

Legal Limits on Single-Use Plastics and Microplastics: A Global Review of National Laws and Regulations

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EXECUTIVE SUMMARY

This report provides a global overview on the progress of countries in passing laws and regulations that limit the manufacture, import, sale, use and disposal of selected single-use plastics and microplastics which have a great impact in the production of marine litter

It is based on a review of national legally-binding instruments that include bans and restrictions, taxes and levies, and waste management measures to enhance disposal, encourage reuse and recycling, and promote alternatives to plastic products. The report includes three sections: 1) plastic bags, 2) other single-use plastics, and 3) microbeads. It seeks to provide a more thorough understanding of the scope and types of regulatory approaches policymakers are employing to address plastic pollution. It does not, however, assess the effectiveness of the implementation or enforcement of these measures. It also does not comprehensively assess action at the subnational level, though it does provide a few highlights of measures that states and cities are taking. The report should enable future research by enhancing the understanding of existing legal requirements to prevent plastic pollution at the country level.

This research provides insights on:

- The extent to which bans are applied to the manufacturing, use, distribution, import, or export of single-use plastic products, in addition to whether

they apply to certain products, materials or production processes, or use in specific industries (such as food service);

- The type of incentives and disincentives that have been enacted—such as taxes and fees—and whether they have been applied at the production, consumption, or disposal stage;
- Requirements such as extended producer responsibility to promote a circular economy approach to plastic waste;
- The extent to which national waste management and recycling laws are applied to plastic waste; and
- For microplastics only, an overview of voluntary measures used to limit use.

Key Findings

As of July 2018, one hundred and twenty-seven (127) out of 192¹ countries reviewed (about 66%) have adopted some form of legislation to regulate plastic bags. The first regulatory measures specifically targeting plastic bags were enacted in the early 2000s, gradually increasing throughout

the decade, with many countries enacting restrictions in the past few years. Plastic bags regulations include restrictions on the manufacture, distribution, use, and trade of plastic bags, taxation and levies, and post-use disposal. The regulations vary considerably in their comprehensiveness, but the most common form is the restriction on free retail distribution.

Twenty-seven (27) countries have enacted legislation banning either specific products (e.g. plates, cups, straws, packaging), materials (e.g. polystyrene) or production levels.

Twenty-seven (27) countries have instituted taxes on the manufacture and production of plastic bags while thirty (30) charge consumers fees for plastic bags at the national level.

Forty-three (43) countries have included elements or characteristics of extended producer responsibility for plastic bags within legislation.

Sixty-three (63) countries have mandates for extended producer responsibility for single-use plastics, including deposit-refunds, product take-back, and recycling targets.

As of July 2018, eight out of 192 countries worldwide (4%) have established bans of microbeads through national laws or regulations. These countries are Canada, France, Italy, Republic of Korea, New Zealand, Sweden, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. An additional four countries - Belgium, Brazil, India, and Ireland - have proposed new laws or regulations

banning microbeads at the national level. The European Union has also started a process to restrict the intentional addition of microplastics to consumer and professional use products.

Seven out of eight of the countries with laws or regulations controlling the use and/or manufacture of microbeads include only a subset of personal care products documented to contain microbeads. New Zealand's microbead law however not only includes personal

care wash-off products, it also regulates abrasive household, car and industrial cleaning products.

The information presented in this report documents that countries are using a wide range of methods to regulate single-use plastic bags, plastic single use items, and microplastics containing products at the national level.

These approaches vary by region, countries, and type of plastic product, and include bans, market

and trade-based mechanisms, and voluntary measures. As awareness and concern over marine plastic litter and microplastics continues, controlling the manufacture, use, and disposal of plastic products will help in particular contribute to Sustainable Development Goal 14.1.² Learning from the experiences of countries that have taken important steps, like bans, restrictions, taxes and levies, will help further momentum to reduce marine litter and protect the world's precious water resources.

GLOSSARY OF TERMS

PLASTIC BAGS

Plastic Carrier Bag - carrier bags, with or without handle, made of plastic, which are supplied to consumers at the point of sale of goods or products.

Lightweight plastic carrier bags - plastic bags with a wall thickness below 50 microns.

Very lightweight plastic carrier bags - plastic bags with a wall thickness below 15 microns which are required for hygiene purposes or provided as primary packaging for loose food when this helps to prevent food wastage.

Reusable packaging - packaging, including plastic bags, that are conceived and designed to accomplish within its life cycle a minimum number of uses for the same purpose for which it was conceived.

Recyclable packaging - packaging, including plastic bags, that can be reprocessed in a production process of the waste materials for the original purpose or for other purposes including organic recycling but excluding energy recovery.

Biodegradable - packaging in which the 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.

Compostable - packaging waste that can be recycled through a process of organic recovery comprised of composting and anaerobic digestion.

Extended Producer Responsibility - an environmental policy approach in which a producer's responsibility for a product is extended to the post-consumer stage of a product's life cycle. It has two related features: (1) the shifting of responsibility, physically and/or economically (fully or partially), upstream toward the producer and away from municipalities for the treatment or disposal of post-consumer products; and (2) providing incentives to producers

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