

MAKE IT RIGHT: TIME FOR EUROPE TO ACT AGAINST PLASTIC BAG POLLUTION.



EXECUTIVE SUMMARY :

Plastic bags are a plague to the ocean and environment. More than 100 billion bags were used in Europe in 2010 before a European Directive was adopted to limit their consumption. A source of plastic pollution, plastic bags, as with other plastic items are responsible for dramatic impacts on marine life and habitats, global economies and carry important risks to our health. On this 11th Plastic Bag Free Day, 5 years after the European Directive on plastic bags was adopted, we're still waiting for the first data to be reported by Member States to assess if the target of reducing the average plastic bag use in Europe by half has been achieved. Meanwhile, this report examines and compares the measures adopted at the national level through national scoreboards. It shows that while all countries have now transposed the Directive, only some have taken ambitious action to cut plastic bag pollution at source. Certain countries continue to authorise the use of single use plastic bags by granting many exemptions. The report makes recommendations for changes that could improve the situation and could be adopted at the national level at any time and by the European Commission in its 2021 assessment. It calls for derogations to be completely removed. It also recommends strong enforcement and clarifications in the future to allow for more ambition, ensure consistency and meet the European ambition to lead in the fight against plastic pollution.



Surfrider Foundation Europe is a European not-for-profit organisation dedicated to the protection and enhancement of Europe's lakes, rivers, ocean, waves and the coastline. It was created in Europe (Biarritz) by a group of surfers who wanted to preserve their playground. Grassroots activism to protect our ocean and coasts is at the core of the organisation. It currently has over 13,000 members and is active across 12 countries through its volunteer-run chapters. For 30 years, Surfrider Foundation Europe has been taking action as a recognized authority in 3 areas of expertise : marine litter, water quality and health, coastal management and climate change. Surfrider Foundation Europe is one of the founding members of the Rethink Plastic Alliance. Visit our website : www.surfrider.eu



Rethink Plastic is an alliance of leading European NGOs, representing thousands of active groups, supporters and citizens in every EU Member State. We are part of the global Break Free From Plastic movement. More info : rethinkplasticalliance.eu



#breakfreefromplastic is a global movement envisioning a future free from plastic pollution made up of 2,000 organisations from across the world demanding massive reductions in single-use plastic and pushing for lasting solutions to the plastic pollution crisis. More info : www.breakfreefromplastic.org

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Plastic bags are a plague to the ocean, our environment and, are impacting our health too. Marketed as convenient and handed out freely, we have been using plastic bags in mass for just a few minutes on average since the 1950s. Pure products of the petrochemical industry, plastic bags have a plethora of impacts on our economy, climate, nature and health all throughout their lifecycle, from extraction and production to their end-of-life disposal. Ubiquitous and persistent in the environment for hundreds of years, we have literally drowned our Blue planet and daily life in them. We find them in supermarkets at farm stands, in service industry, the closets of our homes, and sadly, in nature ; trees, waters, beaches and seas and living creatures. For example.. plastic bags are the most commonly found synthetic item in sea turtles' stomachs.

NAVIGATING THE LEGISLATION

In April 2015, the first European Directive to allow for the restriction of a single use plastic item – single use plastic carrier bags – over a whole continent was adopted. The Directive 2015/720 requires Member States of the European Union (EU) to take measures to achieve a sustained reduction in the consumption of lightweight plastic carrier bags in their territory. Options given to Member States were many and vary by ambition level : from national reduction targets, taxes or levies to market restrictions, strictly speaking bans of all lightweight carrier bags or some of them. In all cases, Member States had to either ensure that their annual consumption of lightweight plastic carrier bags would not exceed a set number of bags by defined deadlines

or, and possibly additionally, that by the end of 2018, lightweight plastic carrier bags were not provided free of charge at the point of sale of goods or products. If Member States were choosing the first option, their annual consumption of lightweight plastic carrier bags per person could not exceed 90 by the end of 2019, representing a 50 % reduction compared to the average number of plastic bags used by a European in 2010. This number needs to be reduced to 40 lightweight plastic carrier bags per person by the end of 2025 (a 80 % reduction compared to 2010). Very lightweight plastic carrier bags – defined as bag with a wall thickness less than 15 microns- may be excluded from both the two options. The deadline for Member States to put measures into their national legislation was four years ago on 27 November 2016.

Following the Plastic Bag Directive, another key legislation was adopted in 2019 at the EU level with a similar targeted approach : the EU Directive 2019/904 on the reduction of the impacts of certain plastic products on the environment or so-called Single Use Plastics (SUP) Directive. This Directive is the legislative response of the European Commission to the commitment it has set in its plastic strategy to address single use plastic pollution. This Directive has been presented on several occasions as building on the success of the Plastic Bag Directive and on its approach proposing different policy options. But the Directive also introduces key measures to address further plastic bag pollution. The SUP Directive requires Member States to adopt measures by July 2021 to raise consumer awareness on the availability of reusable alternatives, reuse systems and waste management

options and on the impact of littering and other inappropriate waste disposal of lightweight plastic carrier bags, in particular on the marine environment. The SUP Directive also obliges Member States to establish extended producer responsibility schemes for lightweight plastic bags by the end of 2024. As a minimum, plastic bag producers will need to cover the costs of the awareness-raising measures Member States need to adopt, the costs of waste collection, transport and treatments for single use plastic bags that may be discarded in public collection systems, as well and the costs of clean up, transport and treatment of littered plastic bags. The SUP Directive also introduces a long-requested ban as from July 2021 on all oxo degradable plastics including oxo degradable plastic bags.

INTERNATIONAL PLASTIC BAG FREE DAY 2020 : MAKE IT RIGHT !

For more than 10 years, Surfrider Foundation Europe has been fighting plastic bag pollution with its Ban The Bag campaign, part of a holistic programme addressing all plastic pollution sources. The present report is the result of an assessment from Surfrider Foundation Europe of the actions undertaken and exemptions granted by the 27 EU Member States of the European Union. The report is supported by the Rethink Plastic Alliance and has been made possible thanks to the contributions of the Break Free From Plastic Movement in Europe. The 11th International Plastic Bag Free Day is being celebrated more or less one year and a half ahead of the Commission's deadline for presenting a report assessing the effectiveness of measures at Union

level to address plastic bag pollution. It also happens four years after the Directive's transposition deadline. The International Plastic Bag Free Day, celebrated every year on the 3rd of July was first launched in 2009 by several international NGOs. It has been used year after year by Surfrider Europe to call for increased action to tackle plastic bag pollution. On this special day, the first one to be celebrated after the first implementation deadline for the reduction objective laid down in the Plastic Bag Directive, Surfrider Europe sadly observes that some Member States have very partially played their part. At this crossroads, the assessment results are still better than in 2018 but some already-expressed concerns still remain. Results fall short of expectations in some Member States which have either chosen the least ambitious policy options to reduce their consumption of plastic bags or have granted many exemptions from their measures and limited their scope.

Acclaimed and widely supported by European citizens, even used as an electoral argument as shown during the last pre-election period, the European Directive on plastic bags and the measures it entails have been praised at international and domestic levels to show the EU can deliver with legal measures and answer to the most urgent environmental needs and in particular to the plastic crisis we're facing. The Plastic Bag Directive also shows in our views the importance of unequivocal ambition in the way EU legislation should be worded, and the direction and obligations it sets but also in terms of enforcement. A legislation delivers when it is well-worded and timely and adequately enforced, hence the title chosen for our 2020 report : Make it right. This report is the continuation of two previous reports released

in 2017 and 2018 assessing the implementation of the Plastic Bag Directive at the national level : the Enough Excuses report and the Still Finding excuses. With this new report, we're now calling on both the European Commission and Member States to make it right. At a time when the whole world is looking at the European continent for the major regulation it has adopted to cut the most polluting single use plastic items, there is no room for disappointment or for showing bad performance.

THERE ARE PLENTY MORE FISH... PLASTIC IN THE OCEAN !

Plastic bags are one of too many, yet major pollution sources of the ocean. Symbols of our disposable society, they have triggered action on a large number of other single use items and beyond frontiers. The Plastic Bag Directive has created a precedent in many ways. It has inspired and continues to inspire many countries across the globe and has contributed to the adoption in 2018 of a plastics strategy for our continent followed in 2019 by a European Directive on the reduction of the impact of certain plastic products on the environment, targeting the top single-use plastic items found on beaches, and fishing gears. The crisis is yet immense. Between five and thirteen million tonnes of plastic are estimated to end up in the ocean every year. It is everywhere : in our clothes, at the field where we play football, in the tyres of our car, in the cigarettes we sadly smoke, in our everyday products, in the food we eat, the water we drink, the air we breathe, on this amazing beach we wish to spend our summer days and in

our bodies. Plastic bags and other plastic items contribute to marine litter which is a threat to marine ecosystems, impacting habitats but also harming marine life through entanglement and ingestion. This pollution also carries a risk to human health and impacts a large range of economic sectors such as tourism, fisheries, etc.

IS THE EU LEADING AT THE HELM ?

In that context and given the many challenges ahead with microplastics polluting every drop in the ocean, it is essential to ensure a timely and comprehensive implementation of the Plastic Bag Directive. While the von der Leyen Commission has committed to be the Union which strives for more (putting in place the Green Deal to reach carbon neutrality by 2050, moving toward a zero-pollution ambition), enforcement of our plastic legislation, starting with measures on plastic bags is instrumental. It is critical that the EU honours its commitments in practice and set the example in terms of effective plastic reduction on the ground, especially as many measures to implement the SUP Directive are expected by next Summer in 2021. At the moment, EU legislation does not require Member States to introduce a ban, but simply to ensure a reduction of light-weight plastic bags, mainly through the establishment of taxes or reduction targets. Surfrider Foundation Europe asks the European Commission to take its responsibilities as the guardian of the European Treaties by encouraging Member states to act more ambitiously. We are already looking at the next 2021 deadline set in the Directive to revise the text and propose more ambitious policy response to the use of plastic bags

in Europe. European institutions have the capacity to promote a harmonized action in the long term and should make every effort to put their levers of action towards the service of a ban on plastic bags and of a comprehensive set of measures to tackle all plastic bags.

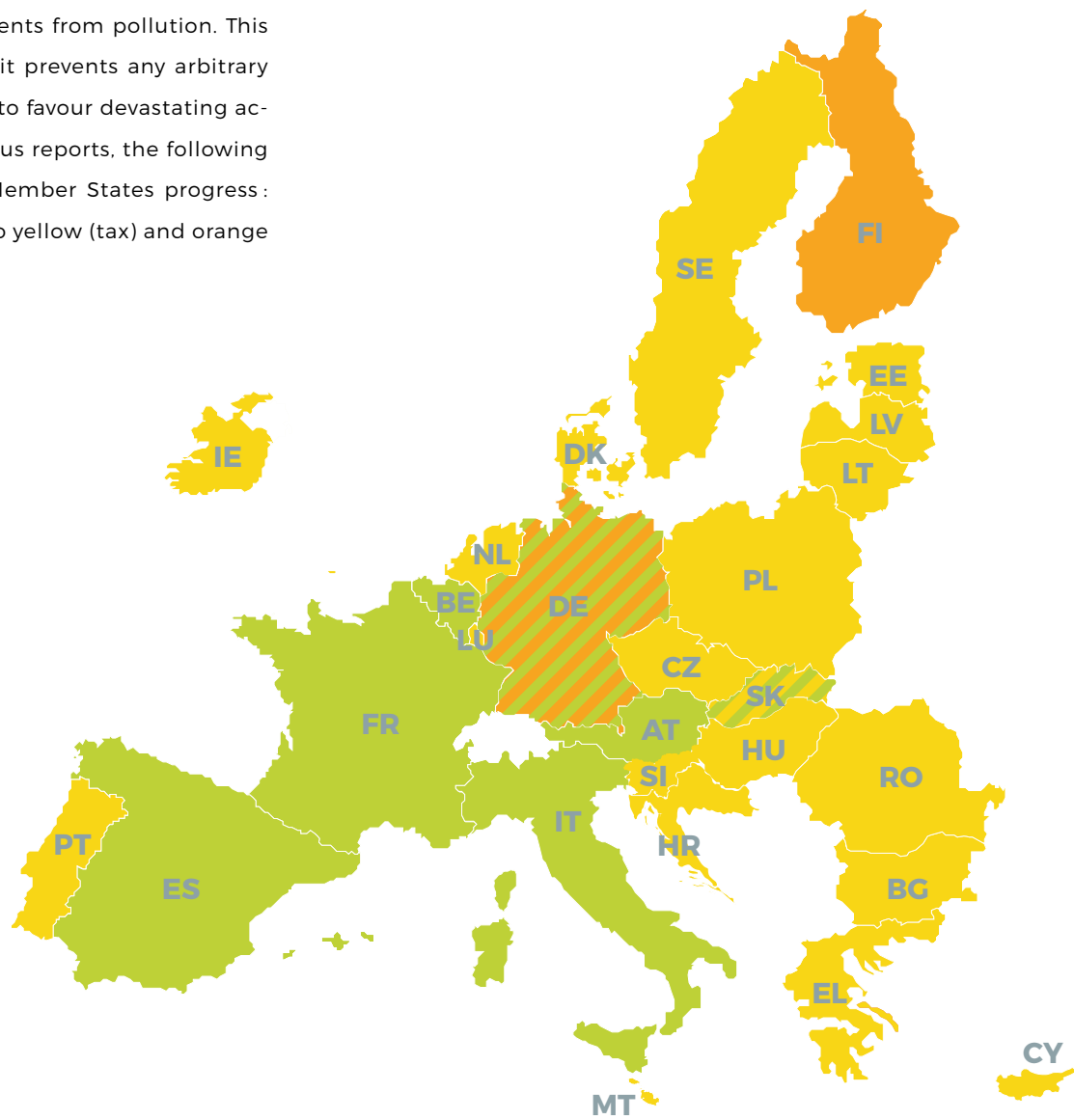
Plastic is now and finally on top of the agenda, only some months before world leaders will meet again at the United Nations Environmental Assembly (UNEA) to discuss global action against plastic pollution. In global fora, the EU has on many occasions taken pride in its plastic bag and single use plastic legislation, hoping it will fuel a “race to the top” amongst the countries and regions of the world, the recent official launch of the Group of Friends to Combat Marine Plastic Pollution will hopefully contribute as well.

AMBITIOUS TRANSPOSITION IS NOT IN THE BAG

Following its 2018 Still Finding excuses report, Surfrider Europe has studied the evolution of legislations from June 2018 to January 2020. We based our research on media articles and legal literature, benefiting from key Surfrider volunteer contributions as well as from other NGOs, offering us a concrete overview of the legislation in place and its implementation in each EU country. Based on this information, we have compiled the map below, following 3 categories with a colour code reflecting the impact that this government’s response is likely to have on the marine environment.

Given the large number of reusable alternatives to single use bags already available, a ban on lightweight plastic bags including very lightweight bags together with accompanying measures keeps being

the best option to protect aquatic environments from pollution. This option is indisputably the most effective as it prevents any arbitrary decision by various stakeholders to continue to favour devastating actions for our blue planet. Aligned with previous reports, the following traffic light code has been used to assess Member States progress: from green colour when a ban has been set to yellow (tax) and orange (voluntary agreement).



THE EUROPEAN COMMISSION LEFT HOLDING THE BAG

The Commission is responsible for adopting and implementing acts when asked to in EU legislation, providing Member States with guidelines and overall making sure that all EU countries properly apply EU law. In this role, the Commission should notably ensure that Member States are adopting measures to reduce plastic bags, make sure they're reporting back on their consumption of lightweight plastic bags and assist them in their correct and timely implementation of the Directive.

To do so, several studies were issued since the Directive was adopted in line with the requirements put on the European Commission's shoulders: on different possibilities to reduce the consumption of very lightweight plastic carrier bags (July 2016), on a methodology for calculation of annual consumption of lightweight plastic carrier bags (June 2016), on the impacts of oxodegradable plastics in the environment (September 2016 and July 2017) and more recently on the relevance of biodegradable and compostable consumer plastic products and packaging in a circular economy (April 2020).

In total, the European Commission has launched 17 infringement procedures against 17 Member States (Austria, Belgium, Cyprus, Croatia, Czech Republic, Estonia, Greece, Hungary, Italy, Luxembourg, Malta, Poland, Portugal, Romania, Slovenia, Slovakia and Spain) on the implementation of the Plastic Bag Directive. With 8 Member States,

this first step in the dialogue with Member States was followed by a formal request to comply with EU law and Member States such as Romania were sometimes given up to 15 months to provide what the Commission would consider as an adequate answer. All infringement procedures against the 17 Member States were closed. We regret stronger interpretation of the provisions of the Plastic Bag Directive in line with the objective to reduce plastic bag use overall did not guide EC's action on this file and did not lead to more robust instructions and response from the Commission.

Surfrider Europe finally regrets the 2-year delay of the Commission on the adoption of the implementing act which establishes the methodology for the calculation of the annual consumption. This has postponed to September 2020 the publication of the Member States' annual consumption while the achievement of the reduction objective set by the Directive was for 31 December 2019. At the time this report is released, Member States should have (normally) reported back (they had to do so by June 30) on their annual consumption of lightweight plastic bags in 2018 after guidelines for reporting were finalised in Spring this year.

The adoption of the implementing act laying down the specifications of labels or marks to ensure Union-wide recognition of biodegradable and compostable plastic carrier bags (due by 27th May 2017) has also experienced at least a two-year delay, showing how sensitive the question is and how badly reliable studies are needed on this. The standard has been drafted but still needs to be adopted.

MEMBER STATES : ALL IN THE SAME BASKET ?

4 years after the end of the transposition period of the Plastic Bag Directive, we conclude from our research on existing legislation that every country has adopted measures, but often with limited scope and ambition. Yet all in green, yellow or orange, the three colours are not equally intense in all countries even if assigned the same colour. The format of this present report was slightly adapted compared to previous years to include extensive information on exemptions and derogations granted to plastic bag measures. Red is being used in the table to reflect the too many exemptions Member States have adopted.

Overall, Surfrider Europe welcomes the adoption of a plastic bag ban by Germany and Austria at the beginning of 2020, swapping from a voluntary agreement to a ban. Quoting German Environment Minister Svenja Schulze, “voluntary agreements with retailers to curb usage have not yielded good enough results”, it is clear that voluntary agreements cannot be considered as effective measures because they have proven not to put sufficient pressure on all business players to act. More in-progress bans are happening in Flanders (Belgium) since the beginning of 2020 and will continue to develop into 2021. At the time this assessment was finalised, hopes were high as well with the Slovak Environment Minister sharing in an oral statement her intention to ban single use plastic bags. However, 18 countries have yet opted for a tax, some of them have set an amount, as Sweden and Ireland, while others have imposed a compulsory tax to be set by retailers on plastic bags such as Croatia, Czech Republic, Lithuania,

the Netherlands and Slovenia. In all cases, we oppose exemptions, no matter the policy response preferred, as they limit the ambition and demonstrate weaknesses from some when facing strong vested interests supported by the industry. In parallel, when opting for taxes, many Member States have simply taxed plastic bags in a symbolic way (the amount of the tax is very low for example in Croatia, Lithuania and Cyprus). A fee which is high enough should be set to effectively incentivize consumers to bring their own bags. Finally, we regret Finland is still opting for voluntary agreements with the private sector to the detriment of the environment and of our health, and despite huge public support for audacious action. More than 70 % of respondents to a 2011 consultation were indeed supportive of a ban on plastic bags at the EU level. It is also interesting to note how citizens are actually even more supportive of policy measures to cut the use plastic bags after their adoption as revealed by a research project examining perception in the UK after a charge on plastic bags was introduced, making the case for governments for further and stricter measures to cut plastic bags. Where ambitious measures have been in place and fully enforced and where outcomes and progresses are clearly assessed, important reductions in plastic bag use have been achieved on the ground.

THREE SHEETS TO THE WIND : DEROGATIONS AND EXEMPTIONS FROM MEASURES

The obligation for Member States to reduce their consumption of lightweight plastic bags set in the EU Plastic Bag Directive has represented an incredible first step in the action against plastic pollution and has played an instrumental role preparing the ground for legal measures to be proposed years later to tackle a larger number of single use plastic items under the SUP Directive. Yet, the way the Plastic Bag Directive has left the door open for some private players to ask national governments for derogations for their products is of high concern. This has allowed for the continued use of some single-use plastic bags, irrespective of the many impacts they have on the environment and ocean. These derogations are putting at risk and could possibly worsen all needed and urgent efforts deployed to reduce marine litter and curb plastic usage.

SMALL ECONOMIC OPERATORS AND OUTDOOR MARKETS

Some member States have limited the scope of their measures by excluding certain shops – mainly small shops and, more worryingly, outdoor markets. This exemption goes against common sense as lightweight plastic bags can get lost in the wind easily outdoors.

VERY LIGHTWEIGHT PLASTIC BAGS :

The thinner the plastic bags, the more fragile they are and more likely to be designed and used for single use only. The thinner the plastic bags, the easier they are to be dispersed into the environment and to end up in our waterways and into the Ocean. In the end, exempting very lightweight plastic bags clearly goes against the objective of reducing plastic pollution and its impacts on the environment. The so-called “very light-weight” plastic bags, are plastic bags less than 15 microns thick. Unfortunately, following strong industry lobby when the Directive was negotiated, very lightweight plastic carrier bags can be exempted from the measures countries have to adopt according to the Plastic Bag Directive. Surfrider Europe opposes this exemption and welcomes the adoption and announcement of measures to extend reduction measures to them as well. Some countries like Spain (as from January 2020) and Sweden (as from May 2020) have committed to do so and positive signals to ban them have also been heard in Denmark and Portugal (by 2023). We therefore call on other Member States to act adequately and extend their measures (ban, tax etc.) to these bags too and on the European Commission to introduce strict market restrictions on very lightweight plastic bags as current provisions in the Directive allow for in 2021. Surfrider Europe hopes the reporting obligations which include these bags as well, regardless of whether they are targeted by measures or not, will help decision makers to take stock of the too many single use plastic bags remaining on the European market.

Adding to the discussion, false hygiene allegations typically used to

justify exempting very lightweight bags from the scope of measures have been formulated by the industry worldwide to stop legal measures on all plastic bags as the Covid pandemic was expanding. It is regrettable the industry is using once again the false hygiene excuse to secure exemptions and markets for its 'endangered' single use plastic products. In a recent statement, more than 100 scientists have confirmed reusable containers as well as reusable bags are safe for all occasions, including during the Covid pandemic. If washed properly, it is scientifically false to argue that lightweight plastic bags, either under 50 or 15 microns, are safer than a proper container or reusable bags that might be in many ways easier to wash before and after use.

BIO-BASED AND BIODEGRADABLE BAGS :

Surfrider Foundation Europe calls for the utmost vigilance of the European institutions and Member States about bio-based bags and biodegradable bags. Those types of bags are often referred to as "bioplastics" indistinctively, while they encompass very different realities. Bio-based bags are plastic bags based partly or fully on biomass resources but can be designed to behave as conventional plastic bags and therefore have the same impact on the environment. The fact that plastic bags are bio-based does not say anything about their biodegradability, and that is why the labelling of bio-based plastics should clearly indicate end of life management of such bags to consumers. Biodegradable bags are plastics that can, with the help of micro-organisms, break down into natural elements (e.g. water, carbon dioxide, biomass). They can be based on biomass resources and/or

conventional petroleum sources and are typically compostable only under controlled conditions. Under different conditions than the industrial one foreseen in the EU standard (industrial composting of packaging EN 13432), full and rapid biodegradability cannot be guaranteed. A good example is shown by the results of a study on the environmental deterioration of different types of plastic carrier bags in the sea, soil, and open-air over a 3-year period. This study has notably concluded that the biodegradable plastic bags all stayed functional in the marine environment and soil for the three years of the study. Additionally, the use of all other voluntary standards cannot be adequately monitored nor enforced and can lead to abuses. In response to the need to reduce plastic bags, more and more "biodegradable" and "bio-based" bags are being distributed by retailers, which insist on their green credentials to better sell the lie to consumers. These supposed solutions should not replace the primary objective of prohibiting any disposable plastic bags and promoting the use of reusable alternatives instead. If biodegradable bags are to be used for very specific applications, it must be ensured that such bags are only used if they meet the EU standard and if suitable collection and processing infrastructures are in place. It is also necessary to strengthen the labelling requirements for those bags and to better inform citizens. Indeed, the labelling of biodegradable bags is likely to send out a misleading message to consumers who tend to use and discard them more willingly, believing that they biodegrade readily. Those bags, whilst being perceived as environmentally friendly, may therefore undermine efforts to reduce overall plastic bag consumption and associated resource use and impacts. Surfrider Foundation Europe

welcomes important outcomes of a recent study commissioned by the European Commission and issued in March 2020. The study concludes that the use of compostable plastics for plastic carrier bag applications is considered to be rather detrimental than beneficial and that the increased use of biodegradable (industrially compostable) bags contribute to confuse the consumers. As such, the current exemptions introduced in national plastic bag laws have helped to create, in our views, new markets for single use biodegradable and bio-sourced bags to the detriment of nature and the health of our ocean.

RECOMMENDATIONS- DON'T MISS THE BOAT

On this International Plastic Bag Free Day, Surfrider Foundation Europe calls on Member States to adopt ambitious measures to reduce the consumption of all single use plastic bags in their territory, preferably through a ban. Member States must assume their responsibility in preventing disposable plastic bags from ending up in our ocean and ensure proper control of the measures adopted. Surfrider calls on the Member States to remove exemptions on biodegradable and bio-based plastic bags and adopt measures applying to all bags – in particular very lightweight plastic bags in all shops and outdoor markets. Member States must seize their awareness raising obligations under the SUP Directive to raise awareness and adopt measures comprehensively addressing all uses of plastic bags as it has been reported that in some countries, reusable plastic bags are used as single-use replacements and that some retailers have demonstrated simply upping the thickness of their plastic bags to cross the threshold from

“single-use” plastic to “reusable” plastic bags without a significant decrease in the total number of bags used. The uptake of reusable alternatives and promotion of their reuse should be the guiding principles for measures in all Member States.

Surfrider Foundation Europe also calls on the European Commission to provide ambitious guidelines to Member States to make sure the most ambitious measures against plastic bag pollution are being preferred in full compliance with the Plastic Bag Directive, ideally opting for the prohibition of single-use plastic bags, and putting in place monitoring, control and enforcement mechanisms as well as open dialogue with Member States showcasing best practices which have proven the most successful. Surfrider Europe hopes the Commission will review the way it interprets some of the vague provisions laid down in the Directive and revise the wording, leaving no room for incorrect interpretation in the future, to contribute to increase the ambition of expected measures as part of its assessment exercise due in 2021. This should be done drawing lessons from the figures shared by Member States on their consumption level of very lightweight plastic bags if reported in the right way and building on the Single-Use Plastics Directive which does not exempt single use plastic items, regardless of whether they are derived from biomass or are intended to biodegrade in specific conditions under a certain amount of time. Surfrider Europe calls on the European Commission to take comprehensive measures as well to prioritise reuse and ensure the uptake of reusable bags over any other kind of single use bags, no matter their biodegradability criteria, while developing a standard on home compostable plastic carrier bags and in view of adopting its imple-

menting act laying down the specifications of labels or marks for biodegradable and home-compostable plastic carrier bags.

The Plastic Bag Directive has undoubtedly proven successful in reducing plastic bag use and pollution in instances where strong political will has effectively adopted, implemented and enforced ambitious measures. Despite this proven success, the 2018 Surfrider Europe Ocean Initiatives environmental report still found plastic bags to be in the Top 5 most collected waste items. Efforts must increase to stop plastic bag pollution for good and certainly be extended to other areas and sources of pollution.

Member State	Measure	Description	Exemptions
AUSTRIA	BAN	As from 1 January 2020, ban	<ul style="list-style-type: none"> • Plastic bags fully biodegradable • Very lightweight plastic carrier bags, which are demonstrably made of predominantly renewable raw materials and suitable for self-composting according to the state of the art • Reusable bags that meet the following criteria : <ol style="list-style-type: none"> 1. consisting of plastic fabric or materials of comparable stability 2. which have a plastic content, with sewn connections or connections with comparable stability 3. with sewn handles or carrying handles with comparable stability
BELGIUM	BAN	<p>Wallonia :</p> <p>As from March 2017, ban</p> <p>Brussels Region :</p> <p>As from September 2017, ban at counters</p> <p>As from September 2018, ban in retails</p> <p>Flanders :</p> <p>As from January 2020, ban</p>	<p>Wallonia :</p> <p>Up to September 2018</p> <ul style="list-style-type: none"> • Bags used for wrapping food <p>Up to March 2020</p> <ul style="list-style-type: none"> • Bags for fruits and vegetables that are 40 % bio-based and home compostable <p><i>No date specified :</i></p> <ul style="list-style-type: none"> • Bags for liquid or moist food sold at retail shops, as long as bags are closed at counter and partly bio-based (40 % in 2018, 60 % in 2025) and compostable at home • Thin single use plastic bags used for aquatic plants and aquatic animals

Member State	Measure	Description	Exemptions
			<p>Brussels region :</p> <p>Up to 29 February 2020</p> <ul style="list-style-type: none"> • Single use plastics bags of 40 % biobased used for bulk vegetables and fruits. <p>Up to 31 December 2029</p> <ul style="list-style-type: none"> • Single use plastics bags made of 40 % biobased since 2018 and 60 % for 2025 used for food sold by retail, wet or containing liquids likely to leak <p>Up to 31 December 2029</p> <ul style="list-style-type: none"> • Thin single use plastic bags used for aquatic plants and aquatic animals. <p>Flanders :</p> <p>Up to January 2021</p> <ul style="list-style-type: none"> • 80 % biobased bags <p>As from January 2025</p> <ul style="list-style-type: none"> • 100 % biobased bags • 50 % post-consumer recycled plastics • Biodegradable bags for green waste • Bags for building rubble • Bags for materials containing asbestos • Bags for medical waste
BULGARIA	TAX	<p>Since October 2011, tax</p> <p>This tax is imposed on producers and import-</p>	<ul style="list-style-type: none"> • Plastic shopping bags which meet the following requirements at the same time :

Member State	Measure	Description	Exemptions
		<p>ers and is then passed on to retailers, who pass it on to consumers</p> <p>The amount of the tax is 55 stotinki since 2014.</p>	<p>a) minimum 25 microns thickness</p> <p>b) the minimal sizes of the bag are 390 mm x 490 mm in an unfolded format</p> <p>c) have a Bulgarian inscription printed on every package of the bags or on the very bags which mandatorily contains:</p> <ul style="list-style-type: none"> – name, headquarters and address of the company which puts the bags on the market – “bag for multiple use” marking <ul style="list-style-type: none"> • Very thin plastic shopping bags (under 15 µm) with no handles • Plastic shopping bags that meet EN 13432 standard with a Bulgarian inscription that mandatorily contains: <ul style="list-style-type: none"> – name, headquarters and address of the company which launches the bags on the market – designation: “the bag is biodegradable” – production date and expiry date
CROATIA	TAX	<p>Since 31 December 2018, tax</p> <p>No fixed/minimum amount of the fee.</p> <p>Different stores, markets charge them differently and usually the amounts are symbolic.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags holding a sign warning the customers to use them sparingly.

Member State	Measure	Description	Exemptions
CYPRUS	TAX	<p>Since January 2019, lightweight plastic bags are charged €0,07.</p> <p>Ban of oxo degradable bags after stock exhaustion.</p>	<ul style="list-style-type: none"> • Plastic bags used for hygienic purposes • Plastic bags provided as a primary package of loose foodstuffs • Plastic bags contributing to avoiding food waste • Very lightweight plastic bags
CZECH REPUBLIC	TAX	<p>Since January 2018, lightweight plastic carrier bags may not be provided in shops free of charge, but at minimum for reimbursement of costs needed for their production.</p>	<ul style="list-style-type: none"> • Plastic bags used for bulk food • Plastic bags serving a hygienic function • Plastic bags preventing food waste • Very lightweight plastic bags
DENMARK	TAX	<p>Since 2014, lightweight plastic bags are charged DKK 2- 3.50 (EUR 0.27-0.47).</p> <p>But the government is currently working on</p> <ul style="list-style-type: none"> • a new law to forbid free carrier bags with handles in retail and ban very lightweight plastic bags (for fruits/vegetables/meat/take away...) • a voluntary agreement with business organization, employer association and retailers to reduce the consumption of carrier bags by 50 % before 2023. <p>But the law is still not effective</p>	<p>Current exemptions :</p> <ul style="list-style-type: none"> • Very lightweight plastic bags <p>Future exemptions after the new law</p> <ul style="list-style-type: none"> • Very lightweight plastic bags used as freezer bags, garbage bags

Member State	Measure	Description	Exemptions
ESTONIA	TAX	<p>Since January 2019, lightweight plastic bags are charged €0,15. Discussions are ongoing to increase the price as of 2019.</p> <p>The sale or free of charge supply of oxo-degradable plastic carrier bags shall be avoided.</p>	<ul style="list-style-type: none"> • Very lightweight plastic carrier bags which are used for ensuring hygiene or for primary packaging of loose food when this helps to prevent food wastage
FRANCE	BAN	<p>Since 1st July 2016, lightweight plastic bags at cash point and are prohibited.</p> <p>Since 1st January 2017, a prohibition of plastic bags, including other than cash bags, is effective. Therefore, it includes oxo fragmentable bags.</p>	<ul style="list-style-type: none"> • Single-use compostable plastic bags are still allowed for free • Compostable bags made of bio-sourced materials. • Minimum bio-sourced content of single-use plastic bags to gradually increase from 30 % on 1 January 2017 to 60 % on 1 January 2025
FINLAND	Voluntary agreement	<p>Since 31st October 2016, a voluntary agreement is in force between the Ministry of the Environment and the Federation of Finnish Commerce. It remains in force until 31 December 2025.</p> <p>The purpose of the agreement is to agree on voluntary measures of the retail sector to ensure that the minimum objectives concerning the consumption of lightweight plastic bags in the Packaging Waste directive are reached in Finland.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags which are required for hygiene purposes or provided as primary packaging for loose food when this helps to prevent food wastage

Member State	Measure	Description	Exemptions
		If the evaluation shows that the objectives to 2025 are not likely to be met, the Ministry will prepare proposals for changes concerning the period 2021 – 2025. In this context it would also be agreed how the changes are to be implemented together with the parties to the agreement.	
GERMANY	BAN	<p>The German Environment Ministry has drafted a bill in September 2019 for banning single-use plastic bags (between 15 to 50 microns) including biodegradable and bio-based plastic bags.</p> <p>The ban still seems to be under consideration in the first 2020 semester and would include a 6-month transition period.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags used for transport of loose fruits and vegetables. • Durable bags that can be re-used numerous times
GREECE	TAX	<p>Since January 2018, lightweight plastic bags are charged €0,04. The tax increased to €0.09 for 2019.</p> <p>Ban of oxo-degradable plastic carrier bags</p>	<ul style="list-style-type: none"> • Plastic bags sold in Kiosque and open-air markets which represent more than 50 % of the food product market • Reusable bags between 50/70 microns (Basic cost €0,04/0,07) • Biodegradable plastic bags. There is not any ecotax or basic cost for these types of bags • Very lightweight plastic bags

Member State	Measure	Description	Exemptions
HUNGARY	TAX	Since 2012, lightweight plastic bags are charged 1900 HUF/kg (5.8 EUR/kg).	<ul style="list-style-type: none"> Plastic shopping advertising bags ("flexible plastic carrier bags or carrier bags for the transport of goods (merchandise) or of products packaged in bulk")
IRELAND	TAX	<p>Since 2002, lightweight plastic bags are charged. The Irish Government announced by 2020-2021 :</p> <ul style="list-style-type: none"> An increase to the existing Plastic Bag Levy from the current rate of 22c to 25c Expanding the Plastic Bag levy to include medium weight plastic bags (reusable bags) <p>The regulations do not distinguish between biodegradable plastic bags and other plastic bags.</p>	<ul style="list-style-type: none"> Very lightweight plastic bags used for vegetables/ fruits/meat/fish/cooked food/ice/confectionery Plastic shopping bags designed for re-use, the retailer charges the bag at least 70 cents
ITALY	BAN	<p>Since 2011, a ban on lightweight plastic bags is in place, which includes very lightweight plastic bags.</p> <p>Ban on free biodegradable and compostable plastic carrier bags, regardless of their thickness (very lightweight plastic bags included)</p> <p>Ban on free reusable plastic bags which do not meet a series of criteria (see in the exemptions column the only reusable bags which are allowed)</p>	<ul style="list-style-type: none"> Certified biodegradable and compostable plastic carrier plastic bags made at least of 40% of recyclable material Very lightweight biodegradable and compostable bags: <ul style="list-style-type: none"> (a) from 1 January 2018, with a minimum bio-based content of 40% (b) from 1 January 2020, with a minimum bio-based content of 50% (c) from 1 January 2021, with a minimum bio-based content of 60%

Member State	Measure	Description	Exemptions
			<ul style="list-style-type: none"> Reusable carrier bags <ul style="list-style-type: none"> (a) with an external handle: <ul style="list-style-type: none"> (1) thicker than 200 microns and with at least 30 % of recycled plastic, in establishments selling food (2) thicker than 100 microns and containing at least 10 % of recycled plastic in establishments selling only non-food products (b) with an internal handle: <ul style="list-style-type: none"> (1) thicker than 100 microns and with at least 30 % recycled plastic in establishments selling food (2) thicker than 60 microns and with at least 10 % recycled plastic in establishments selling only non-food products
LATVIA	TAX	<p>Since 1st of January 2019, lightweight plastic bags are charged €4,80 euro/kg and plastic bags thicker than 50 microns and heavier than 3 grams are charged €1,50/kg</p> <p>It is provided that as of 1 January 2025 the packers at sales outlets should replace light plastic carrier bags, except very light plastic carrier bags, by packaging made from paper and cardboard or other natural fiber and bio-plastic materials</p>	<ul style="list-style-type: none"> Very lightweight plastic bags
LITHUANIA	TAX	<p>On lightweight plastic bags. No amount has been set ; shops usually charge €0,01 per bag.</p>	<ul style="list-style-type: none"> Very lightweight plastic bags

Member State	Measure	Description	Exemptions
LUXEMBOURG	TAX	<p>Since January 2018, the EPR organisation Valorlux in cooperation with big retailers and the Environment Ministry introduced a tax of €0,05 on lightweight plastic bags. A law was since then adopted in March 2017</p> <p>Valorlux placed on the market an "eco-sac", which is presented as 'reusable, strong and fully recyclable plastic bags' that can be exchanged for free in case of deterioration. The "eco sac" is based on a minimum rate of 40 % recycled materials.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags
MALTA	TAX	<p>Since 2009, eco-tax of 0,15€.</p> <p>But Malta adopted in 2018 a plastic products strategy for 2020/2030 including the objective by 2022 to tax lightweight plastic bags at the point of sale and by 2023 to put in place an EPR scheme on producers of lightweight plastic bags for the collection of such waste products from public collection systems ; cleaning-up litter ; awareness raising measures</p> <p>By 2021, the placing on the market of oxo-degradable plastic products will be prohibited.</p>	<ul style="list-style-type: none"> • Very lightweight plastic carrier bags may be excluded from these measures which are required for hygiene purposes or provided as primary packaging for loose food when this helps to prevent food wastage • Compostable or cellulose carrier bags (considered as alternative)

Member State	Measure	Description	Exemptions
THE NETHERLANDS	TAX	Since January 2016, lightweight plastic bags are charged by retailers. Shopkeepers are free to fix the price they charge. The recommended price for a plastic bag is €0.25	<ul style="list-style-type: none"> • Very lightweight plastic bags used to combat food waste and protect food ("against pollution or contamination with pathogens" for example) • Plastic bags of whatever wall thickness are only permitted for seal plastic bags in duty-free shops at airports or in airplanes (liquor, deodorant, and hair gel...). In such cases, the plastic bags are free. The customary fee is charged for other See Buy Fly bags.
POLAND	TAX	Since November 2018, lightweight plastic bags are charged of 0,20 PLN. Since 2019 plastic bags bigger than 50 microns are charged too (0,20 PLN).	<ul style="list-style-type: none"> • Very lightweight plastic bags
PORTUGAL	TAX	<p>Since 2015, lightweight plastic bags are charged €0,08 (€0,10 with TVA)</p> <p>Since June 2019 a decree law foresees the provision of alternatives to using ultralight plastic bags to all shops selling bread, vegetables and fruits.</p> <p>As from 1 January 2023, Portugal will ban very lightweight plastic bags for fruits, vegetables and bread.</p>	<ul style="list-style-type: none"> • Plastic bags exported • Light plastic bags shipped or transported by another EU Member State • Plastic bags dispatched or transported outside the continental Portuguese territory • Plastic bags in contact with certain food (according to Decree-Law No. 29/2009 and 55/2011) • Plastic bags intended for donations to social solidarity institutions.
ROMANIA	BAN	Since 1st January, 2018 light weight and very light weight plastic bags with a handle cannot be introduced in stores and supermar-	<ul style="list-style-type: none"> • Lightweight and very lightweight plastic bags with no handle

Member State	Measure	Description	Exemptions
		kets. Since 1st January 2019, they can't be marketed.	
SLOVAKIA	TAX but BAN on the way	<p>Since March 2017, lightweight plastic bags are charged between €0,03 and €0,09 per bag.</p> <p>The Environment ministry shared her will to ban plastic bags and 9 other plastic items in accordance with the SUP directive.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags
SLOVENIA	TAX and Voluntary Agreement	<p>Since January 2019, lightweight plastic bags are charged. The minimum price is the purchasing price by retailers.</p> <p>The government adopted a code in collaboration with the chamber of commerce about the reduction of plastic bags: signatory firms commit to stop selling plastic bags under 50 microns and bio-bags under 80 % of recycled materials.</p>	<ul style="list-style-type: none"> • Very lightweight plastic bags that are intended primarily for packaging of food, which is not prepackaged
SPAIN	TAX and BAN in progress	<p>Previously</p> <p>Since 1st July 2018 lightweight plastic bags and bags thicker than 50 microns are charged €0,15.</p> <p>Bags of thickness equal to or greater than 50 microns, with content equal to or greater than 50 % recycled plastic but less than 70 % are charged €0,10.</p>	<p>Former exemptions</p> <ul style="list-style-type: none"> • Very lightweight plastic bags • 50 microns or thicker plastic bags with more than 70 % of recycled plastic <p>Exemptions after the ban</p> <ul style="list-style-type: none"> • Plastic bags fully compostable in accordance with the EU standard

Member State	Measure	Description	Exemptions
		<p>Recently :</p> <ul style="list-style-type: none"> • An obligation of 50 % recycled plastic on 50 microns or thicker plastic bags as from 1 January 2020. • Prohibition of oxo-degradable plastic bags as from 1 January 2020 <p>Prohibition of lightweight plastic bags and very lightweight on 1 January 2021, excepted those fully compostable (in accordance with the European definition)</p>	
SWEDEN	TAX	<p>Since 2017, lightweight plastic bags are charged around 2 or 3 SEK for a plastic bag. By May 1st, 2020 the tax will raise to 7 SEK (€0,66).</p> <p>By May 1st, 2020, very lightweight plastic bags (vegetables/fruits) will be charged at a lower rate of 0,30 SEK per bag.</p> <p>Since July 2017, there is an obligation to report the number of plastic bags produced or bought to the Swedish environmental agency. Also, every retailer is obliged to inform about the environmental impact of plastic bags, the environmental benefits of not using plastic bags.</p>	<ul style="list-style-type: none"> • Freezer and garbage bags

Member State	Measure	Description	Exemptions
		A trial for a plastic bag deposit-return scheme (with a 0,5SEK increase) is also being implemented in Stockholm.	

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