

Update on plastic bags in Europe

Belgium

In 2007, the Belgian Federal Government introduced a “green tax” of €3 per Kilogram on one-way plastic carrier bags (single use), but reusable and biodegradable bags are excluded from this tax.

This eco-tax has been seen as an opportunity by retailers, e.g. Delhaize, to stop the free distribution of single use plastic carrier bags and to offer reusable and biodegradable ones for sale.

Bulgaria

The Bulgarian Ministry of Environment and water intend to impose an eco-tax on PE bags from July 1st, 2011, starting from 0.077 EUR/pc, increasing it gradually to 0.28 EUR/pc in 2014.

The aim is to stop the usage of lightweight PE bags as they are littering the environment (according MOEW) and to stimulate the usage of multi-usage bags – PE bags thicker than 20 microns, paper bags etc.

Cyprus

On March 3rd, 2008 discussions took place in the Cyprus House of Parliament regarding two legislative proposals. The first, that all plastic bags should be biodegradable and the second prohibiting supermarkets from giving away free plastic carrier bags.

Each year over 2,000 tons of plastic bags are used in Cyprus.

Supermarkets continue to hand out free plastic shopping bags.

Estonia

Currently there are ongoing legislative proposals for a tax increase on plastic shopping bags, which would see the cost of plastic shopping bags increase by 0.19cent (euro) bringing the total cost to approximately 0.32cent (euro) per bag.

This tax is aimed at encouraging shoppers to opt for alternatives to single-use plastic bags such as textile bags, paper bags or reusable plastic bags.

France

In the past French authorities have attempted to ban sales and distribution of plastic bags or all plastic packaging which is not biodegradable. EuPC lodged a complaint with the European Commission in 2006 based on the obscurity of the environmental benefit, an artificial market push towards the use of biodegradable plastic, and an infringement of EC law (EC Treaty and an infringement of European Secondary law – Packaging and Packaging Waste Directive (1994/62/EC)).

Following this complaint, the European Commission and several Member States issued detailed opinions and France ended/abandoned this initiative.

The distribution of plastic bags by French supermarkets has been in steady decline in the past years. This may already be seen as a result of initiatives by large retailers such as Carrefour encouraging the use of reusable bags.

Germany

Similarly to the Netherlands, Germany has been charging for single-use plastic carrier bags for a considerable period of time. This results in shoppers using reusable 'long-life' plastic bags and baskets.

Ireland

Ireland introduced an 'eco-tax' on plastic bags in 2002. The initial tax resulted in a charge to the consumer of 0.15cent (euro) per bag. Retailers were legally obliged to pass this charge of 15cent onto the consumer. This tax, therefore, was designed to alter consumer behavior and create a financial incentive to choose environmentally friendly alternatives to single-use plastic bags. The tax had immediate effect on consumer behavior with a decrease in plastic bag usage from an estimated 328 bags per capita (total of 1.2 billion plastic bags) to 21 bags per capita **overnight**, a reduction of 90%. (sources Irish department of the Environment)

The tax has since been increased to 0.22cent (euro) in 2007 as the bags per capita had increased to 31 in 2006.

The overall aim of the Irish "eco-tax" on plastic bags has a strong anti-litter emphasis. The Irish legislation does not distinguish between biodegradable plastic bags and others. The Irish department for the environment considers that biodegradable plastic bags "still take a considerable time to degrade", therefore "such bags will continue to form a visible nuisance where discarded as litter".

Italy

On Jan 1st, 2011 Italy introduced a ban on "*non-biodegradable*" bags (not "single use plastic bags" as originally proposed). This ban has entered into force based on a communication of the Ministry for Environment. The Minister, Ms. Stefania Prestigiacomo, confirmed entry into force of the ban on 01/01/2011 and, in addition, she permits stores and supermarkets to use up their current stocks of plastic bags provided that they give them out free of charge. The Minister also goes on to say that the Italian authorities will strictly control the ban and ensure it is respected.

The Italian Ministry for Economic Development also issued a communication; in which it states that shape, thickness and dimension of plastic bags are irrelevant and only the material of the bag qualifies as the criterium to differentiate what kind of bags are now band. The communication also refers to the European standard EN 13432 (Biodegradability), which was not mentioned in the 296/06 law.

EuPC has lodged a complaint with the European Commission against this ban (letter dated July 26th, 2010) and the investigation is currently ongoing. We have been in touch with case handlers at the EC and they have informed us that this investigation is officially still ongoing and at the stage of internal examination. We have also been informed that the investigation is expected to last until June/July 2011. EuPC is currently seeking to meet with representatives of the EC handling this case in an attempt to speed things up and address the matter with more urgency. We shall of course keep you apprised of any developments.

Latvia

Latvia has draft legislative proposals to increase natural resource tax on plastic shopping bags, in order to encourage a reduction in their use. The legislation would also see a reduction in the rate of natural resources taxation for shopping bags made of bioplastic, in order to encourage the replacement of plastic bags with bioplastic bags.

The Netherlands

The Netherlands have a similar eco-tax to that of Belgium. Single use plastic bags in the Netherlands cost the consumer 0.25cent (euro) per bad. As a result the use of reusable shopping bags is the norm here.

Northern Ireland

Northern Ireland is also introducing a tax on single use plastic carrier bags. This tax shall amount to 15 pence (sterling) on each bag. This tax is also seen as eco-tax on plastic bags. The ban has been introduced in the Single Use Plastic Bags Bill (NIA Bill 8/10) of December 6th, 2010, but will take some time to enter into force.

Explanatory and financial memorandum may be found at the following address:
http://www.niassembly.gov.uk/legislation/primary/2010/niabill8_10_efm.htm

Poland

In November 2007 the City of Łódź adopted a Draft Resolution of the City on implementing a ban on disposable plastic bags. Following a letter of complaint from EuPC along with legal argumentation, this resolution was regarded as unconstitutional. Consequently, the author of this resolution, Mr. Piatkowski, prepared a civic project of the bill amending the Packaging and Packaging Waste Act. Following the collection of 100 000 signatures the draft was presented to Polish Parliament.

The current situation in Poland is that there exists local government regulations which impose varying restrictions and taxes on plastic bags and there is no harmonized national legal regulation. The Ministry of the Environment is currently preparing a legal act which will be launched this year and expected to be fully transposed as and from 2015.

Portugal

Portugal seeks to cut plastic bag use by 90%

Portuguese MPs have approved a legislative proposal setting a 90% reduction target for the supply and consumption of single-use plastic bags at wholesalers and supermarkets by 2017. There are intermediate targets of a 30% and 60% reduction by 2013 and 2015.

Social Democratic Party MP António Leitao Amaro told ENDS that the long time-period will allow smaller retailers to adapt to the law's requirements. Compliance will be assessed using figures supplied by Portuguese Green dot society SPV.

Receipts from fines for non-compliance will finance projects to raise awareness among consumers. An accompanying law establishes a minimum discount of 0.05c per 5c spent for customers in large supermarkets who do not use plastic bags.

Spain

There are two legislative drafts relating to plastic bags in Spain. The first concerns a revision of the Spanish packaging law and calls for the promotion of reusable bags and the substitution of single-use bags with reusable bags. The second draft concerned the "II national plan for urban waste management" and called for a 50% reduction in the use of single use bags by 2009 and a ban of the single use and non-biodegradable bag by 2010.

On February 1st, 2011 Spain's largest supermarket operator, Mercadona, will become the first to enforce an elimination of free plastic bags for shoppers. This elimination follows a new Andalusia law (*aiming to encourage the use of reusable bags*) which will impose a flat rate of taxation on all single-use plastic carrier bags, as well as a new national Directive which aims at eliminating free single-use plastic carrier bags throughout the entire country.

Meanwhile, supermarket operators such as EL Corte Ingles and Caprabo have announced they will absorb the tax for their customers.

It is also interesting to note that in May 2010, Carrefour began providing biodegradable bags in some stores for a fixed price of one euro cent. This comes after Carrefour stopped providing bags for free at the end of 2009.

Switzerland

There was an initiative in parliament to ban "non-recyclable and non reusable plastic bags". The procedure is that the government must reply to such an initiative, following which the proposal may proceed to produce a law, or it may be shelved.

The proposal was not further pursued, due to the fact that a majority agreed that it was nonsensical.

U.K.

The UK currently adopts extensive media campaigns against plastic bags, the government has also threatened to introduce an eco-tax (as now seen in N. Ireland).

In April 2007, the towns of Modbury and Devon (UK) outlawed plastic bags. These were the first towns to do so.

Retailers such as Marks & Spencer's charged shoppers 5p for a plastic bag in Northern Ireland, this of course will increase to 15p following the adoption of the Single Use Plastic Bags Bill (NIA Bill 8/10) of December 6th, 2010