

**Tell Scotland not to ban compostable food containers –
have your say by 4th Jan!**

9th December 2020

Dear friend,

Scotland is proposing a ban on almost all food containers, including bio-based and compostable products. Banning these takeaway containers would have a major economic impact on food businesses, just when the sector is already fighting to survive.

[Complete the Scottish Government's online form](#) ASAP – it closes on 4th January 2021.

It should take about 20 minutes. Each response is counted and will help shape Scottish policy.

Feel free to copy the text we have suggested below.

- Please add any relevant information and examples from your own business and experiences.
- Provide numbers, details and links where possible to bring these examples to life for our legislators. The online form is plain text, so write out any web addresses in full rather than using hyperlinks.
- Encourage other friends and colleagues to do it too.

Thank you for taking part!

Lucy Frankel and the Vegware team

Question 1(a):

Do you support the proposal to introduce a restriction on the supply by businesses in a commercial capacity in Scotland on each of the single-use plastic items listed and all oxo-degradable products?

Single-use plastic cutlery (forks, knives, spoons, chopsticks)		No
Single-use plastic plates (plates, trays/platters, bowls)		No
Single-use plastic straws		No
Single-use plastic beverage stirrers	Yes	
Single-use plastic balloon sticks	Yes	
Single-use food containers made of expanded polystyrene	Yes	
Single-use cups and other beverage containers made of expanded polystyrene, including their covers, caps and lids	Yes	
All oxo-degradable products	Yes	

Question 1(b):

Please give reasons and where possible provide evidence to support the view expressed in response to Question 1(a).

We support policies which encourage a widespread shift to more reuse. The 'no' answers above propose the Scottish Government make an exemption to allow plant-based and compostable foodservice disposables where hygienic reuse is not possible, or where there are economic or practical barriers to implementing reusables.

We support the banning of expanded polystyrene cups, beverage and food containers, as well as all oxo-degradable products. These materials are linked to pollution, and containers and utensils are available in other materials which have better environmental credentials and recycling options.

Scotland's proposals go beyond the European Directive – not only proposing to ban 100% plastic plates, but also platters, trays and bowls, with any plastic or bioplastic lining or content. And by including bio-based and compostables in this proposed ban, Scotland would be leaving foodservice businesses with very few options.

Without defining 'plate, platter, tray or bowl', Scotland could potentially ban almost all takeaway food receptacles, leaving only 100% fibre, like bagasse clamshells. With no reliable seal, transparency or stacking ability, this would have major economic impacts described in question 6.

In summary, we propose the following:

- **Remove 'platters, trays and bowls' from the 'plates' restriction**
- **Stipulate the exact conditions for safe reuse, as Italy does; if these cannot be met then allow bio-based compostable disposables to be used as an alternative to reusables**
- **Encourage businesses to implement appropriate recycling or composting schemes for the single-use items they do use – with organic and mechanical recycling given equal status and composting supported financially via the Extended Producer Responsibility (EPR) schemes currently under UK review**

We propose Scotland takes a lead from Italy's Single Use Plastics policy, which says that where reuse is not possible, compostable catering disposables should be allowed as an alternative (18th legislature, bill 1721, article 22, 1c - [link](#)). Similarly, Portugal is encouraging reuse whilst allowing hospitality to use compostable disposables as an alternative (law 76/2019, article 3).

The Italian Ministry for Health has a Manual of Good Operational Practice for Collective Catering ('Manuale di Corretta Prassi Operativa per la Ristorazione Collettiva' DGISAN 0042521-P 18/12/2012) which sets out a safe washing method for reusable foodservice ware. If these health and safety conditions cannot be met, then disposables may be used – and these must be compostable.

Composting is a form of recycling, and trade waste collections to suitable composting are already available covering most areas of Scotland. Remote areas are able to use suitable on-site composters or use a post-back courier service available for used compostables. PLA-lined cups and sandwich wedges are also suitable for fibre recovery via a national post-back service. PLA in incineration produces more energy than newspaper, wood or food waste, and no volatile gases: <https://www.natureworkslc.com/What-is-Ingeo/Where-it-Goes>. We are not aware of any evidence that bio-based and compostable disposables are linked to littering, which is the basis of the EU Directive.

We believe that a policy prioritising reuse and supplanting with bio-based compostable foodservice packaging is an impactful and practical approach to meeting resource use and waste management sustainability goals.

Bio-based and compostable disposables meet UK Government policy, in line with two 'Global Opportunities' in the UK's National Bioeconomy Strategy (page 10):

- Producing smarter, cheaper materials such as bio-based plastics and composites for everyday items as part of a more circular, low-carbon economy
- Reducing plastic waste and pollution by developing a new generation of advanced and environmentally sustainable plastics, such as bio-based and biodegradable packaging and bags (whilst avoiding microplastic pollution)

Question 1(c):

Do you support the introduction of a restriction on the supply in a non-commercial capacity (rather than only in the course of commercial activity) of the specified single-use plastic and oxo-degradable items?

- **No**

Our answers to 1b also apply to non-commercial activities. Operational costs are still a major factor for charitable and community food serving, which often operate on small budgets. Alongside policies encouraging reuse, there should be an allowance for bio-based compostable disposables where reuse is not possible for health and safety, practical or economic reasons.

Question 1(d):

Do you support the introduction of a restriction on the manufacturing of the specified single-use plastic and oxo-degradable items, excluding those for which exemptions will be introduced?

- **Yes**

We believe that oxo-degradable items should not be manufactured at all. For the other items listed, we believe that any market restrictions brought in will have a significant effect, and it is not necessary to restrict manufacture.

Question 2:

To your knowledge, are any of the oxo-degradable products identified in this document present on the Scottish market? Are there any additional oxo-degradable products available on the Scottish market that we have not identified? Please provide evidence to support your answer.

Oxo-degradable plastics are used in a variety of catering disposables: clear cold drinks cups, straws, flexible film bags for selling individual cookies or tray bakes, carrier bags. Often bags are labelled 'degradable' which is confusing for consumers. In addition, oxo-degradable bags are extremely widespread in dog waste bags sold through supermarkets and pet retailers.

Question 3:

The SUP Directive includes limited exemptions for single-use plastic straws and balloon sticks. Are there other exemptions we should consider in relation to the market restrictions being proposed?

- **Yes**

As outlined in answer 1b, the Scottish Government should make an exemption to allow plant-based and compostable foodservice disposables where hygienic reuse is not possible, or where there are economic or practical barriers to implementing reusables.

This exemption should apply to single-use bio-based compostable cutlery and straws, as well as plates, trays, platters and bowls.

As written, restricting 'plastic plates, trays/platters, bowls' would ban all soup containers, food cartons, salad boxes, deli containers, sandwich platters and sushi trays, leaving no sealable, transparent or stackable containers for food businesses.

Question 4:

How can we make sure disabled people have access to plastic straws if they require them for medical reasons or to support independent living, whilst at the same time restricting wider access for environmental purposes in a way that fulfils the SUP Directive requirements?

This is outside the scope of our expertise.

Question 5:

This consultation highlights other items that the Scottish Government intends to consider market restrictions for in future (plastic wet wipes, plastic tampon applicators and those other products contained in the UK Plastics Pact's list of items to be eliminated by end of 2020 which are not currently subject to existing or proposed market restrictions). Would you support the consideration of market restrictions on these items or any other items we haven't listed? Please provide reasons and evidence where possible.

This is outside the scope of our expertise.

Question 6:

Taking into account the accompanying Impact Assessments, can you identify any environmental, economic or social impacts we have not identified when developing the proposals contained in this consultation?

- **Yes**

There are further economic and environmental impacts, as follows:

ECONOMIC IMPACTS

Banning all plates, trays, platters and bowls with any plastic or bioplastic content would have knock-on economic impacts: a) income reduction, b) higher operating costs and c) limiting the premises suitable for foodservice businesses, and d) extra admin for UK-wide suppliers.

a) Income reduction for foodservice businesses:

Sealing pure fibre products is challenging, resulting in more spilled and wasted food – another cost to the business, and something Scottish environmental policy aims to avoid.

Not having sealable takeaway containers also vastly reduces food business' ability for takeaway and delivery, therefore reducing incomes.

With no transparent products, food businesses cannot rely on the visual appeal to customers which would lead to a decrease in food sales.

Allergy sufferers often want to see a meal before buying for a visual check for allergens.

b) Higher operating costs for foodservice businesses:

Disposables are critical to cost-efficient 'grab-and-go' operating models serving a high volume of customers quickly. Ready-to-eat portions can be prepped at speed, with staff making many of one variant at a time with menu items stacked in a fridge, shelf or hot cabinet which is accessible to customers.

100% fibre disposables are not generally suited to being stacked, so the products would take up more display space and need to be replenished more frequently, incurring staff-time costs.

Without suitable receptacles to serve in, foodservice businesses would need to serve portions of food on demand, rather than in bulk in advance. This would require much more staffing, at a time when many operators are struggling financially.

Scotland proposes banning single-use platters. Reusable platters for outside catering mean high outlay and costs to collect and clean effectively. Bio-based and compostable sandwich platters are more cost effective, and can be put in the food waste collections at multiple collection points.

c) Limiting premises suitable for foodservice:

Across Scotland, entrepreneurs set up food businesses in a diverse variety of tiny and historic premises. Police boxes, food trucks at events, converted shipping containers in remote locations – it is often not possible to install a dishwasher and provide the space needed for storing reusables before and after washing. Scotland's proposals would limit the diversity of premises currently being used for economic activity and put up a higher cost barrier to small business owners. Supporting this sector is important for both residents and tourists.

d) Extra admin for UK-wide suppliers and caterers

- Introducing variation in the products allowed in the UK vs Scotland will create a layer of extra administration for distributors of foodservice disposables, hundreds of whom operate all across the UK and not just in Scotland.

- Similarly, this added layer of confusion and admin will affect food retailers, cafes and caterers who operate UK-wide.
- Given that businesses are already having to deal with the effects of Brexit and a global pandemic, an additional set of complication is not welcome.

ENVIRONMENTAL IMPACTS

Manufacturing any cup, reusable or disposable, requires resource. Reusable containers and utensils come with their own environmental impact. These are in production, as they are generally made from heavier weight materials than disposables. Safe hygienic washing requires water and detergent. Disposal has an impact too.

A 2020 [Life Cycle Analysis conducted by the European Paper Packaging Alliance](#) concludes that disposables have environmental benefits over reusables and crockery:

The Ramboll Life Cycle Assessment (LCA) found that, assuming realistic usage over a year, the energy consumption involved in the use phase of reusable plastic and traditional crockery, during in-store or out-sourced washing and drying, outweighed the environmental impact of single-use paper dishes. The baseline report reveals that **reusable tableware generated 177% more CO2-e emissions** than the paper-based single-use system, consumed **267% more freshwater**, produced **132% more fine particulates matter**, **increased fossil depletion by 238%** and **terrestrial acidification by 72%**.

To ensure reusables have a lower impact over their lifetime, they need to be reused many times over and washed in an environmentally friendly - yet hygienic - way.

“The average person is not using their cup enough times before forgetting about it or throwing it away”, according to Caroline Wood, a PhD researcher in food security at the University of Sheffield. <https://theconversation.com/why-your-reusable-coffee-cup-may-be-no-better-than-a-disposable-120949>

When including the environmental effects of washing, in order to break even the travel mugs would have to be reused 1,000 times, according to CIRAI (The International Reference Centre for the Life Cycle of Products, Processes, and Services). <https://www.anthropocenemagazine.org/2017/07/reusable-or-disposable-which-coffee-cup-has-a-smaller-footprint/>

Question 7:

Do you believe the COVID-19 pandemic has resulted in changes to the market or wider economy that are not fully accounted for through this consultation?

- **Yes**

The pandemic has resulted in an increased reliance on disposables for two main reasons: a) enabling socially distanced serving, and b) responding to hygiene concerns. Even once mass vaccination has been rolled out, the public is still being advised to exercise caution and maintain some measures of social distancing. Therefore, we expect 2020's adapted foodservice practices to continue into 2021, possibly longer.

a) Disposables enabling socially-distanced serving

Takeaway and delivery have been the only possible mode of serving for many regions and businesses.

At catered offices, educational or healthcare sites, disposables allow diners to safely disperse to eat, rather than congregate in a restaurant area. Foodservice operators have been altering serving models, setting up grab-and-go pods in larger sites such as large offices or buildings. These small catering units have no food preparation areas, just retailing food pre-prepared in the central kitchen. These temporary pods are not plumbed in for a dishwasher.

Kitchen staff have needed to stagger their working times in order to meet distancing requirements. This means prepping different parts of meals in advance and storing portions in disposable containers.

Where communal self-serve was common, for example at salad bars with shared tongs, this has switched to pre-prepared meals and sides packaged up in disposables, limiting the food's exposure to the public.

Limited access to indoor dine-in space has pushed customers to sit in outside spaces. Disposables offer a safety benefit over glass which is easily broken outside. Less staff surveillance means it is more likely the business would not recover the reusable containers.

b) Responding to hygiene concerns

- Many foodservice operators have switched to disposables as a response to hygiene concerns. For example, out of concern about possible exposure to the virus for the staff handling all the used crockery and utensils.

Question 8:

Do you have any other comments that you would like to make, relevant to the subject of this consultation, that you have not covered in your answers to other questions?

We do not see why Scotland should go dramatically further than the EU Directive in its interpretation of 'plastic plate'. The proposals as written will significantly limit delivery, takeaway and grab and go and will have dramatic economic consequences at a precarious time for food businesses, whilst ignoring the opportunities for improvement brought by bio-based and compostable options.