

Call for evidence: Tackling consumption of single-use food containers and other commonly littered or problematic single-use items

April 2022



Scottish Government
Riaghaltas na h-Alba
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Overview

1. Material consumption and waste are the primary drivers of nearly every environmental problem we currently face, from water scarcity to habitat and species loss. Around 75%¹ of Scotland's carbon footprint is caused by the production, consumption, and all too often waste, of goods, and services. In Scotland we use on average 18.4 tonnes of resources per person, well above the 6-8 tonnes per person considered to be sustainable. Cutting our material consumption is therefore one of the most important ways that we can all limit our impact on the environment.
2. Plastic waste, much of it single-use, is not only wasteful but generates litter that is hugely damaging for our oceans, rivers and ecosystems. Every year, hundreds of millions of pieces of single-use plastic are wasted in this country. They litter our coasts, pollute our oceans and contribute to the climate emergency.
3. That is why, as part of our target to reach net-zero by 2045 and tackle the nature crisis, the Scottish Government is taking action to reduce the environmental impact of single-use plastic products. In 2019, as part of our commitment to meet or exceed the standards of the EU Single-use Plastics Directive², Scotland became the first country in the UK to ban plastic-stemmed cotton buds and we took further action in 2021 by banning certain problematic single use plastic items³, such as cutlery, plates and expanded polystyrene food and drink containers, subject to the impact of the UK Internal Market Act 2020.
4. The Scottish Government's 2021 Regulations, commonly referred to as the single-use plastic regulations, are not, however, the final step in combating consumption of single-use plastics. We are keeping under review what other single-use plastic products, and single-use products more generally, we should consider taking action on next, as part of our move to a more circular economy.
5. Using principles established by the Expert Panel on Environmental Charging and Other Measures (EPECOM)⁴, this call for evidence will help inform future policy development on single-use products, including single-use plastic items. We are using this exercise to collect evidence on single-use products, with a focus on single-use food containers, as the first step to formulating future policy decisions as we move from a linear consumption model of take, make and consume, to a more circular economy that prioritises waste prevention, re-use and recycling. The call for evidence invites evidence on the size and nature of the market for, and environmental impact of, certain single-use items in Scotland.

¹ [Scotland's carbon footprint: 1998 - 2017 - gov.scot \(www.gov.scot\)](https://www.gov.scot)

² [EUR-Lex - 32019L0904 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu)

³ [The Environmental Protection \(Single-use Plastic Products\) \(Scotland\) Regulations 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

⁴ [Tackling single-use items: independent report - gov.scot \(www.gov.scot\)](https://www.gov.scot)

10. Two products not included in this call for evidence, but important in relation to the Scottish Government's efforts to tackle single-use plastic products, are single-use beverage cups and wet wipes containing plastic.
11. The Scottish Government has previously committed to take further steps to consult on a minimum charge on single-use disposable beverage cups. This work is underway separately to this call for evidence and the Scottish Government announced on 31 March 2022 the formation of an advisory group to inform the implementation of a minimum charge.
12. In relation to wet wipes, the Scottish Government has supported the development and promotion of WaterUK's Fine to Flush standard which requires manufacturers to make wet wipes without any plastic, and that the products break down through regular water treatment processes. The Scottish Government is firmly in favour of introducing a ban on these products as the most effective mechanism to tackle this growing problem, and we continue to work with the UK Government and the other devolved nations to make that a reality.

Responses

13. We are inviting responses to the call for evidence by 30 June 2022. Please respond using the [Scottish Government's consultation hub, Citizen Space](#). Access and respond online at <https://consult.gov.scot/environment-forestry/single-use-items>. You can save and return to your responses during the consultation period, please ensure that responses are submitted before the closing date of 30 June 2022.
14. If you are unable to respond using our consultation hub, please complete the Respondent Information Form and send to:

Zero Waste Unit

Scottish Government

3H South

Victoria Quay

Edinburgh, EH6 6QQ

Handling your response

15. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this exercise.

16. If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

17. To find out how we handle your personal data, please see our [privacy policy](#).

Next steps in the process

18. We would like to thank everyone who provided information for this call for evidence. Following the closing date, all responses will be analysed, and this analysis will inform our approach to further stakeholder engagement on this issue. Respondents who wish to have their responses published will be published here, shortly after the closing date.

Comments and complaints

19. If you have any comments about how this exercise has been conducted, please send them to the contact address above or at SUPD@gov.scot.

28. Article 4 also requires an ambitious and sustained reduction in single-use cups for beverages, including their covers and lids. Following on from the findings of EPECOM¹⁴, the Scottish Government has previously confirmed its intention to introduce a charge on single use disposable beverage cups in Scotland and on 31 March 2022 announced the establishment of an advisory group to provide expertise and advice in order to inform policy implementation in this area.

Single-use

29. The definition of single-use for items in this exercise is “a product that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived”.

30. Product design characteristics can help to determine whether a product should be considered as single or multiple-use. Whether a product is conceived, designed or placed on the market for reuse, can be assessed by considering the product’s expected functional life, i.e. whether it is intended and designed to be used several times before final disposal, without losing product functionality, physical capacity or quality, and whether consumers typically conceive, perceive and use it as a reusable product.

31. Relevant product design characteristics include material composition, washability and reparability, which would allow multiple trips and rotations for the same purpose as for which the product was originally conceived. For a receptacle, which is packaging, its reusable nature can be determined in accordance with the essential requirements under Directive 94/62/EC on packaging and packaging waste, which was implemented in the UK by the Packaging (Essential Requirements) Regulations 2015, including any declaration attesting to the conformity of the packaging with those essential requirements and related standards.

32. Further guidance on when a product can be considered single-use is provided in the guidance document published alongside the Scottish Government’s single-use plastic regulations¹⁵.

Plastic

33. The definition of plastic used for this exercise is the definition used in the Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021¹⁶:

¹⁴ [Single-use disposable cups: EPECOM recommendations - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/epecom-recommendations/pages/11-single-use-disposable-cups.aspx)

¹⁵ [Supporting documents - Single-Use Plastics Regulations: draft guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/supporting-documents-single-use-plastics-regulations-draft-guidance/pages/1-supporting-documents-single-use-plastics-regulations-draft-guidance.aspx)

¹⁶ [The Environmental Protection \(Single-use Plastic Products\) \(Scotland\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2021/01/01/51501_1/contents/section/1)

“plastic” means “a material consisting of a polymer as defined in Article 3(5) of Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)(2), to which additives or other substances may have been added, and which can function as main structural component of final products, with the exception of natural polymers that have not been chemically modified”.

Part 1 - Single-use food containers

34. The first section of this call for evidence focuses on single-use food containers, with a particular interest in single-use plastic food containers as part of our drive to reduce the environmental impact of single-use plastic items.

35. While our focus is on tackling single-use plastic food containers, we are also interested in evidence on non-plastic single-use food containers. This information will help inform future decisions to implement measures in line with waste hierarchy principles of prioritising prevention and re-use over recycling and disposal to tackle consumption of single-use food containers in general.

36. The definition of food containers used for this call for evidence is:

Receptacles such as boxes, with or without a cover, used to contain food which:

- *is intended for immediate consumption, either on-the-spot or take-away;*
- *is typically consumed from the receptacle; and*
- *is ready to be consumed without any further preparation, such as cooking, boiling or heating.*

This includes food containers used for fast food or other meal ready for immediate consumption, except beverage containers, plates and packets and wrappers containing food.

37. The Scottish Government is committed to align with or go further than the standards of the EU Single-use Plastics Directive to tackle the ten single-use plastic items most commonly found on Europe's beaches¹⁷, including single-use food containers. Action has already been taken on single-use food containers made of expanded polystyrene (EPS) through the single-use plastic regulations as part of work to align with Article 5 of the Directive. The manufacture and supply of single-use EPS food containers is banned in Scotland from 1 June 2022, subject to the impact of the UK Internal Market Act 2020. Single-use EPS food containers are therefore not included in the scope of this call for evidence.

38. Article 4 of the EU Single-use Plastics Directive requires measures to be put in place to achieve an ambitious and sustained reduction in the consumption of single-use plastic food containers. Evidence provided in answer to the questions below will help shape policy decisions to achieve this commitment.

39. There are six questions relating to single-use food containers. These questions will help us understand:

¹⁷ [Single-use plastics \(europa.eu\)](https://europa.eu)

- the environmental impact of single-use food containers;
 - the market for these products in Scotland;
 - the impact of any measures taken to reduce consumption of single-use food containers;
 - barriers to implementing policy measures; and
 - the impact policy measures could have on people and businesses.
- **Question 1. Do you have any evidence of the environmental impact of single-use (plastic or non-plastic) food containers?**
 - **Question 2. Do you have any evidence of the size and nature of the single-use (plastic and non-plastic) food containers market in Scotland?**

The evidence could include how many single-use food containers are used in Scotland, how many are manufactured in Scotland and what types of single-use food containers are used in Scotland.

- **Question 3. Do you have any evidence of effective actions taken in Scotland or other nations to reduce consumption of single-use (plastic or non-plastic) food containers?**
- **Question 4. Do you have any evidence of barriers to implementing policy measures to reduce the consumption of single-use food containers?**
- **Question 5. Do you have any evidence related to the impact on businesses (positive or negative) that policy measures to reduce the consumption of single-use food containers could have?**
- **Question 6. Do you have any evidence of the impact that policy measures to reduce the consumption of single-use food containers might have on people with protected characteristics or who experience socio-economic disadvantage?**

The protected characteristics laid down by the Equality Act 2020 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Your answer might also include evidence of where single-use food containers are considered essential.

Part 2 - Other single-use plastic products

40. The second section of this call for evidence focuses on other single-use plastic products supplied in Scotland.
41. Evidence is also requested on the alternatives to single-use plastic products. This will help support the move away from the current linear consumption model of take, make and consume to a circular economy approach that promotes re-use, repair and recycling to reduce waste and move to a more circular economy.
42. The other single-use plastic items included in this call for evidence are:
- plastic bowls, trays and platters;
 - period and incontinence products including plastic tampon applicators and incontinence pads;
 - plastic sachets e.g. condiment sachets used in hospitality settings;
 - plastic tobacco filters; and
 - plastic packaging on fruit and vegetables.
43. These products are some of the most high profile and problematic single-use plastic products in Scotland. They have been chosen because of a range of factors including, public interest in action being taken, their environmental impact and the drive to move to a more circular economy.
44. Many of these products are often incorrectly disposed of and are not suitable, or not easily captured, for recycling. The evidence gathered through this process will help the Scottish Government evaluate options to tackle the environmental impact of these products more effectively.

Single-use plastic bowls, trays and platters

45. Single-use plastic bowls, trays and platters were considered for inclusion in the Environmental Protection (Single-use Plastic Products and Oxo-degradable Plastic Products) (Scotland) Regulations 2021. However, following extensive stakeholder engagement it was decided that these products should be considered in tandem with work to reduce consumption of single-use food containers, due to the similarity in properties and form of the products.
46. There is a wide variety of products that could be considered a single-use plastic bowl, tray or platter and, bearing in mind that single-use plastic plates are included under the provisions in the single-use plastic regulations, products that are explicitly

52. We are also inviting evidence on alternatives to single-use plastic food sachets, this could include sachets made from non-plastic materials that are also single-use.

Single-use plastic tobacco filters

53. Plastic tobacco filters can be sold separately or as part of a tobacco product such as a cigarette. The majority of the cigarette butts discarded each year in Scotland are made of cellulose acetate, a form of plastic, which when littered takes years to degrade into progressively smaller pieces, leaching toxins into the environment as it does so²¹. This means cigarette butts could remain as litter on Scottish streets for up to twelve years²².
54. Seven in ten respondents to the Keep Scotland Beautiful Litter Survey believe that litter is a problem locally, and 88% believe that it is a problem nationally²³. Cigarette related products are amongst the most common types of litter in Scotland. Around half of Scotland's streets are affected by smoking-related litter (butts, matches and packaging). In our towns and cities, this figure rises to almost 75%²⁴.
55. Article 8(3) of the EU Single-use Plastics Directive requires that extended producer responsibility schemes are established for single-use plastic tobacco products with filters and filters marketed for use in combination with tobacco products. Any action taken by the Scottish Government on these products will take into consideration the commitment to align with or go further than the standards of the Directive.

Single-use plastic packaging on fruit and vegetables

56. Plastic packaging refers to the packaging the fruit and vegetables are sold to retailers in. This includes flexible packaging such as the plastic produce such as broccoli or cucumbers are sold in and more rigid containers that produce such as grapes can be sold in.
57. Reducing plastic packaging on fruit and vegetables could simultaneously reduce plastic waste and food waste in Scotland. A recent report by WRAP²⁵ showed that removing plastic packaging can help consumers buy the right amount of food for their needs and reduce food waste.

²¹ [Tackling plastic cigarette filters | ASH Scotland](#)

²² [Cigarette_Art1_Smokers_Etiquette.pdf \(zerowastescotland.org.uk\)](#)

²³ [littering-in-scotland-survey-2021-final-071221.pdf \(keepscotlandbeautiful.org\)](#)

²⁴ [littering-in-scotland-survey-2021-final-071221.pdf \(keepscotlandbeautiful.org\)](#)

²⁵ [WRAP Reducing household food waste and plastic packaging](#)

58. Although some retailers have taken action to reduce waste on plastic packaging, such as providing collection points for recycling in store, this exercise is asking for evidence of further action that could be taken.

Other single-use plastic products – Questions

59. The call for evidence questions related the other single-use items covered in Part 2 of this paper are set out below.

- **Question 7 - Do you have any evidence of the environmental impact of the single-use items set out in Part 2 of the call for evidence paper?**
 - a. Single-use plastic bowls, trays and platters;
 - b. Single-use plastic period and incontinence products;
 - c. Single-use plastic sachets;
 - d. Single-use plastic tobacco filters; and
 - e. Single-use plastic packaging on fruit and vegetables.

- **Question 8 - Do you have any evidence of the size and nature of the market for the single-use items set out in Part 2 of the call for evidence paper?**
 - a. Single-use plastic bowls, trays and platters;
 - b. Single-use plastic period and incontinence products;
 - c. Single-use plastic sachets;
 - d. Single-use plastic tobacco filters; and
 - e. Single-use plastic packaging on fruit and vegetables.

- **Question 9 - Do you have any evidence on what alternatives to single-use items set out in Part 2 of the call for evidence paper are available and any negative impacts (environmental or other) that increased use of these alternatives could have?**
 - a. Single-use plastic bowls, trays and platters;
 - b. Single-use plastic period and incontinence products;
 - c. Single-use plastic sachets;
 - d. Single-use plastic tobacco filters; and
 - e. Single-use plastic packaging on fruit and vegetables.

- **Question 10 - Do you have any evidence of effective action taken to reduce the consumption of the single-use items set out in Part 2 of the call for evidence paper?**
 - a. Single-use plastic bowls, trays and platters;
 - b. Single-use plastic period and incontinence products;
 - c. Single-use plastic sachets;
 - d. Single-use plastic tobacco filters; and
 - e. Single-use plastic packaging on fruit and vegetables.

- **Question 11 - Do you have any evidence related to barriers to implementing policy measures to reduce the consumption of the single-use items set out in Part 2 of the call for evidence paper?**

- a. Single-use plastic bowls, trays and platters;
- b. Single-use plastic period and incontinence products;
- c. Single-use plastic sachets;
- d. Single-use plastic tobacco filters; and
- e. Single-use plastic packaging on fruit and vegetables.

- **Question 12 - Do you have any evidence related to the impact on businesses (positive or negative) of policy measures to reduce the consumption of the single-use items set out in Part 2 of the call for evidence paper?**

- a. Single-use plastic bowls, trays and platters;
- b. Single-use plastic period and incontinence products;
- c. Single-use plastic sachets;
- d. Single-use plastic tobacco filters; and
- e. Single-use plastic packaging on fruit and vegetables.

- **Question 13 - Do you have any evidence of the impact that policy measures to reduce the consumption of the single-use items set out in Part 2 might have on people with protected characteristics or who experience socio-economic disadvantage of the call for evidence paper?**

The protected characteristics laid down by the Equality Act 2020 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- a. Single-use plastic bowls, trays and platters;
- b. Single-use plastic period and incontinence products;
- c. Single-use plastic sachets;
- d. Single-use plastic tobacco filters; and
- e. Single-use plastic packaging on fruit and vegetables.

60. Question 13 is the final question of this call for evidence. You can access and respond online to this call for evidence at [Call for Evidence: Single-use Food Containers and Other Single-use Items](#).

If you have any questions about this exercise, please send them to SUPD@gov.scot



Call for evidence: Single-use food containers and other single-use items

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

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Organisation

Full name or organisation's name

Phone number

Address

Postcode

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Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

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The Scottish Government would like your permission to publish your consultation response.
Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No



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