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MEMO

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Questions and answers on the proposal to reduce the consumption of plastic bags

What is the overall aim of this proposal?

The overall aim is to promote waste prevention and reduce littering. It requires Member States to take measure to reduce the use of lightweight plastic bags on their territory. The proposal takes the form of an amendment to the [Packaging and Packaging Waste Directive](#).

What are the main components?

The proposal contains two basic elements. First, it amends Article 4 (prevention) of the [Packaging and Packaging Waste Directive](#), requiring Member States to take measures to reduce consumption of lightweight, less frequently re-used plastic bags (with a thickness below 50 microns). Second, it stipulates that these measures may include the use of economic instruments (such as taxes and levies, which in some Member States have proved to be very effective), national reduction targets, as well as marketing restrictions in derogation of Article 18 of the Directive, subject to the Treaty's internal market rules.

How are lightweight plastic bags defined in this proposal?

For the purpose of this proposal lightweight plastic bags are defined in terms of their thickness as bags thinner than 0.05 mm (50 microns). This threshold will help ensure higher reuse and lower littering rates.

Are Member States now free to ban plastic bags on their territory?

Yes, provided that certain conditions are met – the ban can't be discriminatory to a certain type of lightweight plastic bag over another, and it mustn't be a disguised restriction on trade between Member States.

Article 18 of the [Packaging and Packaging Waste Directive](#) obliges Member States not to impede the placing on the market of their territory of packaging which satisfies the provisions of that Directive.

The proposed derogation from this Article would give Member States more freedom to introduce more restrictive measures, but the freedom to define such measures is not unlimited. Any such measure has to be compatible with EU law, including Articles 34 to 36 of the Treaty on quantitative restrictions in the internal market.

Member States may maintain or adopt measures that restrict the free movement of goods, provided that these are proportionate (i.e. restricted to what is necessary to achieve the legitimate aim of protecting the environment), and are non-discriminatory (i.e. they may not discriminate packaging originating from other Member States and may not protect their domestic market).

When would the new rules take effect? By when would Member States need to reduce their overall use of lightweight plastic bags?

Once the proposal is approved by the European Parliament and the Council, it will enter into force 20 days after publication in the Official Journal of the European Union.

From the date of entry into force, Member States will have 12 months for transposition, and two years to implement the Directive.

What's the problem with plastic bags?

The properties that make plastic bags commercially successful – low weight and resistance to degradation – have also contributed to their proliferation in the environment. They escape waste management streams and accumulate in our environment, especially in the form of marine litter. Once discarded, plastic bags can last for hundreds of years – mostly in fragmented form. Marine littering is increasingly recognised to be a major global challenge posing a threat to marine eco-systems and animals such as fish and birds. There also is documented evidence indicating large debris accumulation in European seas.

What is the situation in the Member States?

In 2010 it was estimated that slightly fewer than 100 billion plastic carrier bags were placed on the EU market (98.6 billion in fact). This amounts to every EU citizen using 198 plastic carrier bags per year, which represents more than one bag per day for each European household. Some 90 % of those 100 billion bags were lightweight bags. Annual per capita consumption of thin plastic bags varies greatly between Member States, ranging from an estimated 4 plastic bags consumed per citizen in Denmark and Finland, to an estimated 466 in Poland, Portugal and Slovakia. There clearly is scope to learn from the successful action taken in a number of Member States. Further details on the rates of plastic bag consumption in each Member State are available in the Full Impact Assessment that accompanies this proposal.

What is the connection to marine litter?

Estimates suggest that in 2010, over 8 billion plastic carrier bags were littered in the EU. They escape waste management streams and accumulate in our environment, especially in the form of marine litter. Because they last so long, the cumulative number of plastic bags littered increases over time. Littering has environmental impacts (e.g. air, water, marine and soil pollution, biodiversity loss) as well as adverse economic effects (e.g. loss of raw materials in the EU, losses for recyclers and the tourism sector, costs of litter clean-up activities) and social consequences (e.g. loss of aesthetic value of landscapes, potential impacts on human health).

Plastic bags can be especially damaging for the marine environment. Animals are injured or killed by entanglement or ingestion of plastic bags mistaken for food. At least 267 different species are known to have suffered from entanglement or ingestion of marine litter. In the North Sea, the stomachs of 94% of all birds contain plastic. Plastic bags have been also found in stomachs of several endangered marine species, such as green turtles, loggerhead turtles, leatherback turtles, black footed albatrosses, and harbour porpoises.

How are Europe's seas affected?

Although marine litter is a major global challenge, there is evidence indicating large debris accumulation in European seas – e.g. along the coasts of the eastern Mediterranean, the North Sea, the Celtic Sea, the Bay of Biscay and the Sicily Channel.

The precise proportion of marine litter attributed to plastic bags is uncertain, but research and clean-up projects in different EU regions illustrate the scale of the problem. For example, plastic bags accounted for 73% of the plastic waste collected by trawlers along the Tuscany coast. Similarly, plastic bags represented more than 70% of total debris in most stations sampled in the Gulf of Lions and around the French cities of Nice and Marseille. Plastic bags were also found on UK beaches, reaching average densities of one bag every 23 metres.

Why does the proposal not oblige Member States to use economic instruments to reduce plastic bag consumption?

The proposal highlights the paramount role that different economic instruments can play in reducing plastic bag consumption, as can be seen for instance from the encouraging results achieved by the Irish levy or Danish tax on plastic bags. However, for reasons of subsidiarity and because the scale of the problem varies across Member States the proposal foresees that Member States design themselves the measures they deem most effective, taking into account existing best practices.

See also [IP/13/1017](#)