

# Your submission to Proposed mandatory phase out of single-use plastic shopping bags

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**Submitter Type:** NGO

### Clause

1. Do you agree with the proposed mandatory phase out of the sale or distribution of single-use plastic shopping bags in New Zealand, including those made of degradable (eg, oxo-degradable, biodegradable and compostable) plastic? Why / why not?

### Notes

The document is clear that the facts and evidence do not point to the bags proposed to be banned as a significant problem in landfill, making up just 0.01% by weight. A focus on the misnomer "single use", fails to clarify that this is a litter issue. Yet it is the contribution of plastic shopping bags to both land-based and marine litter, which appears from the consultation document to be the justification for the ban. If the problem is litter and marine pollution then the alternative solutions e.g. policing the Litter Act, installing interceptors in storm water outfalls, could be better solutions than a bag ban because they represent more efficacious solutions by capturing more forms of problematical plastics than just thin plastic shopping bags. The document suggests that this proposed ban is a first step to addressing the throwaway culture of a linear economy. We would agree that community engagement is necessary to effect cultural changes but suggest that this was already well underway with New Zealand's largest issuers, by a significant volume, of plastic bags already committed to phasing them out during 2018. Given this, it is difficult to understand what additional advances are to be achieved by Government regulatory intervention. The question also includes all types of degradable bags. Whilst we understand the intention behind these exclusions we suggest that a better course of action would have been to support, and where appropriate, fund a campaign which builds on the work started by the Parliamentary Commissioner for the Environment spotlighting the limitations behind these materials so consumers are better informed as to the most appropriate alternatives for their particular situation. The impact of including these materials in the proposed ban is the risk of stifling innovative solutions.

### Clause

2. We have proposed a mandatory phase out of single-use plastic shopping bags. This could include under 50 microns or under 70 microns in thickness. If you agree with a mandatory phase out, which option do you prefer, and why?

### Notes

An average person is unlikely to understand the difference in form and functionality between 50 micron plastic or 70 micron plastic. It is not inconceivable that, a submitter will opt to ban bags less than 70 micron based on a simplistic assumption that banning heavier bags is surely the 'correct' response. The perverse reality is that to avoid the bag ban it is a likely outcome that manufacturers will make bags which are just above the banned micron range. So, by extension if submitter opts for the less than 70 micron option they will be unwittingly driving up production of heavier gauge bags. This question epitomises the dangers of a simplistic answer to the technically complex issues inherent in a fully 'circular' economic and environmental analysis.

### Clause

3. Are you aware of types of single-use plastic shopping bags that should be exempt from a mandatory phase out?

### Notes

It is unlikely that granting an exemption will be necessary or cost effective. The proposed ban is readily sidestepped (for example by switching to a gauge of plastic outside of the banned range), thus avoiding the ban and the likely costly regulatory process of seeking a formal exemption from it.

### Clause

4. Do you currently manufacture, sell, provide or import for sale or personal use these types of single-use plastic shopping bags:

### Notes

Packaging NZ's membership includes those who distribute the bags proposed to be banned including compostable and degradable formats.

### Clause

5. Should smaller retailers be exempted from a mandatory phase out of single-use plastic shopping bags? Why / why not?

### Notes

See answer to question 3.

### Clause

6. If smaller retailers are exempted from a mandatory phase out of single-use plastic shopping bags and they are defined by their number of full-time equivalent employees, what should that number be?

**Notes**

See answer to question 3.

**Clause**

7. The proposed mandatory phase-out period for single-use plastic shopping bags is at least six months from when regulations are Gazetted, subject to consultation. Do you agree with this timing?

**Notes**

Logically, there is no ideal timing for the introduction of a simplistic solution to a complex problem. That said, the voluntary phase out of these items is well underway suggesting co-ordinating regulation with that voluntary effort should be considered.

**Clause**

8. Do you agree that the benefits expected from implementing a mandatory phase out of single-use plastic shopping bags exceed the costs expected from implementing the phase out? Why / why not? Please consider both monetary and non-monetary costs and benefits (those that can be measured by money as well as those that can't).

**Notes**

We assume this question has been addressed by those responsible for development of the proposed ban as a critical step in developing the regulation, and that the answer presumably is that the benefits do exceed the costs?

**Clause**

9. Do you think that reasonably practicable alternatives to single-use plastic shopping bags exist in New Zealand? Why / why not?

**Notes**

Packaging NZ contends that the issue isn't the lack of alternatives it is the efficiency and effectiveness of the single-use plastic shopping bags, in both an economic and environmental context, relative to the alternatives. In the absence of a clear understanding of 'the problem' or 'problems' the ban is seeking to address, it is impossible to conclude that the many and varied alternatives to the transport of groceries from the retailer to the householder represent a better or worse environmental outcome.

**Clause**

10. How can people be encouraged to reuse multiple-use shopping bags enough times to offset the environmental impacts of producing them? (select one or more)

**Notes**

This question is an illustration of the risk of simplistic regulation and an indirect acknowledgement that in total, the 'ban' is regulation unlikely to generate an environmental benefit over and above its cost. Extensive options for "encouraging" the re-use of bags exist, ranging from the informative to the punitive. The choice is dependent on the priority of this issue relative to the many other priorities facing Government at any point in time.

**Clause**

11. What would help you and your family adjust to life without single-use plastic shopping bags?

**Notes**

Removing the bag will not remove the purposes for which it is used. Adjustment will, in most situations, involve the purchase of another form of bag to address the functions of the bags which were banned.

**Clause**

12. How can data on single-use plastic shopping bags and other single-use plastics entering the market and monitoring of reductions be improved?

**Notes**

Presumably robust statistics on the current use of single-use plastic shopping bags formed the basis of the information contained in the Consultation Document? The reference to "other" single use plastic items more broadly than plastic shopping bags, requires an understanding of the items on which information is required. Not in the least, it requires consideration of the 'problem' of the single use plastic items the information collection is seeking to address.

**Clause**

13. Please provide any additional comments or suggestions about the proposed mandatory phase out of single-use plastic shopping bags.

**Notes**

Packaging NZ accepts that a ban on disposable plastic shopping bags is not a significant hardship for the average NZ household. That said simple categorisation as 'good or bad' of single-use plastic shopping bags is symptomatic of a move away from evidence-based regulation. There will be instances where disposable plastic shopping bags represent a benefit. An obvious example is the avoidance of risk of cross contamination from successive use of a reusable bag to transport incompatible food items. Packaging NZ would be concerned if the same simplistic and arguably judgemental approach, was applied more broadly to packaging without consideration of, for example, the elderly, the young and/or those with disabilities. Packaging and product manufacturers are required by regulation to consider a range of factors. Those proposing regulation should similarly be required to ensure any additional regulation is compatible with other government policy and statute. We broadly are in favour of initiatives which reduce the overall number of unnecessary plastic bags including those used for shopping. However, we remain concerned that this proposed ban has the potential to create solutions with far more negative impacts than the original problem and that no consideration is given in this

document as to the unintended consequences. We are disappointed that the government has chosen to demonstrate leadership on waste and recycling in New Zealand by way of an arguably simplistic solution that is unlikely to materially benefit the environment by, for example, reducing plastic in NZ's coastal and marine waterways. It is also disappointing that the proposal is clearly designed to create a particular outcome as opposed to thinking about building a roadmap for compelling collection and recycling of that particular material, and in fact all recyclable materials. Notwithstanding, we remain open to providing information and expertise on the opportunities opening up through the growing awareness of the potential of the circular economy. We understand that by choosing single-use plastic bags as a starting point, the motivation is to increase the level of awareness of circular economy principles and the impacts of consumption on the waste and recycling management systems within New Zealand. Given the noteworthy amount of attention from the population at large for this singular issue there is some confidence that this will result in a more sophisticated and evidence-based approach to waste regulation in the future.