

Reduction of Single-Use Plastic Beverage Cups and Food Containers

CONSULTATION RESPONSE

29 October 2021

Introduction

Sustainable Northern Ireland is a charity that works with Northern Ireland's public sector to inspire, influence, and inform action on sustainability and climate change. Through our network, we support and empower public sector collaboration to accelerate action on climate change and deliver a sustainable future for all.

Sustainable Northern Ireland welcomes the opportunity to respond to the Department for Agriculture, Environment and Rural Affairs (DAERA) consultation and looking forward to its publication and to working with DAERA on its delivery.

Response

2.2 General questions on approach

Q1: What size of the businesses should the proposed policies apply to?

✓	Small (1-49 employees)
✓	Medium (50-249 employees)
✓	Large (250+ employees)
	None of the above

Q2. Are you aware of any other policy options, not including those already listed, that would be suitable to achieve the stated policy aims?

Yes. Where the levy policy should be applied, either 25p per cup and 50p per food container or 10p levy per cup and 25p per food container in the case of schemes implemented by businesses, a complete ban of non-recyclable expanded polystyrene/PVC in line with EU Single Use Plastic Directive should be considered and applied. Beside that, a ban of all oxo-degradable plastics (mainly used for cold beverages) should be included, following the EU Directive on SUP. This is one of the few environmental frameworks not transposed into UK law as part of the Brexit withdrawal, but NI must comply on an individual national level by 1st January 2022 based on the Northern Ireland Protocol (source: [Institute for Government](#))

2.3 Materials in scope

Q3. Which of the following items, if any, should be included within the scope of proposed policy measures? (Select all that apply)

✓	Plastic single-use cups
✓	Card single-use cups lined with plastic
✓	Takeaway food containers (food containers provided with meals purchased to take off the premises) – Scope 1

✓	Pre-filled food containers – Scope 2
✓	Self-fill food containers (food containers that the customers fill themselves before purchase e.g., at a salad bar) – Scope 1
✓	Other If “other” please explain below Oxo-degradable containers

Q4. In your view is it practical to include pre-filled (Scope 2) plastic food containers, including those which are plastic-lined, within the scope of these policies?

✓	Yes
	No
	Don't know
If yes please explain	<p>The consultation states “It is proposed that only Scope 1 food containers should be included within the ambit of the policies at the moment. The rationale for this is that in the case of Scope 2 food containers (a) the consumer has no opportunity to choose to have the food put into a MU container and thereby avoid the impact of the policy, and (b) SUNP alternatives are not readily available to producers/retailers in all cases”.</p> <p>(a) The consumer has currently no opportunity to choose anyway with SUP pre-filled containers; therefore, to promote positive behaviour change a more effective solution would be a SUNP or MU alternative, which currently exists (e.g. Tesco sells ready meals in multi-use containers). A simple note ‘reuse me or keep me’ on the container would reinforce the message and encourage people to keep the container.</p> <p>(b) The policy should consider the transition from SUP to SUNP alternative. The changeover can be effective if there is a legal imperative/requirement with an appropriate lead in time that would set the industry on the development and diversification for a new legal Scope 2 SUNP requirements. There is an opportunity to increase jobs by investing in new non-plastic materials supporting the diversification and expansion of the food packaging industry in NI.</p>

2.3.3. Materials in scope questions

Q5. In addition to plastic, should any other materials be included in future measures? (Select all that apply)

✓	Metal - Aluminium. Most of aluminium is made from mined bauxite. Bauxite is most commonly found in countries like Australia, China, Guinea and Brazil. The process of smelting bauxite into the form of aluminium requires considerable energy and water use (source: Sustainable Review)
	Glass
	Paper/card -
	None of the above
	Other
If ‘other’ please explain below	

Q6. If a levy were to be introduced, who should pay it, producers or consumers? (select one)

	Producers
✓	Consumers
	Other
If 'other' please explain	

3. Results

3.1. SUP Beverage cups

Q7: In your view, if no policies or measures were to be introduced, what is the earliest date that the market might develop and supply single-use non-plastic cups? (Select one)

✓	They are already available
	The market would not develop and supply single-use non-plastic cups
	2022
	2023
	2024
	2025
	2026+
	Don't know
	Other
If 'other' please explain	

Please describe the single-use non-plastic cup that is already available. (Only answer if 'they are already available' was selected for the previous question)

[Frugalpac](https://frugalpac.com/), a UK company registered in England and Wales, has developed the Frugal Cup, which is made from 96% recycled paper; sustainable recycled paper; is easy to recycle as it does not contain water proofing chemicals; and it has a 4% food grade easy to separate PE liner. The same company has launched in 2020 the Frugal Bottle and wine and spirits companies in Japan, Spain, US, Germany, Italy, and France have already started selling their product in these six-times lower carbon footprint bottles (<https://frugalpac.com/>)

3.1.1 Ban

Q8. If a ban were to be introduced on SUP beverage cups (including plastics or bioplastics) how should the ban be implemented? (Select one)

	Fully implemented from the outset
	Phased in over 6 months
✓	Phased in over 1 year
	Other
If 'other' please explain	

Q9: If a ban on were to be introduce on SUP beverage cups (including plastics or bioplastics) what year should a ban on SUP beverage cups be introduced? (Select one)

✓	2022
	2023
	2024
	2025
	2026+
	Other
If 'other' please explain below	

3.1.2 Levy

Q10: If a levy were to be introduced on SUP beverage cups (including plastics or bioplastics) what year should a levy on SUP beverage cups (of any scope) be introduced? (select one)

<input checked="" type="checkbox"/>	2022
<input type="checkbox"/>	2023
<input type="checkbox"/>	2024
<input type="checkbox"/>	2025
<input type="checkbox"/>	2026+
<input type="checkbox"/>	Other
If 'other' please explain	

Q11: If a levy were to be introduced on SUP beverage cups (plastics or bioplastics) what level should it be set at? (select one)

<input type="checkbox"/>	£0.10-£0.24
<input checked="" type="checkbox"/>	£0.25-£0.49
<input type="checkbox"/>	£0.50-£0.74
<input type="checkbox"/>	£0.75-£1.00
<input type="checkbox"/>	Other
If 'other' please explain	

3.1.3 Voluntary retailer-led scheme

Q12: Do you believe a voluntary scheme for SUP beverage cups, of any form, would be effective in meeting the goal of a significant reduction in SUP cup use?

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No (If answered no, do not complete next two questions)
What design of voluntary scheme would be successful in terms of administration, monitoring, and applications?	
<p>Promoting cultural and behavioural change is critical to prevent single-use disposable beverage cup consumption and to reduce Northern Ireland's throwaway culture. Therefore, social marketing measures are essential to raise awareness on the need for a change to 'shift the paradigm' so that unsustainable consumption becomes socially unacceptable and ensure sustainable consumption becomes the new social norm. Literature review has proved "the effectiveness of charging separately for a cup as an intervention that can act as a 'habit disruptor to reset consumer behaviour" (source: EPECOM). Any voluntary scheme should consider that environmental charges, as stated by the Expert Panel on Environmental Charging and Measures in the 'Recommendations on Single-Use Disposable Beverage Cups' report (July 2019), have been shown to be effective at reducing consumption and increasing reusable cup use than a disposable cup discount. A separate charge for SUP beverage cups should be adopted but with a minimum, mandatory pricing for cups and drinks introduced at national level to avoid any competitive disadvantage among retailers. This should be accompanied by a consistent message and promotion to customers.</p>	

Q13: What are the key elements for a successful voluntary scheme for SUP beverage cups? (select all that apply)

<input type="checkbox"/>	The ability to in some way enforce signatories to enact the agreement
<input checked="" type="checkbox"/>	For either internal or external monitoring to be conducted
<input checked="" type="checkbox"/>	For a significant amount of the affected organisations (by sales volume) to be signed up
<input checked="" type="checkbox"/>	A consumer facing communications campaign explaining the purpose and aims of the agreement
<input checked="" type="checkbox"/>	For the agreement to contain agreed action for all signatories to undertake

	For signatories to the agreement to have flexibility in achieving the aims of the agreement
	Other
If 'other' please explain	

3.2 SUP food containers

Q14: In your view, if no policies or measures were to be introduced, what is the earliest date that the market might develop and supply SUNP (including plastic lining) food containers? (Select one)

✓	They are already available
	The market would not develop and supply SUNP food containers
	2022
	2023
	2024
	2025
	2026+
	Don't know
	Other
If 'other' please explain	

Q15: Please describe the SUNP food container that is already available. (Only answer if 'they are already available' was selected for the previous question)

SUNP containers are available and already on the market - mainly compostable and bio-plastic material - but there are several issues with these:

- Lack of infrastructure to dispose of these items correctly
- Lack of infrastructure to compost correctly
- Contamination, as consumers often dispose of non-compostable look-alike items in their bins and vice-versa
- Removing these items from the recycling operations increases the use of water, energy, and other resources and drives up operating costs
- The plastic lining inside the containers cannot be removed efficiently
- Zero Waste does not always equal sustainability (source: [Civil Eats](#))
 - ✓ even if something is compostable there might be a problem in predicting its environmental impact
 - ✓ the complete life cycle of single-use non-plastic items includes raw materials used, the manufacturing process, the transportation system, and what happens to the waste
 - ✓ moving the focus from the impact of disposal to the environmental impact of producing it, can change the way of seeing these as safe alternatives

SNI support the hierarchy developed by the EPECOM based on the Waste Hierarchy model to encourage behaviour change. We clearly need to generate less waste and any campaign should have this as a priority.



Q16: What type of food containers should be targeted by the proposed measures (select all that apply)

✓	Takeaway food containers (food containers provided with meals purchased to take of the premises)
✓	Pre-filled food containers
✓	Self-fill food containers (food containers that the customers fill themselves before purchase e.g. at a salad bar)
	Other
If 'other' please explain	

3.2.1 Ban

Q17: If a ban on SUP food containers were introduced how should the ban be implemented? (Select one)

	Fully implemented from outset
	Phased in over 6 months
✓	Phased in over 1 year
	Other
If 'other' please explain	

Q18: Is there an alternative method of introducing the ban, not mentioned in this consultation?

✓	Yes
	No
<p>If 'yes' please explain</p> <p>It is not an alternative method, but it could be introduced along with the proposed methods in this consultation. GO Box, a reusable takeout container service, offers those who buy takeout a sturdy plastic reusable container to eliminate the need for single-use clamshells. The reusable containers are checked out from vendors via an app and then dropped off at designated locations. The company, based in Portland, collects, cleans, and sanitizes the containers, which are then re-used by other customers. At the end of their lives, the plastic reusable containers are recycled. A similar service, Green GrubBox, also exists in Seattle, and another, Rogue To Go, was recently launched in Ashland, Oregon.</p> <p>Experts caution that, because reusable cups, containers, and cutlery also require raw resources and energy to produce, so they must be used consistently to offset their environmental impact. Despite this, most everyone agrees that reuse is best for the environment. Reuse has its own environmental impact, but with incentives like money-back on return scheme the system of reusable boxes can work. An example is the reCIRCLE scheme in Switzerland.</p> <p>For instance, there's the 'Bring Back Box' in the Swiss city of Bern. Customers of restaurants in the scheme pay a 10-franc (£8) deposit for a sturdy plastic takeaway box. After the takeaway meal is finished, the box is returned to any participating restaurant. Then the boxes are washed and redistributed.</p>	

Q19: In what year should a ban on SUP food containers be introduced? (Select 1 option for each row, put cross in selected box)

Takeaway food containers	2022 x	2023	2024	2025	2026	Later
Pre-filled food containers	2022	2023 x	2024	2025	2026	Later
Self-fill food containers	2022 x	2023	2024	2025	2026	Later

3.2.2 Levy

Q20: If a levy on SUP food containers were introduced what level should it be set at? (select one)

	£0.25-£0.49
	£0.50-£0.74
✓	£0.75-£0.99
	£1.00-£1.24
	£1.25-£1.50
	Other
If 'other' please explain	

Q21: Would a levy be effective in reducing the consumption of pre-filled plastic food containers?

✓	Yes
	No
	Don't know

Q22: How could a levy on pre-filled plastic food containers be implemented in terms of scheme administration, monitoring, and applications? (Only answer if 'yes' was selected for the previous question)

The correct communication is the key to make customers aware of the increase in price of the product due to a levy on the SUP containers, which could be replaced with eco-friendly alternatives. Prevention and communication are pivotal when campaigning for behavioural changes. Notes from the producers and the retailers should be placed above any display of food coming in pre-filled plastic containers. Besides that, outlets should not be offering disposable containers or utensils to customers eating on the premises as it happens by default in many cafes and restaurants. And posters about refusing plastic containers when sitting in and pointless waste, should be in the premises to promote positive behaviour among customers, who are not passive polluters.

Q23: Would a levy on producers be more or less effective in reducing consumptions of SUP packaging than a levy on consumers? (Select one)

	More
✓	The same
	Less
	Don't know

3.2.3 Voluntary retailer-led scheme

Q24: Do you believe a voluntary scheme for SUP food containers, of any form, would be effective in meeting the proposed reductions?

✓	Yes
	No
<p>If 'yes' what design of voluntary scheme would be successful in terms of scheme administration, monitoring, and applications?</p> <p>As abovementioned successful schemes already working in other countries could work in Northern Ireland. For instance, there's the 'Bring Back Box' in the Swiss city of Bern. Customers of restaurants in the scheme pay a 10-franc (£8) deposit for a sturdy plastic takeaway box. (OK it's still plastic, but at least it's multi-use.) After you've finished your takeaway meal, you return the box to any participating restaurant. Then the boxes are washed and redistributed. Another similar example is the Go Box scheme in Portland and San Francisco in the US.</p> <p>This is an app-based reusable box service for takeaway outlets and street vendors. The robust plastic meal boxes can be used up to 300 times before they're eventually recycled.</p> <p>There are other schemes based on the popular Indian 'tiffin boxes' – stainless steel stackable tins that can hold a selection of hot or cold foods. Typically, a retailer might sell or rent the tiffin box to</p>	

customers, who will bring it each time they buy a takeaway. In India, tiffin boxes are usually picked up from homes and delivered to workplaces.
 In most cases these reusing/sharing schemes mean that washing-up is going to have to become more of a thing again in takeaway outlets.
 Plates, bowls, cups, and cutlery can't just be binned after a single use, so someone must clean them. That obviously has implications for energy and water use, but it could also bring new business and employment opportunities too (Source: [Plastic takeaway packaging – how to ditch disposable](#))

Q25: What are the key elements for a successful voluntary scheme for SUP food containers? (Select all that apply)

	The ability to in some way to enforce signatories to enact the agreement
✓	For either internal or external monitoring to be conducted
✓	For a significant amount of the effected organisations (by sales volume) to be signed up
✓	A consumer facing communications campaign explaining the purpose and aims of the agreement
✓	For the agreement to contain agreed action for all signatories to undertake
✓	For signatories to the agreement to have flexibility in achieving the aims of the agreement
	Other
If 'other' please explain	

3.3 Preferred approach

Q26. Do you agree with the results of the modelling? (One per row)

Cups	✓	Yes		No
Food containers	✓	Yes		No
If 'no' for cups, please explain				
If 'no' for food containers, please explain here				

Q27. What is your preferred option to meet the proposed reductions? (One per row)

Cups		Ban	✓	Levy		Voluntary scheme		Other
Food containers		Ban	✓	Levy		Voluntary scheme		Other
Cups 'other' please specify								
Food containers 'other' please specify								
Please describe why this is your preferred option for cups								
The complete ban of SUP cups can bring to employ materials whose environmental impact after use, may not be measured and for which presently there are not sufficient infrastructure (e.g. compostable cups currently do not produce valuable compost, but instead disappear into CO2 and water when correctly processed in the appropriate infrastructure). A complete withdrawal of SUP disposable cups would be more effective in office settings than for on the go consumption, including the healthcare system staff rooms and hospital canteen where the use of disposable SUP items does not affect the potential of disease spreading and could increase savings of up to £80k in a year. Healthcare workers are increasingly aware of the waste being created, and the chance to save money and improve resilience could spur interest in alternatives to single-use. The COVID-19 recovery and the climate crisis tackling plans should be the opportunity to regain momentum and reassess priorities (for more info see Freeman Hospital and Royal Victoria Infirmary, Newcastle).								

A levy, as literature review has demonstrated, works as an effective intervention that can act as a 'habit disruptor' to reset consumer behaviour. It must be accompanied by an appropriate communications campaign to make customers aware of the issue and to make reusable options more accessible and acceptable as the default mode of consumption. Issuing best practice guidance to support better promotion of available reuse options by retailers at point of sale, including a duty to provide, facilitate and accept reuse options alongside separate charging and communicating assurances that 'Bring your own' (BYO) reusable cups will be accepted at point of sale (source: [EPECOM](#))

Please describe why this is your preferred option for food containers

Like the previous answer SNI is in favour of a levy over a ban when called to pick one option, despite considering more effective a levy along with other preventative measures. The same issue and concern raised in the previous answer on SUP cups, regarding the current difficulty in measuring the environmental impact of some alternative to SUP after disposal, recurs for SUP food containers too.

A levy with price separation between the content (food) and the container, will avoid the risk of an increase in the price of the food product by retailers masking the charge on the container. This might be a risk particularly with voluntary schemes, which could be avoid by accompanying the initiative with a clear communication, social marketing tools and messages to help boost the effect of the charge. Charges are more effective than discounts in reducing the use of SUP disposable items, as stated by the Expert Panel on Environmental Charging and other Measures of the Scottish Government.

3.4 Administration and enforcement

Q28: What should the proposed measures include to be successful/effective? (Select all that apply)

<input checked="" type="checkbox"/>	Penalties for non-compliance, for example, fines
<input checked="" type="checkbox"/>	Provision of clear guidance on, scope, obligations, actions, etc...
<input checked="" type="checkbox"/>	Creation of a scheme administrator/regulator
<input checked="" type="checkbox"/>	Provision of independent monitoring
	Other
If 'other' please explain below	

Q29: Who should monitor the impact of the measures? (Select one)

	DAERA
	The Northern Ireland Environmental Agency
<input checked="" type="checkbox"/>	An independent organisation (e.g. a charity)
	A newly created public body
	The companies affected
	Don't know
	Other
If 'other' please explain	

Q30: If a levy were adopted how should any funds raised from the collection of levies be distributed? (Please pick only 3 including 'other')

<input checked="" type="checkbox"/>	Regulation and enforcement of the measures
<input checked="" type="checkbox"/>	Waste reduction initiatives
	Litter campaigns
	To encourage recycling
	Wildlife/ecological initiatives
<input checked="" type="checkbox"/>	SUP reduction activities
	Other
If 'other' please explain	