



Hong Kong, August 19, 2021

Plastic Free Seas' views on the Public Consultation on Plastic Tableware

Dear Chair and members of the Panel on Environmental Affairs,

Plastic Free Seas welcomes the public consultation on plastic tableware. This will reduce the amount of single-use plastic used by the catering industry as well as the volume of plastic that ends up in the marine environment, harming wildlife and contaminating our food chain. With regard to the public consultation document, we have the following questions:

1.a. Will the legislation for Phase 1 and Phase 2 be included in the initial legislation or will new legislation be created for Phase 2 after Phase 1 has been implemented?

1.b. Question 8 in the small print says 'Subject to the outcome of the first phase as well as the maturity of the market for alternatives in future, the launch date of the second phase will be reviewed and determined about 12 to 18 months upon the implementation of the first phase. It is also initially proposed to provide the second phase with a similar preparatory period'. Does that mean that the second phase will be reviewed until mid-2026, and then have a proposed implementation date of 2030? That is too long a time frame to address the problem of plastic food containers/lids and cup/lids.

2. Is the government planning for collection systems for compostable packaging and composting to manage the waste from compostable packaging?

3. a. Can you please give specific examples of what is included in 9ii - the exclusion of disposable plastic tableware that **forms part of pre-packaged food products outside catering premises?** (in addition to the straw on a liquid carton)

3.b. What about food that is sold in a food court but is packaged off-site in a satellite kitchen, possibly by the same company? If this is a loophole allowing plastic to be used, it may encourage some businesses to switch from packing their meals on-site to off-site.

3c. What about straws on pre-packaged food products, such as the straw on a liquid carton (drink box), and the liquid carton itself? If the PPRS is not covering liquid cartons, and this legislation isn't either, how can this particular product be regulated, either to make it more environmentally friendly or to recover them for recycling?

4. Are products that are predominantly made of non-plastic materials but have a plastic lining included in this legislation? e.g. plastic-lined paper hot beverage cups and food containers.

5. a. This proposed legislation addresses plastic and focuses on a solution to the problem of plastic marine pollution. Although this type of packaging is washing up on our beaches, there is a lot of other solid waste washing up as well. The route of the problem needs to be solved.

How is the problem of packaging and other waste leaking into the marine environment being addressed?

5.b. This proposed legislation is not solving the waste to landfill problem, but encouraging a switch from one material to another, and may cause more of a problem from a weight to landfill point of view given that some non-plastic alternatives may be heavier than the plastic they are replacing.

Given that the waste blueprint for 2035 suggests regulating plastic tableware to reduce the amount of waste, should all single-use tableware be banned for dine-in?

5.c. Given that most of the alternatives to plastic tableware should be compostable, is there a plan to keep these materials out of the landfill and get them into a composting facility in the future?

6. I understand that historically there has not been any data collected on the breakdown of the plastic tableware in the Municipal Solid Waste reports. i.e how much is cutlery, containers, cups, etc.

Is there a plan to collect this information moving forward for both plastic and non-plastic tableware? This data is important to understand the makeup of the waste and to better plan solutions.

7. Will this legislation cover the plastic packaging on chopsticks, cutlery, straws? Carry bags which are excluded from the PRS on plastic bags? This type of packaging should be included. Is any of the above included in this proposed legislation? If yes, where?

8. With regard to 2b on biodegradable plastics, this policy should be flexible enough to accommodate developments in the market for compostable materials and solutions. Particularly in closed loop situations where used packaging remains on-site, there could be viable solutions utilising compostable materials. As of now though, these materials act the same as 'general' plastic does if it ends up in the ocean. Without a solution for keeping waste out of the ocean, these materials shouldn't be used.

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9. Section 1.3 on pg 4 refers to a study that was conducted on the feasibility, scope and mechanism of regulating disposable plastic tableware. Can this information please be shared as a reference to better understanding the public consultation?

RECOMMENDATIONS

As part of this legislation on plastic tableware:

1. Financial incentives should be provided to support restaurants to stop using disposable plastic.
2. In order to minimise waste to landfill, incentives should be provided to restaurants to eliminate all disposable tableware by switching to reusables for in-house dining and reusable packaging models for takeaway.
3. The public should be encouraged to bring their own reusables to avoid the use of all types of single-use tableware.
4. Plastic-lined tableware must be included in this legislation, such as disposable coffee cups.
5. The legislation should include the plastic packaging used for cutlery, straws and chopsticks (tableware).
6. Packaging for food products that have been prepared and packaged off-site but can be eaten on-site such as at a food court should not be exempt from this legislation. Food packaging for food products that have been packaged off-site but heated on-site such as pre-packaged food at a convenience store should be considered as well.
7. Phase Two should be legislated and implemented by industry within 18 months of Phase One.

To enhance this legislation on plastic tableware:

1. The Municipal Solid Waste Scheme should be implemented to encourage a reduction of waste and an increase in recycling.
2. The PRS on plastic bags should be amended to remove the exclusions (foodstuff in non-airtight packaging, foodstuff without packaging, frozen/chilled foodstuff).
3. Compostable tableware should be handled within an industrial composting facility to prevent this single-use waste from ending up in landfill.
4. The Waste Blueprint for 2035 specifically states that regulating plastic disposable tableware is a waste reduction action. In order to reduce waste to landfill, all disposable tableware should be banned for dine-in, not just plastic and reusable models should be prioritised over single-use packaging for take-away.

In addition to this legislation on plastic tableware:

1. All polystyrene should be banned, including insulating fish/produce boxes and other non-food related packaging materials, packing peanuts, etc.
2. The PPRS on plastic beverage bottles should include all beverage containers such as liquid cartons, not just plastic bottles.
3. There needs to be a comprehensive roadmap for all single-use plastics. Other single-use plastic packaging should be addressed, such as umbrella bags, film wrap, delivery packaging, packaging in grocery stores, etc., particularly where there are non-plastic alternatives available, where there are other solutions or the use of the item is not necessary.

Plastic Free Seas is a registered Hong Kong charity focusing on changing the way we all view and use single-use plastic in society today through education and action campaigns. Visit www.plasticfreeseas.org to find out more about the work we do.

Yours sincerely,



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