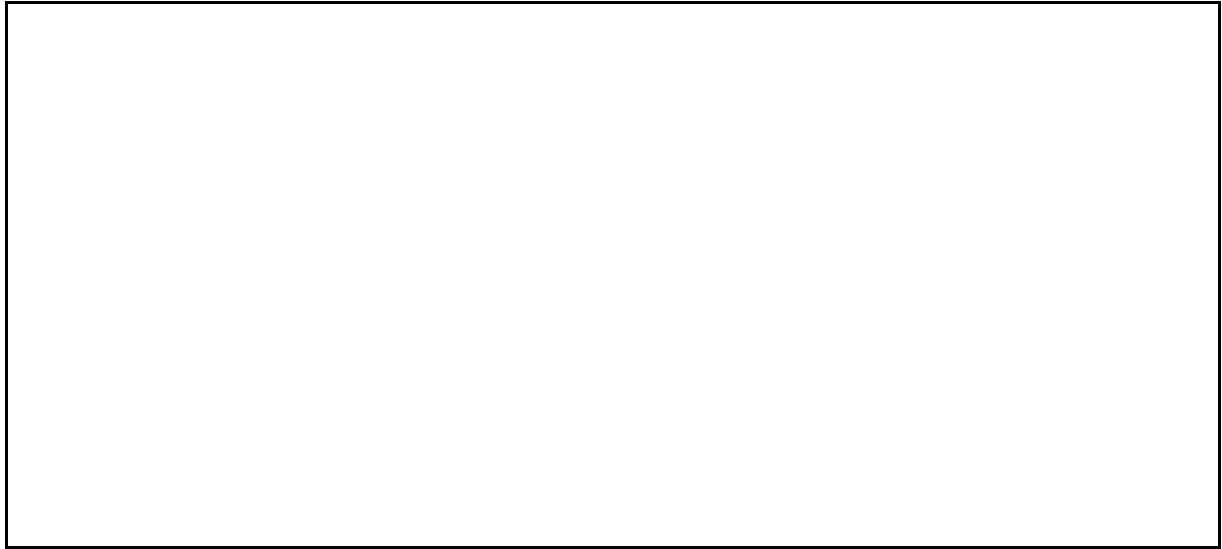
(between 1 and 2 answers)

- Biodegradable/non-biodegradable plastic carrier bags
- Single use/re-usable plastic carrier bags
- No distinction is necessary
- No opinion

2.4.2 Please, provide insofar as possible quantitative data, particularly concerning social, economic and environmental impacts, in support of your answer (maximum 300 words). (optional)

(maximum 2000 characters)

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### 3 BIODEGRADABILITY AND COMPOSTABILITY REQUIREMENTS PACKAGING DIRECTIVE

3.1 In your view, are the current requirements on compostability and biodegradability in the Packaging Directive appropriate? \* (compulsory)  
(at most 1 answer)

- Appropriate
- Partially appropriate
- Inappropriate
- No opinion

3.2 Do you believe it should be clearly established that only those materials that biodegrade in natural conditions (i.e. on soil, in freshwater and/or in the sea) are to be called biodegradable? \* (compulsory)  
(at most 1 answer)

- Strongly agree
- Agree
- Disagree
- Strongly disagree

No opinion

3.3 Please, provide insofar as possible quantitative data, particularly concerning social, economic and environmental impacts in support of your answer (maximum 300 words). (optional)  
(maximum 2000 characters)

3.4 In what other way could these requirements be improved? (optional)  
(maximum 2000 characters)

3.5 Do you agree that a mandatory EU labelling or marking system should be introduced to increase the visibility of biodegradable packaging products to consumers? \* (compulsory)  
(at most 1 answer)

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- No opinion

3.6 What should a mandatory EU labelling or marking system indicate? [\(optional\)](#)  
[\(at most 1 answer\)](#)

- Biodegradable packaging products
- Non-biodegradable packaging products
- No opinion

## 4 ADDITIONAL COMMENTS

4.1 Additional Comments [\(optional\)](#)  
[\(maximum 2000 characters\)](#)