



Draft Environmental Protection (Single-use Plastic Products and Oxo-degradable Plastic Products) (Scotland) Regulations 2021

Scottish Environment LINK consultation response

Introduction

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. This consultation response has been prepared by members of LINK's Economics Group.

LINK members welcome the opportunity to respond to this consultation on the Draft Environmental Protection (Single-use Plastic Products and Oxo-degradable Plastic Products) (Scotland) Regulations 2021.

Question 1: The scope of the provisions proposed.

Scottish Environment LINK welcome the fact that the proposals go beyond the minimum requirements of the SUP Directive; in particular the inclusion of banning the manufacture of the listed and oxo-degradable products. However, we are disappointed that additional single-use items were not included in the ban. The distinction between bowls and containers could have been ironed out in the accompanying guidelines (yet to be published). We see the decision not to include bowls as problematic and it will be important that the accompanying guidelines give sufficient clarity to ensure that very shallow bowls are not substituted for plates. There are a number of additional single-use plastic items that could have been included (as outlined in our [Response to Introducing market restrictions on problematic single-use plastic items in Scotland](#)) and it seems a wasted opportunity not to include them at this stage. Although it is noted that they will be considered in due course, the environmental, social and economic costs of marine plastic demand swift and concerted action¹.

Question 2: The scope of the exemptions to the provisions proposed.

We generally concur with the exemptions proposed although are still somewhat puzzled over the exemptions of balloon sticks and assume these '*sticks for attaching to balloons which have industrial or other professions uses, such as weather balloons*', are not single-use.

We would also like clarity over the extent, in terms of quantity, to which manufacturing of items to which exemptions apply is permitted.

¹ <https://amp.theguardian.com/global-development/2019/apr/04/marine-plastic-pollution-costs-the-world-up-to-25bn-a-year-researchers-find> <https://www.sciencedirect.com/science/article/pii/S0025326X19302061>



Question 3: Other comments

We are concerned about a lack of timetable; and would like to see a timetable for the introduction of both these regulations and measures relating to other parts of the SUP Directive, notably Article 4. It is important to have clear timescales for such measures to give a signal to business and other stakeholders.

[Responses](#) to the previous consultation demonstrate that there is significant confusion and uncertainty over the presence of oxo-degradable plastics in Scotland. This is rather concerning and needs clarity. It is linked to the broader issue of clear labelling which needs addressing.

In addition we would like to take the opportunity to emphasise the points we made in our first [response](#):

Although single-use plastic is a particular problem due to the nature of plastic in the environment, single-use in general is also problematic as it is wasteful of natural resources. Reusable alternatives are preferable to single-use items made from another material. Where there are reusable alternatives, a ban on single-use (regardless of material) might be appropriate.

When switching between materials, there must be vigilance over chemical content and related standards, particularly for food packaging.

In addressing single-use plastic items it is important to monitor overall plastic consumption relating to the function provided by that item. For example, there has been a marked increase in the use of heavier duty plastic bags from some retailers since the plastic bag charge came in². Durable plastic items need to be used repeatedly before they are discarded if they are to offer net benefit over single-use in terms of plastic consumption.

The sheer quantity of resources extracted, processed, used and wasted has a massive impact on climate change and biodiversity loss. Plastic is a major contributor to climate change³. Emissions from the plastic lifecycle⁴ threaten the ability of the global community to keep temperature rise below 1.5° C. Reducing the overall production and consumption of plastics must be a priority.

The Covid pandemic has brought enormous challenges, but it is vital that we take strong and prompt political action to tackle single-use plastics and implement the SUP Directive. It remains crucial that this forms part of wider and more ambitious work by the Scottish Government - the Circular Economy Bill should be introduced as soon as possible with robust targets to reduce our over consumption of materials like plastic. Our climate and biodiversity crises demand swift action on plastics and we must also uphold our commitment to keep pace with Europe.

² <https://eia-international.org/wp-content/uploads/Checking-Out-on-Plastics-2-report.pdf>

³ <https://www.ciel.org/plasticandclimate/>

⁴ GHGs are emitted during the extraction and transport of the raw fossil fuel, plastic refining and manufacture, and managing plastic waste.



This response is supported by the following LINK member organisations:

Archaeology Scotland
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Froglife Scotland
Keep Scotland Beautiful
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North East Mountain Trust
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