



14 January 2020

(20-0379)

Page: 1/3

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>UNITED KINGDOM</u> If applicable, name of local government involved (Article 3.2 and 7.2): England
2. Agency responsible: Department for Environment, Food and Rural Affairs Environmental Quality Directorate Seacole Building, 2 Marsham St, Westminster London SW1P 4DF Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: UK TBT Enquiry Point Trade Policy Group Department for International Trade 3 Whitehall Place London SW1A 2AW TBTEnquiriesUK@trade.gov.uk
3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], other: Technical Regulation - Local Government (Article 3.2)
4. Products covered (HS or CCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Tableware, kitchenware, other household articles and toilet articles, of plastics (HS 3924)
5. Title, number of pages and language(s) of the notified document: The Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020
6. Description of content: The draft regulations prohibit the supply of plastic straws, plastic drink stirrers and plastic-stemmed cotton buds in the course of a business. In the draft regulations: <ul style="list-style-type: none">- "plastic" means a material consisting of polymer as defined in Article 3(5) of Regulation (EC) No 1907/2006, to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;- "single use plastic straw" means a straw that is made wholly or partly from plastic and that is not designed or intended to be re-used;- "plastic drink stirrer" means an implement made partly or wholly of plastic designed and intended for stirring drinks;

- "single use plastic stemmed cotton bud" means an item that consists of a rod made wholly or partly of plastic with cotton wrapped around one or both ends and that is not designed or intended to be re-used;

- "attached plastic straw" means a single use plastic straw which is attached to the packaging of a drink product and is intended to be used to consume that drink.

The prohibitions on the supply of single use plastic straws other than attached plastic straws, and on the supply of single use plastic stemmed cotton buds, apply only to the supply of those products to an end user, and are subject to certain exemptions. The prohibitions on the supply of attached plastic straws and plastic drink stirrers apply to all supplies of those products made in the course of a business.

Exemptions for the supply of plastic straws:

- Supply through registered pharmacies;
- Supply with food or drink for immediate consumption, provided the straws are kept in a place where they are not visible to customers and they are only provided on demand;
- Straws used for medical devices and purposes;
- Straws used for packaging;
- Straws supplied in care homes, premises for early years' provision, schools and prisons.

Exemptions for the supply of cotton buds:

- Cotton buds used for medical devices and purposes;
- Cotton buds used for forensic and scientific purposes.

Breach of these prohibitions is an offence. The draft regulations also confer powers on enforcement authorities to impose civil sanctions, including monetary penalties and stop notices, as an alternative to criminal prosecution.

The draft regulations apply to England only.

The prohibition is proposed to be implemented in April 2020. The prohibition on attached plastic straws is proposed for July 2021.

- 7. Objective and rationale, including the nature of urgent problems where applicable:** We are proposing to introduce regulations to prohibit the supply of certain plastic items to the end user on the grounds that they cause harm to the environment. These items include plastic straws, plastic drink stirrers and plastic-stemmed cotton buds. The impact assessments submitted with the public consultation on this policy proposal estimated that in England, 4.7 billion plastic straws, 316 million plastic stirrers and 1.8 billion plastic-stemmed cotton buds are used annually. Plastic drinking straws, drink stirrers and cotton buds are not commonly recycled or re-used, causing multiple environmental harms particularly when they are discarded incorrectly, including harm to marine animals and visual pollution. Even if disposed of correctly, these plastic items may end up in incineration which generates carbon emissions. These are negative externalities as they are experienced across society and are not accounted for within the market price of plastic straws, stirrers and cotton buds. Providers of these items do not have incentives to cover the externality costs. Intervention is required in order to shift the market to the plastic-free alternatives that already exist and decompose much more quickly. Plastic straws, stirrers and cotton buds are also included within the European Union's Single-Use Plastics (SUP) Directive, which sets out measures to prevent and reduce the impact of certain products on the environment. This includes measures to prohibit the placing on the market of single-use plastic straws, drink stirrers and cotton buds from July 2021.; Protection of the environment

8. Relevant documents:

The Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020

9.	Proposed date of adoption: Proposed signing of regulations by minister: March 2020 Proposed date of entry into force: April 2020 - July 2021 for attached straws
10.	Final date for comments: 60 days from notification
11.	Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body: Department for Environment, Food and Rural Affairs Environmental Quality Directorate Resources, Waste and Plastic Strategy Team Seacole Building, 2 Marsham St, Westminster London SW1P 4DF Email: Plastics.Consultation@defra.gov.uk