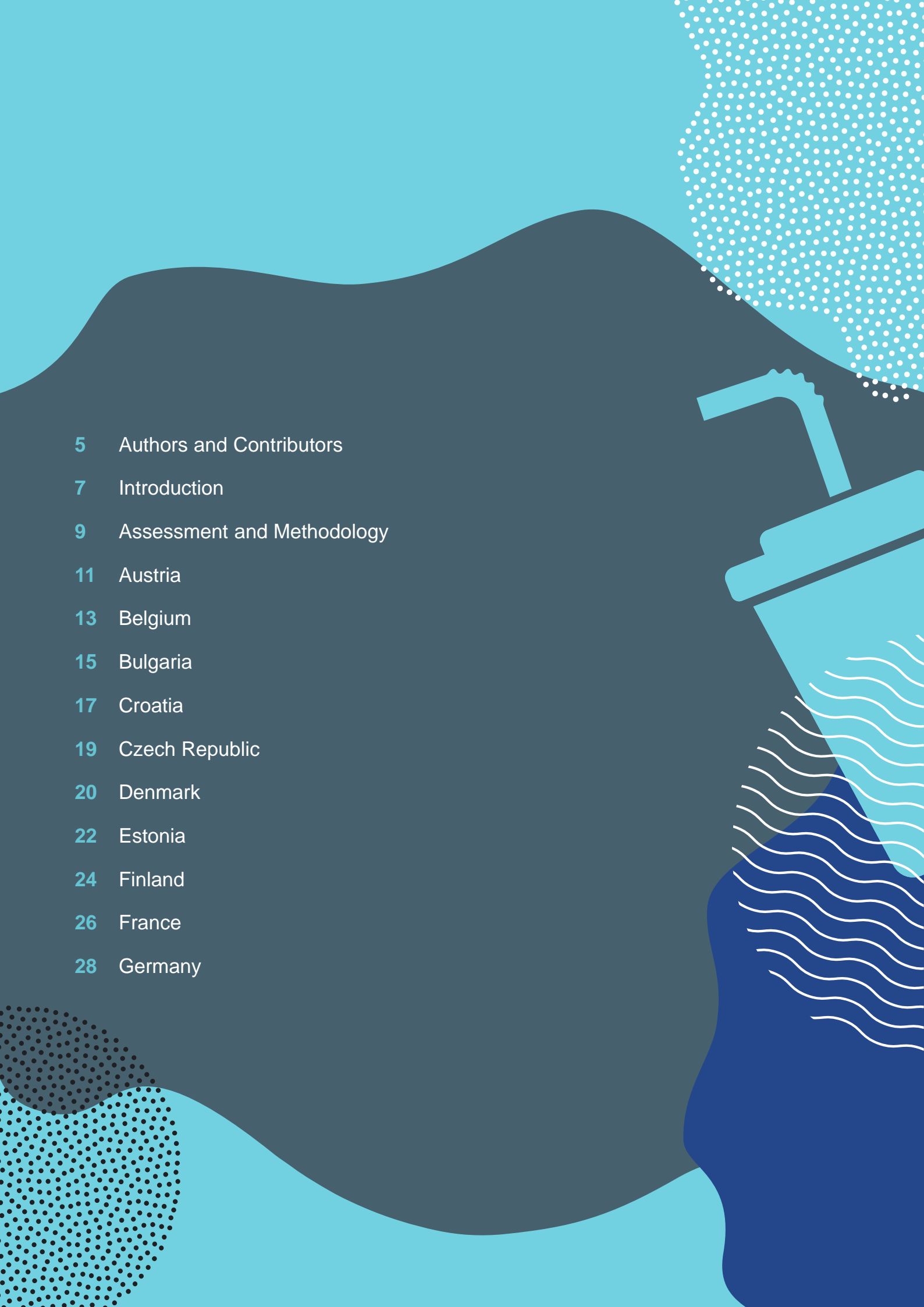


MOVING ON FROM SINGLE-USE PLASTICS: how is Europe doing?

Assessment of European countries' transposition of
the Single Use Plastics Directive

July 2021





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INTRODUCTION

Plastic heavily impacts our environment, our climate and our health all along its value chain, from the extraction of plastic feedstock to the design, distribution and use of plastic products and the end of life of these products.

Plastic pollution affects even the most remote areas on the planet, with between five and 13 million tonnes of plastic estimated to end up in the ocean every year. With global production of plastics already having increased more than 20 times in the past 50 years and estimated to double again by 2035 and quadruple by 2050, the issue is ever more pressing. Single-use plastics – those designed to be used only once, often for a very short period and make up a significant proportion of these plastics. They represent half of plastic marine pollution. And yet, reusable alternatives exist which provide sustainable solutions.

The European Union (EU) Directive on the reduction of the impact of certain plastic products on the environment, commonly referred to as the Single-Use Plastics (SUP) Directive, aims to reduce pollution from the single-use plastic items most commonly found in the environment. It entered into force on 3 July 2019, and Member States had until 3 July 2021 to transpose the Directive into national law, and adopt the relevant measures for successful implementation of the Directive.

The EU Single-Use Plastics (SUP Directive)

The SUP Directive provides for a progressive phase out of single-use plastics, to be replaced by reusable products and systems. It also addresses single-use plastic items through a range of complementary policy measures. This includes:

EU-wide bans for 15 items (e.g. plates, cutlery, straws, cups made of expanded polystyrene, food and beverage containers made of expanded polystyrene) from 3 July 2021,

consumption reduction for food containers and beverage cups, by 2026 compared to 2022,

fee-modulated **Extended Producer Responsibility (EPR)** schemes for a number of items (packets and wrappers, wipes, tobacco products, etc.), including the costs of clean-up

specific **design requirements** for beverage containers and bottles, including recycled content integration and attachment of the cap to the container,

separate collection of bottles - 77% of bottles put on the market by 2025 and 90% by 2030,

labelling requirements, including on the presence of plastic and impact on the environment, for beverage cups, menstrual items, wet wipes and tobacco products.

awareness raising measures, on the impacts of single-use plastic on the environment and the promotion of reusable alternatives.

The SUP Directive applies to single-use items listed in the Annexes of the Directive, including to single-use plastic items that are bio-based and/or that are biodegradable or compostable, as well as those made of different materials (multi-layered or composite materials), such as plastic-coated paper or plastic-lined cartons.



87%

of citizens in the EU are worried about the impact of plastic production on the environment

OVERALL ASSESSMENT AND METHODOLOGY

Members of the Rethink Plastic alliance and of the Break Free From Plastic movement have assessed the progress made across Europe as the transposition period comes to an end. They looked at what measures countries have adopted to transpose the main requirements under the SUP Directive (as described above) and at the level of ambition (low, medium, high) of the measures adopted.

This assessment covers 28 countries, all EU Member States and Norway. For each country, the assessment highlights:

- the positive developments
- the main issues
- the missing measures
- the process (undertaken or ongoing)

This assessment covers almost all EU countries, as well as Norway which is also implementing the SUP Directive as a member of the European Economic Area.

This assessment shows that only a few countries have fully explored the potential offered by the Single Use Plastics Directive to phase out single-use plastics and effectively prevent plastic pollution. A majority of countries have adopted the bare minimum requirements to comply with the Directive or are missing some of the measures (e.g. related to EPR) to be adopted. In many countries, the transposition process is still in progress or has barely started.

Yet, some countries have clearly set a path to transition away from single-use plastics, and promote reusable products and solutions and have adopted or are in the process of adopting quantitative reduction for single-use plastics, further restrictions on single-use plastics (e.g. during events or in HoReCa sector) and/or reuse targets.

Ireland achieved a

90%

decrease when it applied a plastic bag levy in 2002

OVERALL ASSESSMENT AND METHODOLOGY

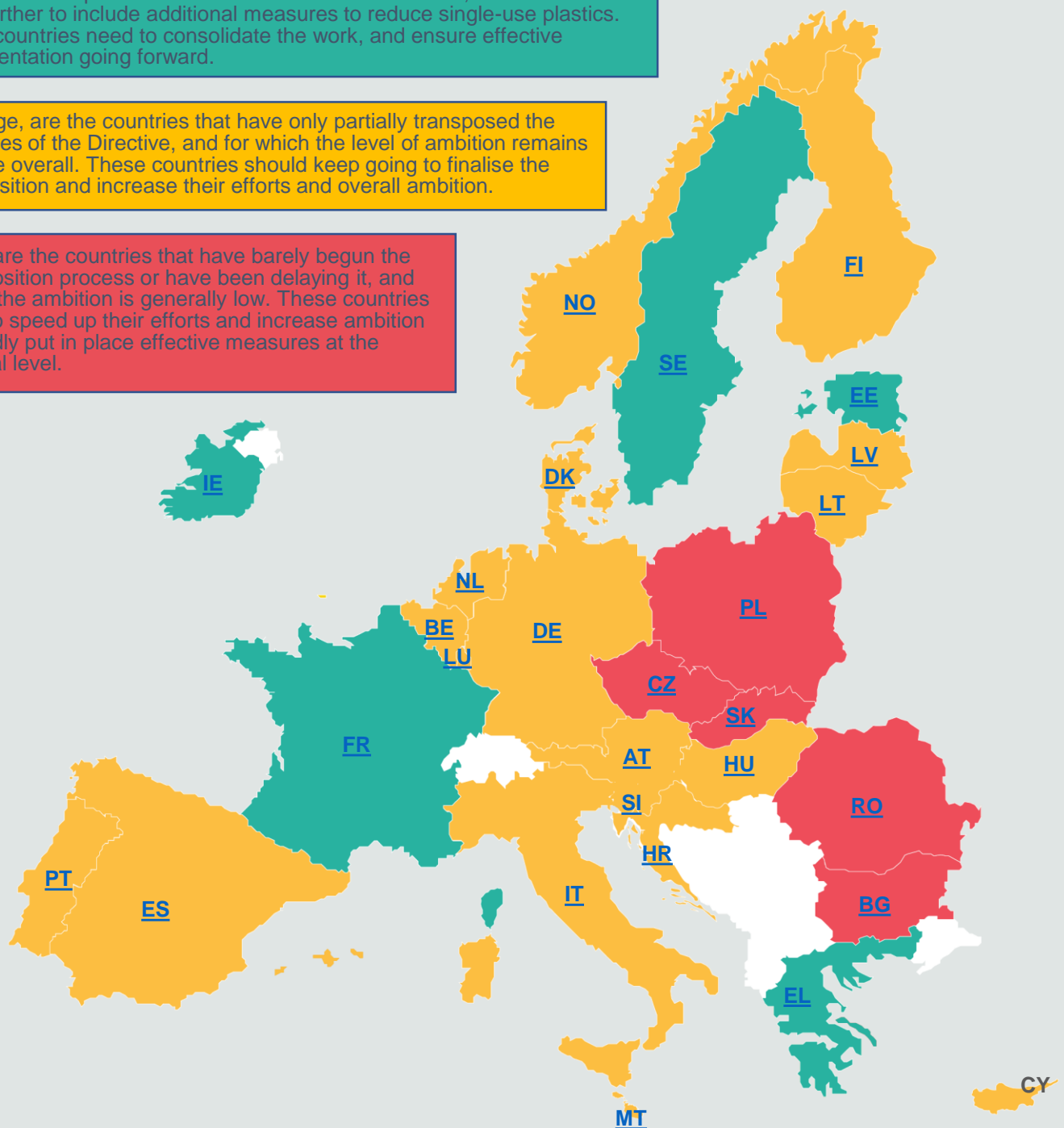


Taking into account the information gathered, a colour is attributed to each country :

In green, are the countries that have already adopted the measures required to transpose the SUP Directive into national law, and have even gone further to include additional measures to reduce single-use plastics. These countries need to consolidate the work, and ensure effective implementation going forward.

In orange, are the countries that have only partially transposed the measures of the Directive, and for which the level of ambition remains average overall. These countries should keep going to finalise the transposition and increase their efforts and overall ambition.

In red are the countries that have barely begun the transposition process or have been delaying it, and where the ambition is generally low. These countries need to speed up their efforts and increase ambition to rapidly put in place effective measures at the national level.



AUSTRIA

Positive Developments

Austria set minimum targets for waste prevention measures and refillable quotas for beverage containers. It is mandatory for every final distributor who sells beverages in the retail food sector to offer refillable bottles by 2024, as follows:

- (i) at least 60% for beer and mixed beer beverages,
- (ii) at least 20% for mineral water, table water, soda and,
- (iii) at least 10% for fruit juice, vegetable juice, nectar, non-alcoholic soft drinks (e.g. lemonades, flavoured waters, energy drinks, iced tea) and milk.

Austria stuck to the Directive requirements for bans and marking requirements

Main Issues

Although the binding targets from the SUP Directive for separate collection of bottles are introduced in national law, there is no set path for how 77% by 2025 and 90% by 2029 of plastic bottles are to be collected separately. The wording with a detailed ordinance authorisation for a deposit return system (DRS) was deleted in the last draft of the Waste Management Act Amendment. Instead, the Minister of Environment announced that deposit system pilot projects would be installed in 2021 to provide the basis for implementation. However, implementing pilot projects is merely costly and creates unjustified delays as the effectiveness and success of DRS has already been demonstrated in the EU with modern deposit systems managing collection rates of around 95%. With the 2-way PET bottles from Vöslauer, Austria also already has an optimal national example that a deposit system works and that people are willing to return the bottles. Although this bottle is the only returnable plastic bottle in Austria - and thus represents a stand-alone island solution - 98% of the bottles are returned. A clear sign of success.

AUSTRIA

Missing Measures

Measures to implement EPR schemes in line with Directive is still partly missing in the draft of the Waste Management Act Amendment: the draft includes wording on costs for clean-ups and for collection via public containers only applies to wet wipes, balloons, tobacco products and fishing gear, but not for other products including beverage containers or cups.

National Process

The SUP Directive will be anchored in the amendment of the Waste Management Act 2002 on the one hand and in the amendment to the Packaging Ordinance 2014 on the other. The proposal for an amendment to the Packaging Ordinance was published mid-June. However, the amendment to the Waste Management Act is not as ambitious as originally expected, notably as a result of important headwind from the Chamber of Commerce.

BELGIUM

Positive Developments

On bans, if adopted, the draft federal law would introduce restrictions on all single-use plastic beverage cups and food containers and single-use plastic bags (except very lightweight bags) as from October 2022 and not only those made of expanded polystyrene. On the other items, which stick to the list in the SUP Directive, the bans will apply when the law enters into force after its publication in the official journal which should be during July 2021.

At regional level, some regions have introduced measures to restrict single use plastics prior to the adoption of the federal law.

In Flanders, drinks may not be served in single use packaging at public events or government buildings since 2020 (unless event organizers can guarantee that 90% is separately collected for recycling). From 2022, it will also not be allowed to serve food in single use plastics in government buildings.

In Wallonia, the restrictions on the single use plastic items listed in the Directive - except cotton swabs- have started at the beginning of 2021, 6 months before the deadline set in EU law. In 2020, Wallonia has also prohibited the distribution of plastic advertising material on vehicles that are stopped or parked on any road open to the public, whether the road is public or private and the use and release of confettis, streamers and other festive projectiles, when they are made of plastic or meta, as well as the distribution in plastic film of ads and all other free non-advertising publications. For publications distributed in plastic film before the entry into force of this legislation in Wallonia in May 2020, the use of plastic film is to be progressively reduced so as to achieve the following targets: by December 2020, a reduction of at least 30% of the quantity of plastic films used in 2017, by December 2021, of at least 50%, before a total ban by the end of 2022.

In the Brussels-capital region, the city of Brussels and some other cities had also adopted measures at city level. From 1 July 2019, the distribution and use of single-use plastics (for example and not exhaustively: straws, food containers and their packaging, cutlery, beverage stirrers, beverage cups, etc.) have been prohibited in Brussels during events in the public space.

On separate collection, the federal legislative proposal also includes a requirement for the labels on bottles, to make sure that they can be removed easily to facilitate refill through DRS.

On product requirements as far as the recycled content target is concerned as well as on the marking requirements, Belgium strictly sticks to the Directive.

BELGIUM

Main Issues

On bans, at regional level, flexibilities were said to be in place due to Covid.

On separate collection, no additional measure is foreseen and no deposit refund scheme is in place in the country for reuse. Yet, with the current systems of collection of bottles mixed with other plastic packaging through the blue bag system, it is not likely that the target for separate collection will be achieved

Missing Measures

EPR schemes have not been regulated in federal law, but at regional level due to this topic being a regional competency.

EPR measures are partly transposed in Flemish legislation but the Flemish law does not clear list the products concerned so far and rather mentions EPR schemes and costs (sticking to the Directive definition) will concern "all products that are present as litter in a significant way", yet not targeting plastic more than other materials. Flanders is considering introducing the obligation for all producers that significantly (5%) contribute to litter to pay for the clean-up costs.

An interregional agreement is under preparation and should be ready by 2023.

In the Brussels-capital region, civil society is pressing at the moment for a DRS on plastic bottles (and cans) to be implemented.

No awareness-raising campaigns are mentioned in the draft law, and Belgian authorities seem to consider this has already been dealt with at regional level.

BELGIUM

National Process

Assessment of the transposition of the SUP Directive in Belgium is complex because the implementation is divided between the federal and regional level, and the various subtopics are also distributed among several administrations. At the federal level, the transposition of the SUP Directive was addressed together with the introduction of new measures on plastic bags transposing the plastic carrier bags Directive. At regional level, a series of Directives - including the SUP Directive - are being transposed at the same time. Some measures were also transposed in different texts depending on the regions. Overall, the implementation follows the minimum requirements set by the SUP Directive but for some measures, in relation with beverage and food containers, there is great ambition at both federal and regional level. The situation on EPR schemes is more complex as an interregional agreement has to be agreed upon and will require additional time. For some measures, Belgium considered no extra measures were needed as it was already meeting the targets. Overall, at the different levels of governance, stakeholders were consulted.

BULGARIA

Positive Developments

No text has been proposed or adopted.

Main Issues

To the movement's best knowledge, a Decree for the prohibition of single-use plastics shall be issued by the Ministry of Environment and Water in direct relation to the SUP Directive, but it has not been drafted yet. The draft of the National Waste Management Plan 2021-2028 has been finalised in March 2021 and refers explicitly to the SUP Directive: it mentions that a study about single-use plastics shall be done in 2021 and refers explicitly to the separate collection measures for plastic bottles up to 3 liters set in the SUP Directive. It recommends as well that companies producing plastic packaging adapt their businesses. EPR is mentioned as one of the core principles set in the national waste management plan of Bulgaria, which was submitted to public consultation in Spring 2021. In an open letter in July 2020, green NGOs had publicly called on Bulgarian authorities for action. But as of early June 2021, a draft text had not yet been tabled. Bulgarian authorities are said to have been wanting to see the final version of the guidelines on single use plastic products adopted by the Commission before tabling any legislation at national level.

Missing Measures

All.

BULGARIA

National Process

Bulgaria had parliamentary elections in April 2021. No government was built in the weeks following the elections and in mid-May the President appointed an interim Government. The next elections are to be held on the 11th of July 2021. This internal situation might have delayed the transposition process of the SUP Directive. Civil society had yet called for action through a petition launched in October 2020, a letter sent to authorities beginning of 2021 and actions in front of the Ministry in Spring 2021. At the same time, businesses are pushing for an extension of the deadline for the restriction of single use plastics in order to sell their stocks. The Ministry of Environment and Water is responsible for the process of the transposition of the SUP Directive and would be working on legislation changes for some not so ambitious measures. The formal public consultations with stakeholders have not yet started.

CROATIA

Positive Developments

Croatia shows high ambition on the separate collection of beverage packaging, with a national DRS in place since 2004. The national scheme covers all the beverage containers (above 250 ml) regardless of material (glass, aluminium, plastic). Dairy products such as yogurt and milk were removed from the scheme but the government announced that they will be covered by the DRS again from the end of 2021 or early 2022.

With regards to the bans and the design requirements (recycled content, tethered caps), Croatia stuck to the requirement of the Directive bans.

Main Issues

Challenging discussions are expected ahead around the setting up of EPR schemes, due to strong resistance from part of the industry that has been opposing measures as they were announced.

Missing Measures

Croatia has not transposed the marking requirements, under strong industry pressure. Measures to ensure consumption reduction of single-use plastic cups and food containers, as well as to set the EPR schemes also remain to be adopted.

National Process

The Directive is not actively promoted by the government which seems to consider its implementation as a compliance issue with EU law. NGOs are consulted in principle but no proper stakeholder consultation has taken place so far.

CZECH REPUBLIC

Positive Developments

None as no text has been adopted so far.

Main Issues

In June 2021, no draft law had been adopted, neither properly discussed yet.

Missing Measures

All.

National Process

The SUP Directive implementation in the Czech Republic is in the Parliamentary process but there has not been any progress towards adoption of the law.

It seems the national transposition process may not be finalised before elections planned for the autumn, which may lead to further delays.

DENMARK

Positive Developments

A consistent level of ambition is shown with the implementation of both design and marking requirements of the directive. No specific additional ambition appears on bans, which are also consistent with Directive bans. The same level of ambition is expected for EPR which will not be set up before 2024 (except for EPR on cigarette butts, which shall enter into force in 2023).

Main Issues

No particular political will is shown by the government to design a national awareness strategy in spite of a promising national campaign on cigarette butts last summer, nor to anticipate the directive's deadline to set up EPR schemes.

The government is aiming at a strict implementation of the EU framework without going any further, and therefore they aren't planning to include viscose and cellophane in the definition of plastic, even though the Danish Environmental Agency agrees that it should be part of the definition.

Missing Measures

Denmark shows average ambition on consumption reduction and so far only one national target has been announced. The government has set a quantitative consumption reduction target aiming to reduce 50% of certain takeaway plastic packaging by 2026, which will be achieved through a sectoral cooperation.

The government is awaiting the European Commission's additional guidance on consumption reduction to foresee potential additional targets.

DENMARK

National Process

The Danish government has announced that they are aiming at a political agreement on the Danish SUP implementation by the end of 2021, but the legal framework will not enter into force until 2024. Measures were nevertheless adopted to ensure enforcement, proper monitoring and quality reporting.

In spite of the high ambition shown during the EU legislative process, Denmark's socio-democratic government is clearly going for medium ambition and a minimum implementation of the Directive. And, although civil society is consistently consulted in the national legislative debate, more political will is needed to achieve fully ambitious implementation.

ESTONIA

Positive Developments

In Estonia there are quite some positive developments regarding the consumption and reduction measures for food containers and beverage cups in the draft proposal:

- single-use beverage cups and food containers may not be provided free of charge to consumers at the point of sale. The price for single-use packaging should not be less than 0.50 euros and establishments should inform under which conditions reusable containers are accepted.
- by the end of 2023, the establishment must offer the consumer the opportunity to purchase food and beverage in reusable packaging;
- by the end of 2025 the establishment must fully switch to reusable packaging.
- by 1 January 2023, a local government body is required to ensure that reusable containers and cutlery are used at public events taking place in its administrative territory.

These requirements apply to all single-use items, not just plastic ones.

On a separate collection, the existing Estonian DRS system for beer, cider and soft drinks which already existed for 15 years was extended to single-use and refillable packaging for spirits and soft drinks (wine, champagne etc.) and syrup. DRS collection points must be indicated to the consumers in a visible place at the point of sale.

On the design requirements (recycled content, tethered caps) Estonia sticks to the SUP Directive provisions.

Main Issues

On EPR, the Estonian draft follows the timeframe set under the SUP Directive, however the identification and allocation of costs related to EPR is not clear yet. According to the Ministry a working group of interested parties will be convened to determine the costs.

ESTONIA

Missing Measures

Nothing missing has been identified as most of the SUP Directive provisions are to be implemented.

National Process

The environmental organisations were invited to express their opinions on the prepared legislation.

SPOTLIGHT ON: Move towards reusable packaging for food and beverages



Belgium (region of Flanders):

- Drinks may not be served in single-use packaging at public events or government buildings since 2020 (unless event organizers can guarantee that 90% is separately collected for recycling). From 2022, it will also not be allowed to serve food in single use plastics in government buildings.

Estonia:

- single-use beverage cups and food containers will not be provided free of charge to consumers at the point of sale. The price for single-use packaging should not be less than 0.50 euros and establishments should inform under which conditions reusable containers are accepted.
- by the end of 2023, the establishment must offer the consumer the opportunity to purchase food and beverage in reusable packaging;
- by the end of 2025 the establishment must fully switch to reusable packaging.
- by 1 January 2023, a local government body is required to ensure that reusable containers and cutlery are used at public events taking place in its administrative territory.
- These requirements apply to all single-use items, not just plastic ones.

Ireland:

- A “latte levy” will be in place as of 2022 to incentivize the consumption reduction of single-use cups as well as a ban for restaurant use of disposable cups, before a full ban on single-use cups enters in force in the longer run. Levies should also be imposed on food containers with a requirement to provide for reusable food containers at large scale public events.

FINLAND

Positive Developments

Finland transposed the bans and the marking requirements, sticking to the Directive requirements.

Finnish authorities announced they will finance pilot projects for solutions to plastic pollution, including the introduction of a deposit on single-use plastic cups in Helsinki.

Main Issues

Finland has shown poor ambition and is considering setting voluntary agreements to achieve the consumption reduction target set in the SUP Directive.

According to the authorities, the primary objective of this agreement is to reduce the number of units of single-use plastic food and drink containers, by replacing them with easily recyclable single-use containers that do not contain plastic, and reusable containers. A secondary objective of the agreement is to reduce the amount of plastic used in single-use plastic food and beverage containers for which the above-mentioned alternatives are not widely available on the market, or for which reusable containers cannot be used instead, given the nature of the business or other entity's activities or the environment in which it operates. The reduction of plastic will be achieved according to the authorities by replacing these single-use plastic containers with single-use containers containing lower levels of plastic (e.g. no more than 10% of the materials used to make the container are plastic).

Missing Measures

The Directive is expected to be transposed into national law by July/August 2021 at the latest. The Directive has been partially transposed in Government Proposal 40/2021 amending the Waste Act, which has been drafted to implement the so-called EU waste package and include the minimum requirements set in the Directive as regard to the bans and the marking requirements.

FINLAND

National Process

Little information could be found on the transposition situation in the country.

Several processes seem to be running in parallel. First, Finland adopted in 2019 its Plastics Roadmap, which sets out a number of actions which can if adopted transpose the EU requirements against single use plastics. The roadmap was prepared by a broad-based working group appointed by the Ministry of the Environment, and the work was supported by an expert secretariat. Members of different parliamentary groups and ministerial groups were involved in the process and stakeholders and members of the public were consulted between December 2019 and September 2020 and participated in the preparatory work.

In addition, Finland has been updating its National Waste Plan which includes some of the measures under the SUP Directive.

FRANCE

Positive Developments

In addition to the measures established by the EU Directive, France has adopted a series of additional measures restricting on the one hand more single use plastic items, and on the other hand going beyond the minimum requirements set in the Directive.

As regards the restriction measures, France has banned 6 months prior to the EU deadline all single-use plastic items restricted in the EU Directive, yet indicating in one of its implementing acts that those single use plastics concerned by restriction measures should no longer be made available as from July 1st (provided that they were manufactured or imported before 1 January 2021), and extended the ban to cups (with an exemption for paper cups with a plastic lining under a certain threshold that will be set in the law and will progressively decrease. The draft of the implementing act proposes to set this maximum threshold of plastic content for single use cups to 15% as from July 3rd, 2021, to 8% as from 1st January 2024 and to 0% as from 2026. The draft has been submitted to consultation until mid-June 2021), steak spikes and confetti. It has also banned plastic tea bags and herbal tea except those made of biodegradable plastics, plastic overpackaging of fresh fruits and vegetables weighing less than 1.5 kilograms as well as plastic toys for kids which are provided with kid menus as from 2022. As of 2022, for advertising, newspapers and magazines, plastic wraps will also be banned.

France also introduced specific measures for food services and events:

- As from 2021, the use of plastic bottles for cultural and sport events is banned, followed by their bans in administrative buildings and events by 2022 and the obligations to provide water fountains and free access to drinking water in restaurants and bars by 2022.
- By 2023, France has set an indirect ban on disposable tableware packaging for on-site catering as the law sets the obligation to use reusable tableware for onsite catering in restaurants and fast food restaurants.
- By 2025, a ban of plastic containers for cooking, reheating and serving containers, in school catering & paediatric, obstetric and maternity wards will also be introduced.

The law finally provides for a general ban on all single-use packaging by 2040.

On EPR, France has preceded EU requirements by setting schemes for the industry as from 2021 for tobacco products. For other items (except balloons), France follows the calendar set by the EU and has decided to include additional items under EPR schemes, including sanitary textiles (paper towels, make-up removing wipes, nappies, etc.).

FRANCE

Positive Developments (continued)

On consumption reduction, France has shown high ambition by introducing a whole set of measures as part of a national strategy for the reduction, reuse, refill and recycling of single-use plastic packaging with five-year targets (2021-2025). Measures include:

- a 20% reduction target for plastic packaging of which at least 50% is achieved through the reuse of packaging and the progressive elimination of single-use plastic packaging
- a 100% reduction target for unnecessary single-use plastic packaging, defined as that which does not have an essential technical function, such as protection, health and product integrity, transport, or regulatory information support by 31 December 2025.
- a 50% reduction target for plastic bottles placed on the market by 2030.
- In addition to this national strategy, France is at the moment drafting an implementing act for a minimal share of reused packaging on the market (currently in consultation), from at least 3 % in 2022 to 10 % by 2027.

As far as design requirements are concerned, France will be in advance upon what is set in the EU Directive with tethered cap requirements to be introduced as early as 2021.

On marking, France transposed the EU requirements but added that consumer informers can take the form of marking, labelling, display or any other appropriate process, about other characteristics such as the environmental characteristics of the items, including the incorporation of recycled material, the use of renewable resources, durability, compostability, repairability, reusability, recyclability and the presence of hazardous substances, precious metals or rare earths and introduced additional marking measures for compostable plastics. Plastic products and packaging that can only be composted in an industrial unit cannot be labelled "compostable" under French law. On top of that, plastic products and packaging that can be composted in a domestic or industrial composting facility must be labelled "Do not throw into the environment". It is also forbidden to use the terms "biodegradable", "environmentally friendly" or any other equivalent term on a product or packaging. When the recycled nature of a product is mentioned, the percentage of recycled material actually incorporated is specified.

A number of sanctions have been introduced in parallel to the measures to support effective implementation. Sanctions exist within the EPR framework in the event of non-compliance with the specifications of eco-organisations, and non-respect of the product requirement (tethered caps) and restriction measures. On reporting, it's worth noting that EPR organisations have the obligation to report on the nature, quantity and destination of exported waste

FRANCE

Main Issues

On the separate collection of single-use plastic bottles, France transposed the EU into French law, but has not set a DRS. Yet, France left the door open for establishing it in the future: after establishing a performance assessment of the plastic bottles collection system for recycling, an economic and environmental impact assessment, the government will decide in 2023 how to implement one or more deposit systems for recycling and reuse.

Missing Measures

France has not introduced EPR schemes on balloons despite additional measures on balloons and has not set a date for its EPR on packets and wrappers.

France has not introduced a national strategy for raising the awareness of French citizens and campaigns will certainly happen rather at a local level, except on tobacco products where having a national campaign led at least once every two years by EPR organisations is being discussed in the working groups on the EPR scheme on tobacco. Yet, the law lays down provisions to include awareness-raising on waste reduction, reuse and recycling of products and materials, as well as on sorting waste into environmental education programmes. No specific campaign seems to be foreseen on fishing gear.

On design requirements, the recycled content targets to be reached following what the SUP Directive strictly lays down has been introduced in an implementing act resulting from the AGECE law which was submitted to public consultation until June 25, 2021.

National Process

The anti-waste law for a circular economy which transposed the SUP Directive into French law was adopted in 2020. Its adoption followed a wide consultation with all the stakeholders (local authorities, companies, NGOs) launched in October 2017. The public and stakeholders continue to be consulted, as part of the standard process of consultation, online, on the various implementing acts which follow the adoption of the law. The law contains about fifty measures including targeted measures on single use plastics. A draft law on climate is at the moment being discussed in France which could possibly introduce further measures on polystyrene.

GERMANY

Positive Developments

On consumption reduction, Germany decided to introduce an obligation for bigger restaurants and take away establishments (bigger than 81 square meters and at least 6 employees) to offer reusable cups and food containers. Yet, German NGOs regret that this important measure has been postponed to 2023 and only applies to the biggest establishments and that reusable containers will be provided under the same price, which can pose a risk of alibi solutions with reusables being provided with no incentives for them to be indeed reused. When transposing the Directive, Germany also extended its already existing DRS to other single use beverage containers. From 2022, almost all of the previously applicable exemptions from the compulsory deposit for one-way plastic beverage bottles and cans will no longer apply.

On restriction measures, design requirements, and marking measures, Germany strictly complies with the EU measures with no further ambition shown. Fines - up to 100 00 € have been introduced in case of violation of the restriction measures.

Main Issues

On EPR schemes, it is still uncertain how Germany will apply these measures. Discussions are still on-going on how to calculate and capture clean-up and waste collection costs.

On consumption reduction, despite the measure adopted pointing on the right direction on beverage and food containers mentioned above, NGOs regret that the transposition of the SUP Directive was not seized as an opportunity to include further measures to support the existing national quantitative target of 70% for reuse for beverage packaging while this percentage went down to 41% in the last years.

On separate collection, Germany will comply with the 77% and 90% targets laid down in the SUP Directive, in particular thanks to the DRS in place but beverage containers such as Tetra Pack which contain partially plastics are not separately collected and there is no plan of including them in separate bins nor in the German DRS to achieve these targets. For milk and milk products, the deposit system will also only apply from 2024. In spite of the compliance with the SUP Directive, a significantly higher collection rate of up to 95% from 2025 should be stipulated, as return rates for PET bottles are already of around 98% already and further deposit regulations are now coming into force for other single-use plastic beverage packaging.

On design requirements, PET beverage bottles already contain 25% of recycled content in Germany. In order to go beyond business as usual, Germany should aim at achieving a total recycled content of up to 60% by 2030 with an intermediary target of 40% by 2025.

GERMANY

Missing Measures

No new measure was adopted to transpose awareness-raising requirements into German law.

National Process

Germany transposed the EU Directive into different national texts: a broad Waste Law transposing different waste-related Directives, a Single-Use Plastic Ban Ordinance and a Single-Use Plastic Labelling Ordinance which come into force on July 3rd 2021. Stakeholders and political groups were highly involved in discussing the provisions of the German law. The Greens had proposed to introduce a target to halve the amount of packaging waste to 110 kilograms per capita per year by 2030 but the proposal was rejected. Overall, Germany has shown little ambition by mainly sticking to the EU requirements.

GREECE

Positive Developments

In Greece the transposition of the SUP Directive is already completed and the implementation period has started in February 2021.

As of 3 July 2021, market restrictions for certain single use plastics will be in line with the directive requirements. New EPR schemes, design requirements and EU marking requirements will also be implemented as prescribed in the Directive.

To foster consumption reduction, a 0,04 euro reciprocal fee will be applied on all plastic cups and food containers as of 1 January 2022, and 30% and 60% reduction goals for cups and food SUP containers have been set (by 2024 and 2026 respectively).

In addition, there are binding requirements for retailers to provide for reusable packaging and obligatory discounts for consumers who bring their own reusable packaging. These measures concern the entire hospitality and retail sectors and will be enforced as of January 2022. From that date, catering services will no longer be allowed to use single use plastic products.

To reduce the consumption of bottled water, the provision of public water taps has been made mandatory in all municipal athletic centers and playgrounds (as of July 2021).

Marking requirements will be applied to all single use products covered by the directive as of 1 January 2022 so that citizens know which products are intended for reuse, which for recycling and which for composting, and tethered caps and lids made mandatory for all plastic containers (food and drinks/beverages) by July 2024.

The development of a national DRS for plastic bottles is planned for January 2023, to achieve the 90% separate collection of single-use plastic bottles.

Finally, awareness-raising seems to be a strong point so far as the government has developed a dedicated website to the Directive as well as related public communications.

Main Issues

Although national reduction goals have been set for food containers and cups, reuse should not be the sole responsibility of consumers and proper national consumption reduction and reuse strategies remain to be established to achieve the proposed targets.

GREECE

Missing Measures

The technicalities of both EPR and DRS implementation remain to be decided on in agreement with private sector and national stakeholders.

National Process

For the public sector, the market restrictions for certain single use plastics have already started in February 2021. In general, Greece transposed the SUP Directive on time. This is a positive development, which will contribute to a greater acceptance of plastic pollution and a more coordinated effort to address it, based on reduction, reuse and efficient recycling.

Nevertheless, the transposition of the directive could have gone even further with the development of requirements or strategies that emphasize waste prevention and reuse of plastic products.

SPOTLIGHT ON: Consumption reduction targets for cups and food containers



Greece: 30% reduction by 2024 and 60% reduction by 2026

Portugal: 30% reduction by 2026 and 50% by 2030 (of the number of units placed on the market, compared to 2022 data)

Slovenia: 20 % reduction by 2026

Spain: 50% reduction by 2026 and 70% by 2030 (in weight, compared to 2022 data).

Sweden : 50% by 2026 (compared to 2022 data)

HUNGARY

Positive Developments

Hungary has gone one step further on the implementation of the SUP Directive for the market restrictions. In addition to the bans established under the European Directive, the Hungarian text foresees the ban of non degradable light plastic bags (15-50mm) from 2023.

Furthermore, on the separate collection of beverage bottles, the Hungarian text establishes the implementation of DRS for single-use glass, plastic, and aluminum.

Main Issues

The transposition of the SUP Directive has focused more on the recycling requirements, rather than on prevention and reuse.

Missing Measures

The Hungarian national law does not foresee the implementation of EPR schemes.

National Process

Hungary has transposed the provisions of the SUP Directive on 1st June 2021 into their National Law on the general rules for the protection of the environment. There was no meaningful participation of civil society in the process.

IRELAND

Positive Developments

Ireland is planning to introduce additional bans to the one required by the Directive: bans on non-medical wet wipes, single-use sachets and hotel toiletries in the next year.

A national DRS for both PET bottles and cans should be in place by the end of 2022, to achieve the 90% collection target

EPR trials with eco-modulation of fees are underway, so that EPR schemes providing a reward for sustainable producers should be in place in 2023.

National education programs will be adapted to include awareness-raising elements related to plastic pollution.

To foster consumption reduction, reduction targets are being considered for packaging and overpackaging, to significantly reduce single-use plastics being placed on the market by 2026, with a draft legislation due later in 2021. A “latte levy” will be in place as of 2022 to incentivize the consumption reduction of single-use cups as well as a ban for restaurant use of disposable cups, before a full ban on disposable cups enters in force in the longer run. Levies should also be imposed on food containers with a requirement to provide for reusable food containers at large scale public events.

Marking and design requirements will also be implemented, although by sticking to EU requirements.

Main Issues

The details of the EPR scheme provisions might trigger important discussions.

IRELAND

Missing Measures

No measure was overlooked.

National Process

Ireland seeks to exceed targets where possible and have engaged all sectors in the consultation. Ongoing engagement is planned through the implementation of the Circular Economy Strategy and by supporting awareness and reuse initiatives. The legislation for DRS is due in July alongside other waste measures.

SPOTLIGHT ON: Additional bans to those required by the SUP Directive



Regions in Belgium have banned:

- single use plastic cups and food containers in public administration buildings and events
- plastic confettis and steamers as well as plastic films packaging for the distribution of press (Wallonia region)

France adopted bans on:

- cups except compostable cups and paper cups with a plastic lining under a certain threshold
- free distribution of water bottles
- confetti
- plastic tea bags (exception biodegradable ones)
- plastic toys offered with kid menus
- plastic films around press

Germany will ban single use beverage cups and food containers in big restaurants and take away establishments as from 2023.

Ireland is planning to ban non-medical wet wipes, single-use sachets and hotel toiletries in the next year.

Malta proposed (but did not ban) to ban in its single use plastics strategy:

- pizza lid supports in catering establishment
- balloons and plastic confetti in public events
- plastic wristbands at public events as well as at beach resorts
- lollipops sticks (sold separately), kebab sticks and toothpicks

Slovenia's ban on single-use plastic cups from public events and most vending machines in the public sector.

Sweden is planning to ban:

- plastic cups containing more than 10% plastic
- the use of confetti containing plastic outdoors.

Positive Developments

Italy is ready to implement the Directive requirements on both design (tethered caps, recycling contents for beverage bottles) and marking requirements, in the present draft law, expected to be adopted by the official deadline of 3 July 2021.

The same goes for awareness-raising, with the planned adoption of a national strategy to fight plastic pollution with measures to incentivise responsible purchase and provide consumers with detailed information on the impact of single use plastics on the environment.

By decree of the environmental ministry, different DRS will also be put in place for the separate collection of beverage bottles and other single use product categories subject to article 8 of the directive on Extended Producer Responsibility.

In addition, the Italian Parliament has explicitly announced its intention to work on raising consumer awareness and on responsible behaviour to reduce plastic release into the environment, with a specific focus on inflatable balloons.

Stakeholder work on EPR has started, notably for tobacco products, and producers are being consulted on EPR schemes but the implementation details remain to be agreed on.

Main Issues

Formal adoption of the implementation decree is still pending as we write and provisions listed above remain to be confirmed.

Consumption reduction goals are supposed to be achieved via voluntary agreements between public and private stakeholders which means that the ministry, regions and provinces will have to negotiate individual measures at a later stage, with trade associations and other private interests, leading possibly to much lower ambition than mandatory measures. These measures should tackle the promotion of reuse, new technologies and industrial processes but also ecodesign and awareness raising measures. A derogation to the separate collection provisions is introduced to allow for the mixed collection of certain waste streams, provided it does not hinder their reuse or recycling potential.

Finally, Italian plastic cups producers have announced their intention to challenge the marking requirements in front of the European court of Justice.

Missing Measures

The detail of the national plan of measures to achieve consumption reduction by 2026 remains to be agreed upon and no specific targets for consumption reduction have been decided on.

The bans are being implemented yet a specific exemption is foreseen for biodegradable and compostable items which are UNI EN 13432 certified with 50% recyclable material, which applies to food contact packaging where reusable alternatives to disposable plastic products cannot be used. Italy asks for this kind of regulation considering it has a virtuous chain of organic waste collection and treatment and that the reconversion of its chemical industry must be valued. So, reiterating what had happened with the implementation of the plastic bag Directive, Italy is planning to exempt specific biodegradable products from the scope of the single use Directive, which is not compliant with the Directive. It remains to be seen what happens next and whether the European Commission will intervene.

National Process

The Covid19 pandemic has considerably impacted Italy, resulting in delays in the national legislative process. However, both senate and parliament showed political will to carry on with the planned process and tackle a number of challenges such as consumption reduction for instance.

The resulting draft decree is still currently at the consultation stage but the government is hoping to adopt it by the official deadline on 3 July 2021 if possible.

Positive Developments

There are positive developments regarding the separate collection of single-use plastic bottles, as national DRS will be launched in Latvia in February 2022. On the market restriction measures, the bans have been implemented as in the Directive and the Environmental ministry has been informing the society about the bans in addition to the awareness raising campaigns that should be carried out by producers.

For the other measures, including EPR, consumption reduction and design requirements, Latvia has stuck to the requirements under the SUP Directive.

Main Issues

Latvia is putting in place the minimum requirements set under the Directive. There is no promotion for reuse systems as a part of consumption reduction.

Missing Measures

Most of the Directive provisions are to be implemented.

National Process

The environmental organisations were invited to express their opinions on the prepared legislation. An external research has been made to assess the possibilities and implication of the bans.

LITHUANIA

Positive Developments

Regarding the separate collection of single-use plastic bottles, Lithuania has a pre-existing national DRS in place. Awareness raising requires producers to provide information campaigns on reuse solutions, on reducing consumption and environmental and health impacts of single-use plastics.

On the market restrictions, consumption reduction measures, marking and design requirements, the Lithuanian Government sticks to the requirements established under the SUP Directive, with no additional measures foreseen.

Main Issues

The EPR schemes are still missing from the legal text.

Missing Measures

The wording about EPR schemes is still completely missing in the amendment draft.

National Process

No information.

LUXEMBOURG

Positive Developments

Luxembourg's Minister of the Environment, Climate and Sustainable Development Carole Dieschbourg wants Luxembourg to go beyond the requirements of the SUP Directive and become a world leader in terms of waste management. The main goal is to promote both elimination and reduction of single-use plastics, with additional bans for single-use plastic cups and bottles.

The national zero waste strategy ("Null Offall Lëtzebuerg") presented in September 2020 provides for a zero-littering goal and the promotion of eco-design, reuse and repair on a wide scale to achieve a truly circular economy. In the framework of that national Zero-Waste Strategy "Null Offall Lëtzebuerg" were also announced additional bans on single-use plastics in restaurants (plastic cups in particular) as of January 2022 and in packaging for fresh fruits and vegetables. In addition, dedicated roadmaps are being developed with sectors for a sustainable substitution of banned products and the promotion of reusable alternatives.

In February 2021, the government presented a national "Circular Economy" strategy, establishing waste prevention, reuse and resource use reduction as key principles.

Regarding awareness-raising, the Ëmweltberodung Lëtzebuerg, the Environnement ministry and national agency, municipal trade unions SICA et SIDEC and SuperDrecksKëscht® have joined forces to develop a guide called "Mäin éischt Null Offallbuch" (which could translate as my first zero waste book) which explains how waste can be prevented or even turned into resources. Dedicated tools and guidance for stakeholders to implement the single-use plastic bans and to raise public awareness of the existing alternatives have also been developed.

Regarding bans, design, marking and EPR requirements, Luxembourg's draft law sticks to EU requirements.

Main Issues

The adoption of the proposed draft law remains pending due to Covid related delays and a number of legislative processes taking place at the same time.

LUXEMBOURG

Missing Measures

Although the announced package sounds promising, not all measures of the Directive are addressed with the same ambition. The draft law does not mandate but only allows the future development of a DRS for beverage cans at the national level and negotiations have started with Benelux to align on a common DRS strategy.

In addition, delays are foreseen until 2026 for the implementation of EPR.

National Process

The national waste strategy is currently being completely revamped to allow for the transposition of a number of EU directives (waste framework, packaging, single-use plastics, WEEE and batteries). A draft law was published in August 2020 to transpose the SUP Directive on single-use plastics into national law, with a 20% minimum target for consumption reduction being imposed on plastic cups and food containers manufacturers, with an additional 10% reduction expected each year after 2026.

However, in spite of the organisation of various public consultations and stakeholders workshops over the past year, the legislative process still is not finalised.

Positive Developments

In its 2019 Single-Use Plastic Products Strategy, Malta had identified additional measures to those set in the SUP Directive:

- On consumption reduction, it was proposed to set up a voluntary scheme to incentivise the use of sustainable alternatives, reusable and refillable containers for beverage bottles and cups and disposable toiletries in hotels, hostels, guesthouses and holiday premises. On detergent containers and containers for toiletries, authorities had said they would introduce by 2022 a return or refillable system with consumers benefiting from a reward scheme. By 2022, it was proposed that students who do not make use of the disposable food containers and beverage cups provided at educational institutions as well as customers when using refillable beverage cups would be rewarded through a number of benefits. By 2025, restricting the free distribution of single-use plastic beverage cups was also one of the measures put forward. Authorities are also considering setting up by 2022 a voluntary scheme to incentivise supermarkets to provide packaging-free areas.

- On restriction measures, Maltese authorities also proposed to restrict respectively by 2020 the use of pizza lid support in catering establishment, of balloons and plastic confetti in public events and of plastic wristbands at public events as well as at beach resorts and by 2021 lollipops sticks (sold separately), kebab sticks and toothpicks.

- On EPR, authorities had proposed that by 2022, producers of tobacco and tobacco products were to finance the provision of ashtrays at all beaches including at beach resorts for the resort's guests.

- On separate collection, it was proposed that by 2020, the Government shall endeavour to provide bins for the separate collection of plastic waste in coastal areas, camping sites, picnic areas and touristic zones and that by 2022, all tourist accommodations including hotels, hostels, guesthouses as well as holiday premises and yacht marinas should provide to their guests, bins for the separate collection of plastic waste. More importantly, in addition to the DRS system for beverage on its way in Malta, authorities had indicated they would propose that by 2022, a return or refillable system be introduced, where consumers who return or refill containers used for washing preparations, and other personal care products, may be able to benefit from a reward scheme.

Yet, these proposals are yet to be defined in law and will only bring positive changes if turned into concrete measures.

With regard to the SUP Directive transposition:

- The ban on certain single-use plastics started as from 1 January 2021 instead of July 2021 with fines and fees set in the law in case of non respect of the restrictions.

- On separate collection, a DRS is meant to be developed but experienced delays 'due to Covid and administrative challenges' according to authorities.

- On design requirements, Malta has stuck to the EU requirements.

MALTA

Main Issues

The authorities have announced they would allow for a transitory year for single-use plastic products already on the market and listed in the law as being banned as from January 2021.

Missing Measures

No measures were yet introduced to transpose the rest of measures set under the SUP Directive, including EPR and consumption reduction.

National Process

In December, 2020, Malta's government transposed the EU Directive into law through adopting its national law "Restrictions on Placing on the Market of Single-Use Plastic Products Regulations, 2020". A draft of this law was published in October 2020 for public consultation until the end of November 2020. This public consultation included a public event organised by Maltese authorities, and a number of targeted one-to-one meetings with key stakeholders. The Maltese Government had previously issued a [Single-Use Plastic Products Strategy for Malta 2020-2030](#) in May 2019.

THE NETHERLANDS

Positive Developments

The collection target of 90% for beverage containers should be achieved through the existing national DRS for single-use PET bottles, although no refillable targets have been set. HoReCa and small businesses are exempted from the obligation to collect small plastic bottles.

There is already EPR legislation for packaging (including (composite) food and beverage packaging and wrappers) which will be extended to additional product categories to include beverage cups and lightweight bags. This scheme already includes eco-modulation. New EPR schemes will be created for tobacco products with filters (implementation by 2023), balloons and wet wipes will come into force by 2024.

Awareness-raising measures will be funded by the government until the EPR schemes are launched but no specific long-term awareness strategy has been decided on.

Netherlands will stick to the Directive on both design and marking requirements.

Main Issues

The ambition remains more limited than anticipated, in particular for the setting up of consumption reduction targets and of a proper national consumption reduction and awareness strategy.

Despite previous announcements, no additional bans have been decided by the Netherlands.

Missing Measures

There is no national awareness raising plan. Also, no consumption reduction targets have been decided yet, although local NGOs have teamed up to push for specific targets (50% reduction for cups and 30% reduction for food containers in 2025).

National Process

In order to meet the deadline, the Dutch government opted for a strict implementation of the Directive based on the minimum requirements of the SUP Directive. They refrain from additional measures previously considered (additional bans and marking, reuse targets...) as they would have required more time and investigation.

NORWAY*

** While Norway is not an EU Member State, it has to comply with the SUP Directive.*

Positive Developments

The Directive bans have been transposed into Norwegian law and will enter into force 3 July 2021. However, there will be no expansion on the list of products in spite of previous announcements by the Norwegian ministry of environment to implement the ban with anticipation in June 2020 and to expand the list further to include more single-use plastic items.

Marking requirements are being transposed into Norwegian law and will enter into force July 3rd, 2021 for the product categories foreseen by the Directive. The only Norwegian adaptations are translations of the marking.

The Norwegian Environment Agency is currently revising all Norwegian EPR schemes and will provide a recommendation for transposing the EPR requirements under the SUP Directive into Norwegian law by the end of 2021. Recommendations will include elements related to the requirement to integrate recycled content.

Norway has had a well functioning national DRS system for PET bottles and aluminum cans in place since 1995, allowing the member state to reach a separate collection rate of 92% for bottles and cans in 2020 which is well above the target set out in the EU Directive.

Main Issues

In spite of high initial ambition messaging, no real systemic changes are being foreseen by Norway while still fulfilling EEA related transposition obligations.

Nothing has been decided on yet, but the government shows low ambition on both consumption reduction and awareness-raising provisions. The latter are expected to be transposed as part of the Memorandum of Understanding with the industry organizations responsible for conducting existing awareness campaigns which are focusing on littering alone.

There has also been some challenging discussions on the tethered cap requirement and the requirements related to tobacco products and the measurement and reporting of littering (weight vs item number)

NORWAY*

** While Norway is not an EU Member State, it has to comply with the SUP Directive.*

Missing Measures

Norway is yet to publish national targets for consumption reduction and to tackle awareness-raising measures. The government is awaiting guidelines from the Commission to address these specific measures of the Directive and is considering whether the consumption reduction requirement can be transposed via an Memorandum of Understanding.

As of June 2021, no measures have been taken to implement new design requirements for bottles and Norway is awaiting harmonised standards from the Commission and the European standardisation organisations.

National Process

Bans and marking requirements have been transposed into Norwegian law by way of amendments to the national product control act. Although most of the measures still remain to be officially implemented, a medium level of ambition to comply with the EU Directive can be noted, with variations according to the measures with higher ambition on separate collection and EPR and lower ambition on consumption reduction and awareness-raising.

There have been open consultation rounds on the parts of the Directive that have been transposed. Civil society organisations were also represented in the working group and have been invited to input meetings.

POLAND

Positive Developments

Poland is still in the very early stages of its transposition process. The setting up of a national DRS is planned for PET, to be adopted in 2021 and operational in 2023.

Main Issues

The government has chosen to foster consumption reduction by imposing new taxes on every single-use plastic packaging. The proposal was adopted early May 2021.

The Polish packaging trade associations are trying to delay the implementation of the tax and prevent a possible increase of the tax over time.

Missing Measures

Most of the Directive provisions remain to be implemented. EPR only entered the list of legislative files. The provisions for the separate collection of single-use plastic bottles are also being developed but have not been adopted yet.

National Process

There have been delays in the implementation of the SUP Directive, mainly linked to the Covid crisis but also due to the lack of guidance received from the European Commission, according to the Polish authorities.

The opinion on the draft act which partially implements the SUP Directive was completed only in May 2021.

PORTUGAL

Positive Developments

Regarding the consumption reduction for single-use plastic cups and food containers, Portugal has established the target of 30% reduction until 31 December 2026 (compared to 2022 data) and 50% reduction until the 31st of December 2030 (compared to 2022 data) of the number of units placed on the market.

In addition, from January 2024 all plates, forks, glasses must be reusable for on-site consumption in restaurants and all restaurants that provide single-use packaging for take away, must also provide reusable alternatives with a DRS.

Regarding the separate collection of single-use plastics, Portugal will have a DRS system for one way packaging from 2023 onwards. There will be some reusable targets for beverage packaging, but they are not set yet and the industry will be responsible for defining them.

On the marking and design requirements, the Portuguese draft has stuck with the provisions established under the SUPD.

Regarding awareness raising requirements, the draft foresees awareness on reusable alternatives and good waste management practices; the environmental impact resulting from littering, impacts in sewage systems.

Main Issues

On the market restriction measures there is a derogation for plates, forks, straws and coffee agitators until September 2022 for retailers and until September 2021 for non sedentary activities and public transportation.

Missing Measures

EPR measures are not foreseen in the current Portuguese draft.

National Process

Currently, Portugal is in the process of limited consultation (in the context of the Portuguese Plastics Pact), but a wider public consultation is foreseen before the approval of the final text.

ROMANIA

Positive Developments

None as no text has been tabled or adopted so far.

Main Issues

In June 2021, no draft law had yet been put forward.

Missing Measures

All.

National Process

During a Conference in March 2021, the Romanian Environment Minister stated that by that date only a working group had been established within the Ministry, to initiate a dialogue with other institutions and provide a basis for a public debate. Its conclusions were expected in May. On May 5, 2021, in an official answer of the Environment Minister to a parliamentary inquiry regarding the state of implementation of the Directive 2019/904, it was mentioned that a draft law on single use plastics will be available for reading in the Parliament. No details or time specifications were given and no such draft was found.

SLOVAKIA

Positive Developments

On separate collection, Slovakia is planning to have a DRS for beverage containers in place by 2023, meaning a delay of 1 year compared to what had initially been announced in a bill submitted by the Environment Ministry in September 2019. The deposit should be 12 cents per PET bottle (and 10 cents per can). According to the new legislation, the deposit will be mandatory for establishments over 300 m², and voluntary below this surface.

On bans, though its amendment to the Waste Act, Slovakia sticks to the bans laid down in the SUP Directive as of 3 July 2021, giving the possibility for retailers to distribute single use plastic products already supplied until 31 Dec 2021 at the latest. Slovakia also introduced an amendment to its Waste Act to set a minimum price for single plastic bags which must cover at least retailer's purchase cost of plastic bags. The law that was in effect until 26 Dec 2016 required retailers not to provide plastic bags for free, with no indications on pricing.

Main Issues

The full transposition of the Directive does not seem to have started yet. Instead, the Environment ministry of Slovakia started a campaign for a clean Slovakia, focusing on the DRS to be implemented as from 2023.

Missing Measures

All measures -except restriction measures - are missing.

National Process

Authorities have started to transpose the EU Directive into 2 laws: the law 302 of 11 September 2019 setting a DRS for single use beverage packaging and the law 460/2019 amending Slovakia's Act on waste no. 75/2015 which came into effect on 27 Dec 2019. In parallel, benefitting from support from the OECD, Slovakia has started discussions and working groups on circular economy with a view to adopt its national circular economy strategy in the first quarter of 2022.

SLOVENIA

Positive Developments

On the bans, in addition to the bans set in the SUP Directive, Slovenia foresees an additional provision banning single-use plastic cups from public events and most vending machines in the public sector.

Regarding the consumption and reduction targets, Slovenia foresees a specific target of 20 % reduction by 2026 (compared to 2022 data). The language of the Slovenian draft targets specifically single-use plastic producers (to reduce), event organizers (to ban), beverage vending machine operators (to ban in the public [non-health] sector) and food/drink producers (to reduce).

On EPR the Slovenian national draft sets binding EPR schemes as from 1 January 2023 , requiring producers to contribute to the costs and awareness raising as per the Directive.

On the marking and awareness raising requirements, requirements are set as required under the SUP Directive.

Measures were adopted to ensure enforcement, proper monitoring and quality reporting and includes an extension of existing reporting systems. There are infractions for event organizers, beverage machine operators, food and drinks dispensers, two tiers for producers, two tiers for PROs (and extra for the packaging one(s)), for waste collectors and waste treaters.

Main Issues

On the design requirements, the Slovenian national draft establishes the 30% by 2030 target for tethered caps and recycled content only for PET bottles instead for all beverage containers as set in the SUP Directive.

Missing Measures

Nothing major has been identified as most of the Directive provisions are to be implemented. Yet, no DRS has been put in place yet.

National Process

Civil society was consulted in the national legislative debate, but only in accordance with the standard process, i.e. a one month public unstructured consultation period.

SPAIN

Positive Developments

On consumption reduction, Spain transposed in its draft law the requirements for single-use plastic cups and food containers into quantitative targets, respectively, a 50% and 70% reduction in weight by 2026 and 2030 (compared to 2022 data). As from 1 January 2023, SUP cups and food containers will be charged and operators are required to encourage the use of reusable alternatives and of non-plastic materials.

In addition, Spain is planning on introducing consumption measures on products that are not listed in the EU Directive, namely plastic trays serving as packaging, plastic single-dose products, plastic rings allowing the grouping of several individual packs and plastic sticks used in the food sector as product carriers such as plastic sticks for candy, ice-cream and other food products when they are made of non-compostable plastic. Yet, no deadline nor quantitative targets have yet been set and those made of compostable plastics will not be subject to consumption reduction objectives.

On bans, in addition to the measures from the EU Directive, Spain has incorporated other measures to limit pollution from balloons and plastic bottles with a ban on the deliberate release of balloons and soft measures at public administrations' level and in the HoReCa sector. On the one hand, public administrations are called to encourage the consumption of drinking water in their premises and other public spaces or the use of reusable containers. On the other hand, the HoReCa sector will have to offer unbottled water free of charge to their consumers.

On product design requirements (obligation for tethered caps and recycled content) separate collection, EPR (including fishing gear) and marking, Spain sticks to the EU Directive requirements.

Main Issues

On separate collection, authorities have not opted for a DRS to achieve those targets but the draft law leaves it to the revision of the packaging law in Spain to consider the conditions for those targets to be achieved.

Measures on awareness raising are included in the draft law but do not mention any date while these measures should be in place by July 2021. Interestingly, Spain is targeting young people for its awareness raising measures.

SPAIN

Missing Measures

All measures were incorporated into the draft law on waste.

National Process

The transposition of the EU Directive into Spanish law was incorporated into a large law ("*Ley de Residuos y Suelos contaminados*") transposing several EU Directives related to waste. The draft law was adopted by the Spanish Council of Ministers on 18 May 2021 before being transmitted to the Spanish Parliament and should be fully adopted by July/August 2021. Many amendments are at the moment being submitted to amend the draft law. This law is in line with the Spanish Circular Economy Strategy ("*España Circular 2030*"). Spain had shared its draft law with EU institutions and stakeholders in October 2020.

SPOTLIGHT ON: New EPR requirements in France



In 2020, France strengthened and extended the scope of its EPR schemes (Law n° 2020-105 of 10 February 2020)

- Clarified objective: the new law highlights an EPR scheme not only aims at contributing waste management but also to waste prevention, ecodesign, increased product lifespan, reuse, refill and repair.

- Bonus-Malus: broadened and strengthened list of criteria for the eco-modulation of EPR fees (including durability, reusability, non-toxicity)

- Creation of new EPR: for tobacco products with plastic filters and for wipes, as required by the SUP Directive, as well as for nappies and menstrual items.

- New requirements for the EPR for packaging

- Creation of a fund to support reuse and refill, with at least 2% of the revenues from the EPR contributing to that fund.
- Creation of an app (by 2022) to allow consumers to identify and report packaging that they consider useless - the results will have be taken into account in the fee-modulation.

SWEDEN

Positive Developments

Regarding bans, Sweden adopted additional bans to the ones required by the Directive, on all plastic cups containing more than 10% plastic as well as on using confetti containing plastic outdoors.

A consumption reduction target of 50% by 2026 (compared to 2022 data) is set for cups and food-containers, and all suppliers must offer a reusable alternative.

Already in place for packaging, EPR is already foreseen for wet wipes, balloons and tobacco products including the local “snus” tobacco products and in the proposed legislation for EPR the producers will have to report to the Swedish Environmental Protection Agency on volumes of products put on the market each year.

All bottles with ready to drink beverages (including dairy from 2029) will be included in a deposit system by 2023.

High ambition level is also shown on design requirements, with provisions for all PET bottles to include 25% recycled plastic by 2025, all packaging (both food and medical packaging) to contain 30% recycled content by 2030 and Marking requirements have also been extended to more product categories, in order for consumers to be informed of the single-use plastic character, adequate disposal and related environmental impacts of the following products: chewing gums, lightweight plastic bags, flexible wrapping, single-use plastic lids, beverage containers, takeaway containers, balloons.

Main Issues

None.

Missing Measures

All measures of the Directive have been transposed.

National Process

The Swedish proposal for implementation of the SUP Directive has not been endorsed yet by the government. The draft legislation has been sent out for comments to many different stakeholders and the consultation period has just ended, with a final decision expected in June or July.

CONCLUSION AND RECOMMENDATIONS

The adoption of the SUP Directive was applauded by citizens across Europe, who want to see more action taken to swiftly address plastic pollution and support sustainable products and packaging. Governments across Europe have committed to tackle plastic pollution, but many still have to walk the talk and actually adopt and implement effective measures to move away from single-use plastics and prevent pollution.

Delays may have arisen due to the COVID-19 pandemic, but this cannot justify continued inaction from governments. The transition to products, business models and systems based on waste prevention and reuse can contribute to building resilient and vibrant local economies and jobs, achieving a toxic-free circular economy and protecting health, our Ocean and the planet.

We recommend European governments:

- Ensure full implementation and enforcement of EU-wide bans and extend bans to other single use plastic items
- Prevent regrettable substitution by taking measures to ensure that banned items are replaced with reusable alternatives rather than single-use products in another material.
- Set ambitious quantitative targets for other items to achieve consumption reduction and promote reuse, including beverage cups and food containers but also items such as wrappers and wipes.
- Set as soon as possible, and at the latest by 2024, EPR schemes that are fully binding, include strong eco-modulation of fees and cover at least the full costs of collection, treatment, management, clean up and awareness-raising.
- Set minimum recycled content targets of at least 50% for bottles and at least 30% for other items
- Set DRS or increase the performance of existing schemes that:
 - reach 90% separate collection of bottles as soon as possible;
 - include plastic bottles, beverage cans and glass bottles;
 - can be used for both single-use and refillable bottles.
- Fully implement and enforce the Directive marking requirements,
- Put in place awareness-raising measures focused on consumption reduction, environmental and health impacts of single-use plastics and available reusable alternatives.
- Ensure thorough data collection and monitoring, together with strong enforcement, to assess and/or adjust measures to improve effectiveness.

Further recommendations can be found in the [Rethink Plastic alliance & Break Free From Plastic guide](#) to implement the SUP Directive.

#breakfreefromplastic

is a global movement envisioning a future free from plastic pollution made up of more than 2,000 organisations from across the world demanding massive reductions in single-use plastic and pushing for lasting solutions to the plastic pollution crisis. More info : www.breakfreefromplastic.org

RETHINK PLASTIC

part of the Break Free From Plastic movement, is an alliance of leading European NGOs working towards ambitious EU policies on plastics. It brings together, Carbon Market Watch, the Center for International Environmental Law (CIEL), ClientEarth, Environmental Investigation Agency (EIA), European Environmental Bureau (EEB), European Environmental Citizen's Organisation for Standardisation (ECOS), Greenpeace, Seas At Risk, Surfrider Foundation Europe, and Zero Waste Europe. Together they represent thousands of active groups, supporters and citizens in every EU Member State working towards a future free from plastic pollution. More info : rethinkplasticalliance.eu

SEAS AT RISK

is an association of environmental organisations from across Europe, working together to ensure that life in our seas and oceans is abundant, diverse, climate resilient, and not threatened by human activities. Its mission is to promote ambitious policies for marine protection at European and international level. With over 30 members representing the majority of European countries, Seas At Risk speaks for millions of citizens that care deeply about the health and well-being of seas and oceans. Headquartered in Brussels, Seas At Risk has strong connections with the European institutions and with the UN and regional bodies responsible for seas and oceans, as well as with other like-minded organisations in Europe and around the world. Visit our website : <https://seas-at-risk.org/>



is a European not-for-profit organisation dedicated to the protection and enhancement of Europe's lakes, rivers, ocean, waves and coastlines. It was created in Europe (Biarritz) by a group of surfers who wanted to preserve their playground. Grass-roots activism to protect our ocean and coasts is at the core of the organisation which currently has over 13,000 members and is active across 12 countries through its volunteer-run branches. For 30 years, Surfrider Foundation Europe has been taking action as a recognized authority in 3 areas of expertise : marine litter, water quality and health, coastal management and climate change. Visit our website : www.surfrider.eu



is the European network of communities, local leaders, experts, and change agents working towards the elimination of waste in our society. We advocate for sustainable systems and the redesign of our relationship with resources, to accelerate a just transition towards zero waste for the benefit of people and the planet.



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