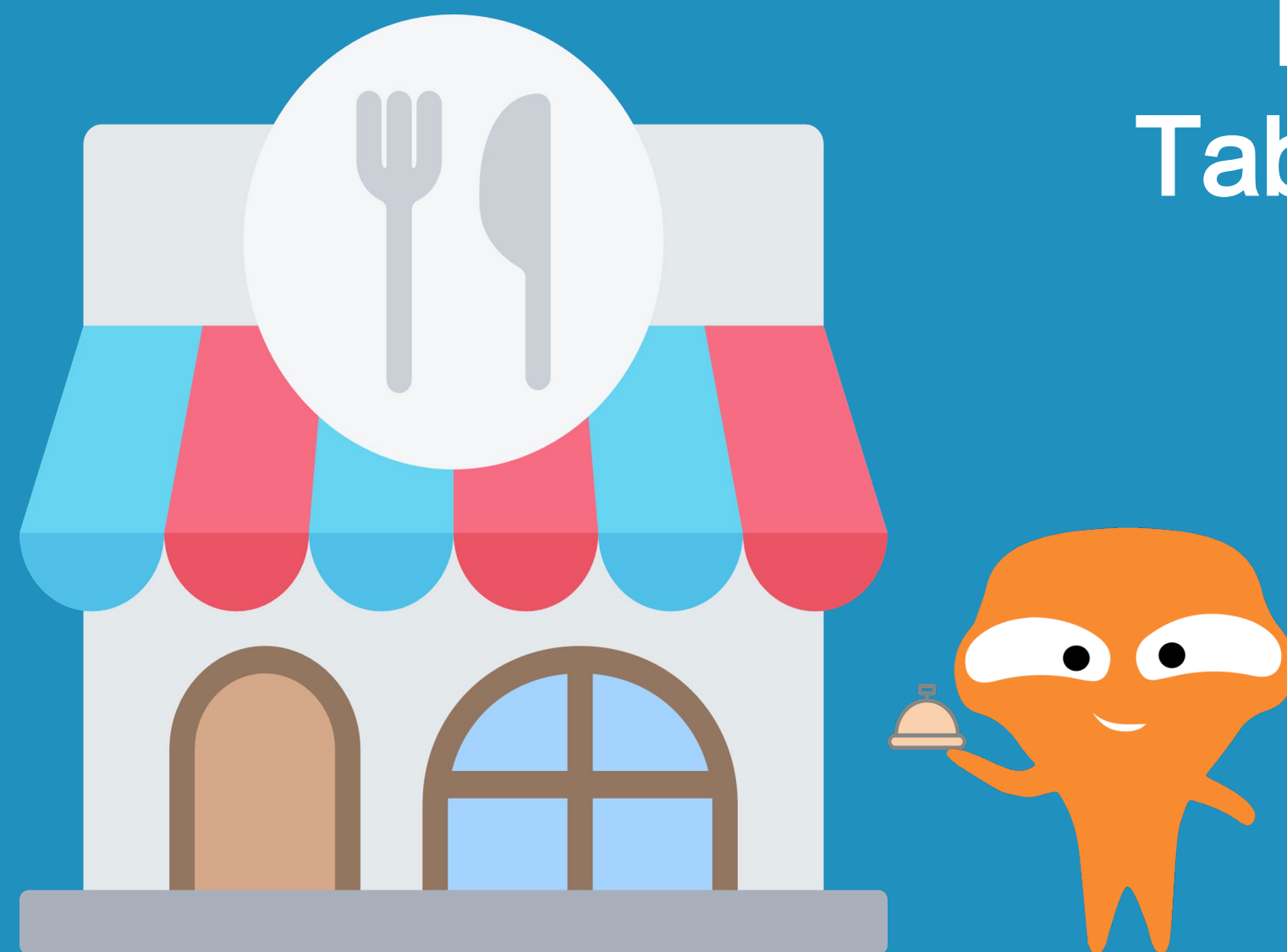


# Regulation of Disposable Plastic Tableware and Other Plastic Products



Catering Sector



環境保護署  
Environmental  
Protection Department

揸少嘢 慳多啲  
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April 2024 version

# Agenda of Training Seminar

15:00 – 16:30	Introduction of the New Regulation on Disposable Plastic Products
16:30 – 16:50	Quiz & Explanation
16:50 – 17:00	Discussion & Q&A session
17:00	End of training seminar

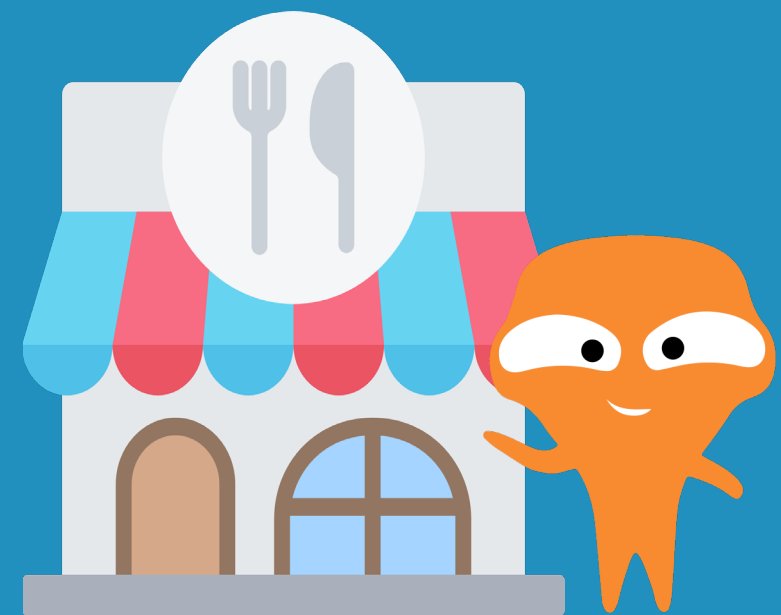


# Outline

1. Overview of the New Regulation on Disposable Plastic Products
2. Statutory requirements
3. Details of the Regulation (Catering)
4. How can catering sector get prepared?
5. Scenarios and Examples



# Overview of the New Regulation on Disposable Plastic Products





# New Regulation on Disposable Plastic Products

## Objectives



- ❑ Plastic is difficult to decompose and can persist in the environment for a very long time. It can further fragment into microplastics, causing far-reaching harm to the environment, ecology, and human health. Therefore, “plastic reduction” and “plastic-free” have become an international consensus. In recent years, both the Mainland and other places in the world have stepped up measures to reduce the use of plastic materials and explores alternatives.
- ❑ The objective of the new regulation is to reduce the use of disposable plastic tableware and other plastic product at source through legislation, thereby minimizing the impact of plastic pollution on marine ecology and human health and mitigating climate change.

# New Regulation on Disposable Plastic Products

## Overview

- ❑ The new regulation will ban the local sale and prohibit restaurants from providing customers with nine types of disposable plastic tableware (such as expanded polystyrene tableware, straws, cups, and cup lids, etc.), and also regulate a series of disposable plastic products (such as inflatable sticks, umbrella bags, hotel/guesthouse toiletries, oxo-degradable plastic products etc.) in terms of their manufacture, sale, and supply. The regulation will be carried out in two phases.
- ❑ The new regulation is closely related to various businesses, especially the catering sector, retail and service sector, as well as the hotel sector.

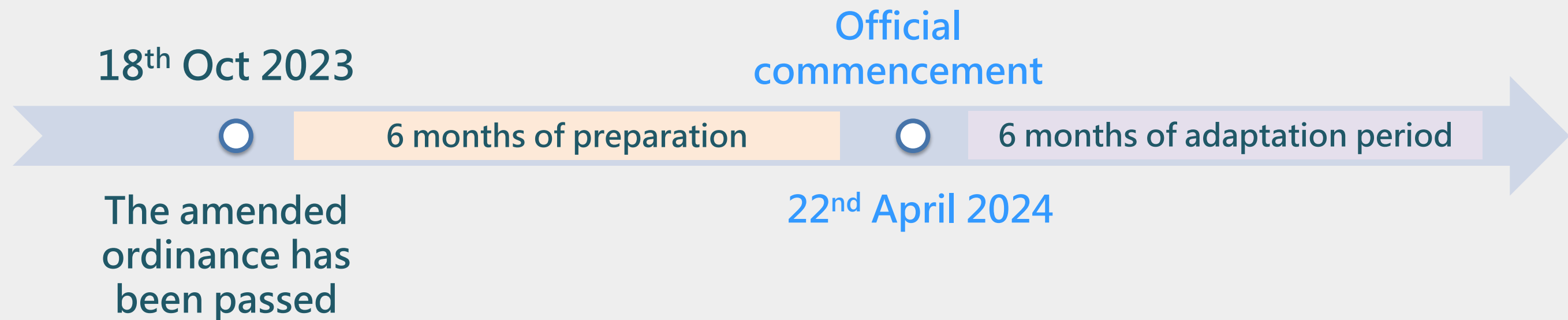




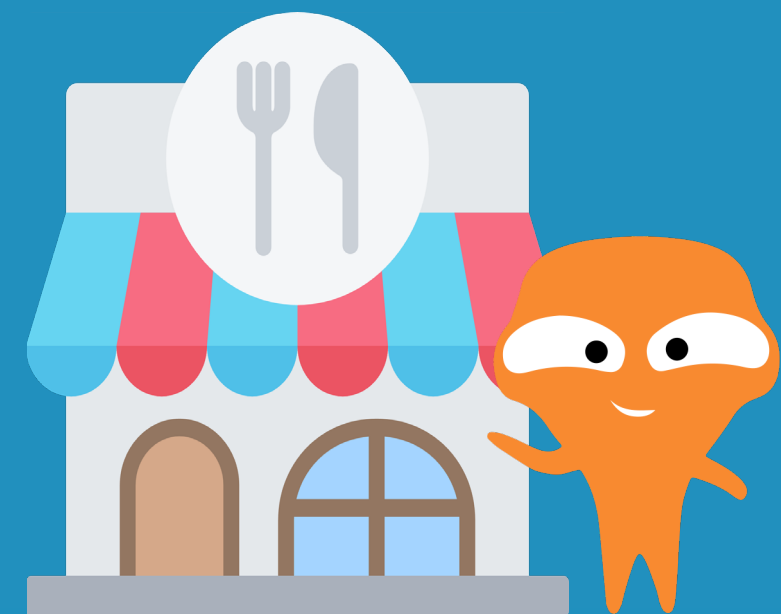
# New Regulation on Disposable Plastic Products

## Timetable

- ❑ The Legislative Council has passed the relevant 'Product Eco-Responsibility (Amendment) Ordinance 2023' on 18<sup>th</sup> October, 2023.
- ❑ With a 6-month preparation period, the regulation will commence from 22<sup>nd</sup> April 2024, in support of Earth Day.
- ❑ The first 6 months after the implementation will be designated as an adaptation period, which will focus on promotion and education.



# Statutory Requirements



**At a Glance**  
**Scope of Regulation**  
**Implementation Date: 22 April 2024**

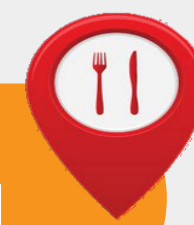
Disposable plastic tableware	Sale	Takeaway	Dine-in
1. All expanded polystyrene (EPS) tableware (including plates, food containers and cups)	X	X	X
2. Plastic straws	X	X	X
3. Plastic stirrers	X	X	X
4. Plastic forks, knives, spoons	X	X	X
5. Plastic plates	X	X	X
6. Plastic cups	Can continue to be sold	Can continue to be used	X
7. Plastic cup lids	Can continue to be sold	Can continue to be used	X
8. Food containers including plastic bowls and plastic boxes	Can continue to be sold	Can continue to be used	X
9. Lids of food containers including plastic bowls and plastic boxes	Can continue to be sold	Can continue to be used	X



# Regulation of Other Disposable Plastic Products

Other disposable plastic products	Sale	Free distribution	Manufacture
1. Plastic stemmed cotton buds	X	X	
2. Balloon sticks	X	X	
3. Inflatable cheer sticks	X	X	
4. Glow sticks	X	X	
5. Party hats	X	X	
6. Umbrella bags	X	X	
7. Plastic food sticks	X	X	
8. Plastic toothpicks	X	X	
9. Non-medical use transparent gloves	Can continue to be sold	X	
10. Plastic packaged tissue paper for promotional use	Can continue to be sold	X	
11. The following plastic products for use in hotel rooms: <ul style="list-style-type: none"><li>• toothbrushes</li><li>• toothpaste</li><li>• shower caps</li><li>• razors</li><li>• nail files</li><li>• combs</li><li>• small sized shampoo, body wash, conditioner, lotion and hand wash</li><li>• disposable plastic bottled water</li></ul>	Can be provided at a charge	X	
12. oxo-degradable plastic products (regardless of disposability)	X	X	X





# Exclusions and Exemptions

## 1. Tableware attached to pre-packaged food or drink products

e.g. Disposable plastic tableware contained in ice-cream cups and cup noodles



e.g. Straws attached to beverage cartons



e.g. Disposable plastic containers for pre-packaged food



What is pre-packaged food?

1. packaged at a place outside the supply point; AND
2. wholly contained in packaging



# Exclusions and Exemptions

## 2. Provision of disposable plastic straws to persons with medical needs





# Exclusions and Exemptions

Specific situations where the sale or supply of regulated disposable plastic products can be exempted, including:



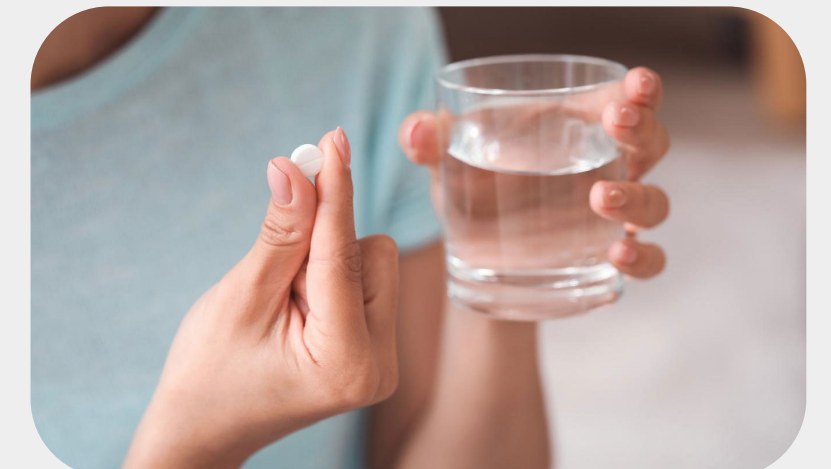
Forensic Analysis



Medical treatment or procedure



Scientific research or experiment



Taking medicine



For resell purposes



For manufacturing process



Provision of disposable plastic straws to persons with medical needs

Note: This does not apply to oxo-degradable plastic products, non-medical use transparent plastic gloves, and plastic packaged tissue paper for promotional use.

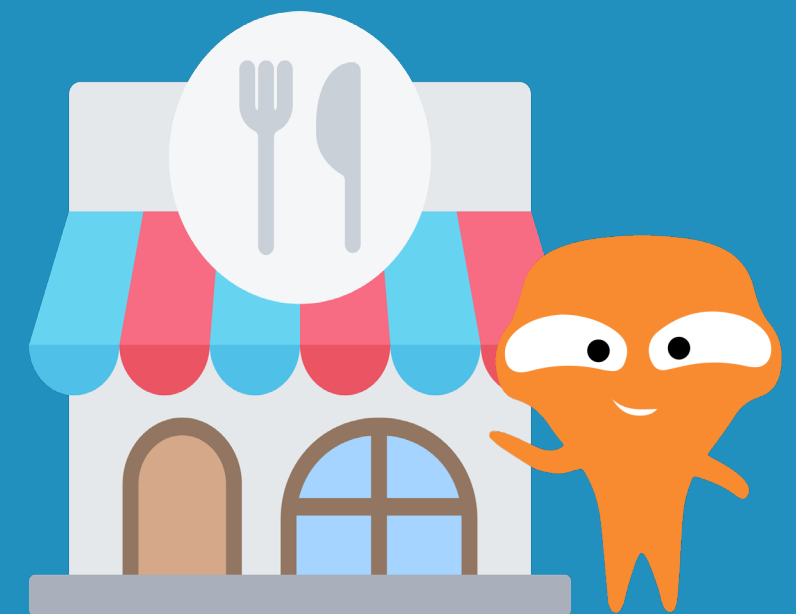
# Penalties

- Maximum fine at Level 6 (\$100,000)
- A fixed penalty notice can also be issued to the person-in-charge of the relevant business premises demanding for a fixed penalty of \$2,000 to discharge the person's liability for the offense
- Offenses related to oxo-degradable plastic products or those considered serious (i.e., recklessly or repeatedly committing an offence concerned) – may consider dealing with by summonses and court proceedings



# Scope of Regulation

Catering Sector





# What are disposable plastic products?



## Disposable

According to the amended Ordinance, a product is disposable if it is not designed to be used for the purpose for which it was designed more than once, or on more than once occasion, before being disposed of.



Note: The definition of 'disposable' in the legislation primarily focus on the original design of the product, rather than the number of times an individual user can use it before disposing.

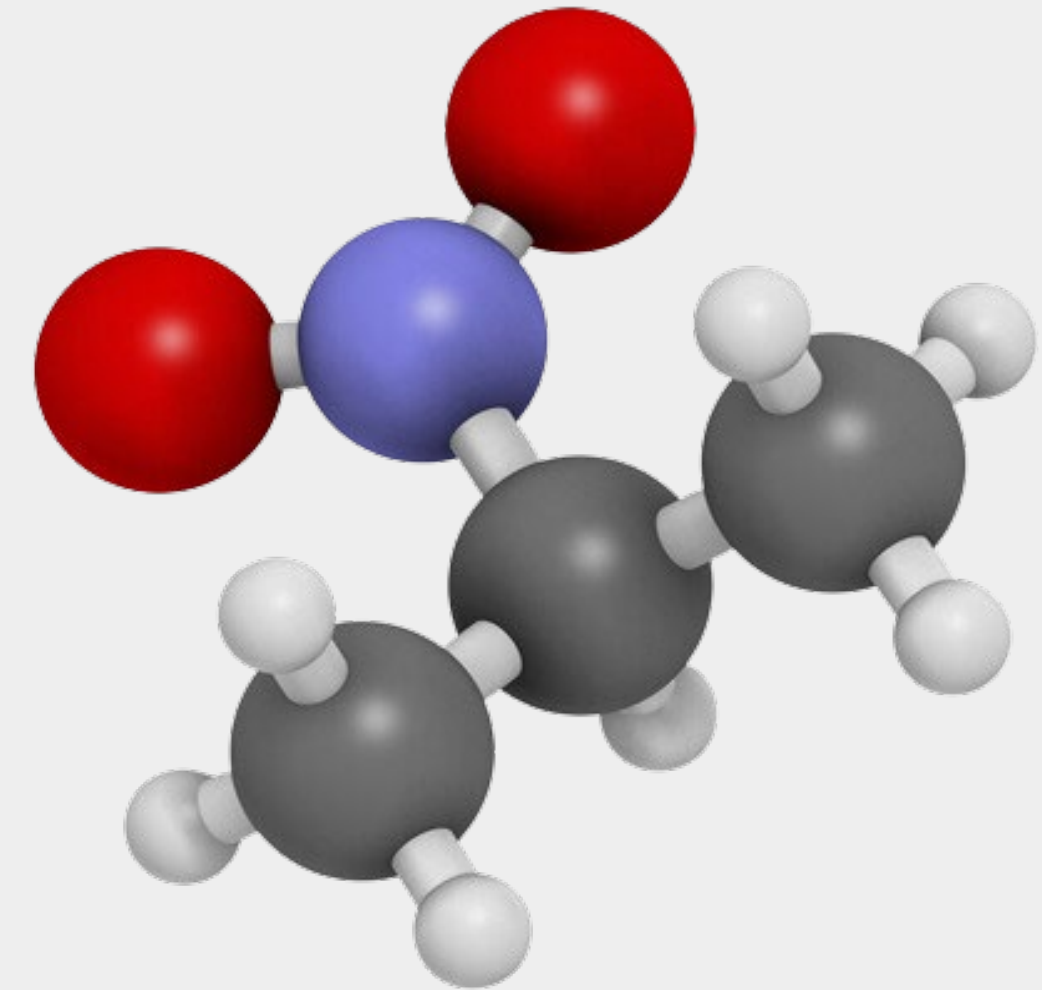


# What are disposable plastic products?

## Plastic

Refers to a material consisting of a polymer (other than a natural polymer that has not been chemically modified such as plant fibre), whether or not an additive or any other substance such as adhesives, inks, binders has been added to the material.

A plastic product refers to a product that is wholly or partly made of plastic.



# Plastic includes :

## Conventional Plastic



Such as, Expanded Polystyrene (EPS), Polyethylene Terephthalate (PET), Polypropylene (PP), Polystyrene (PS))

## Oxo-degradable Plastic



Such as Oxo-degradable plastic, Oxo-biodegradable plastic

## Biodegradable Plastic



Such as Polylactic Acid (PLA), Corn Starch, Polyhydroxybutyrate (PHB)

## Plastic Lining



Such as Polyethylene (PE) Lining, Polylactic Acid (PLA) Lining



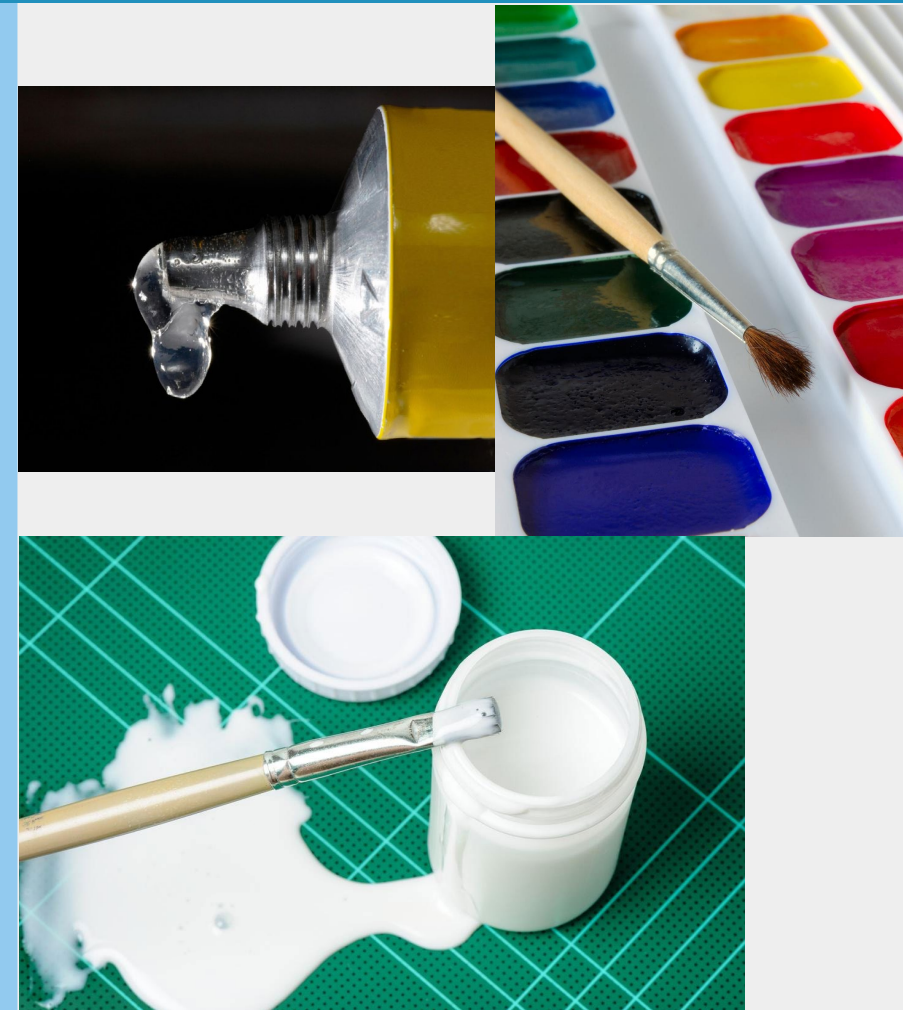
# Plastic does not include:

## Natural polymers (not chemically modified)



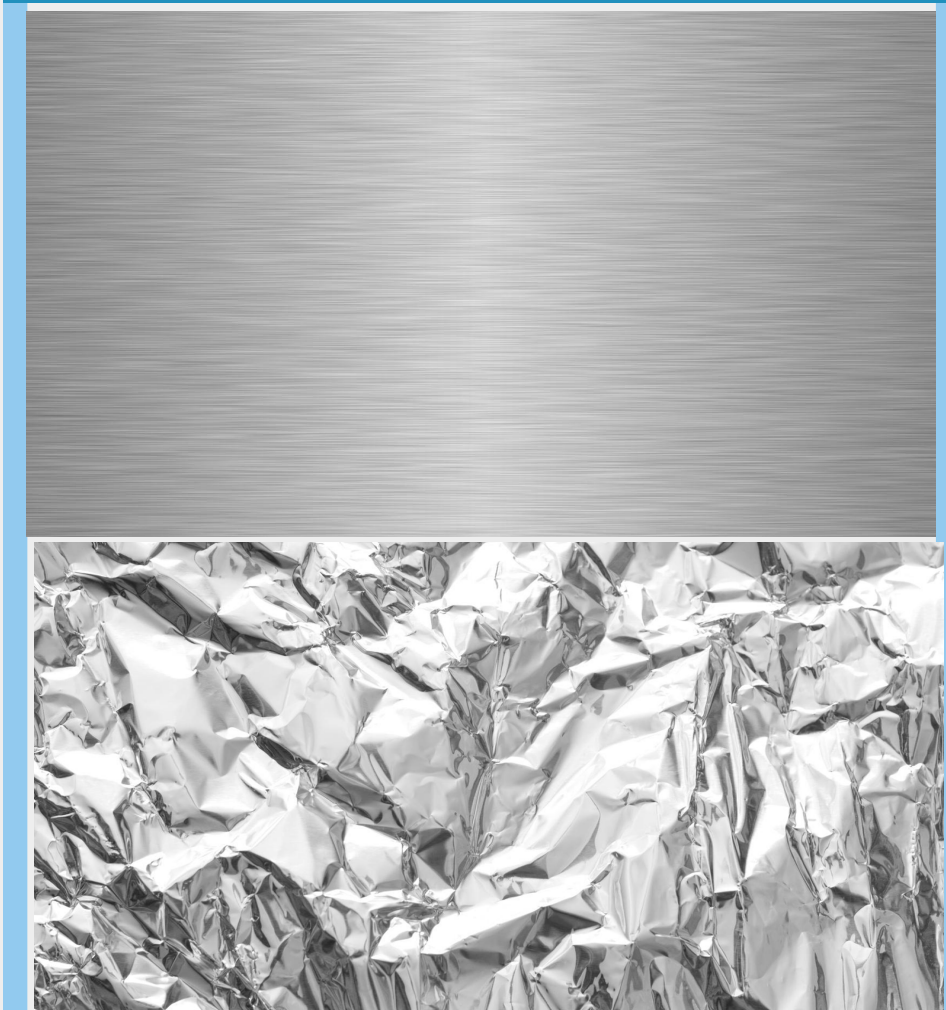
Such as bamboo, wood, paper,  
plant fibers, wood pulp, grass  
pulp, bagasse

## Additives (non-structural polymers)



Such as adhesives, inks,  
binders, water-based barrier  
coating

## Other non-polymeric materials



Such as stainless steel,  
aluminum



# What are dine-in, catering, and takeaway services?

Dine-in generally refers to the scenarios that customers dine inside the catering premises.

while takeaway refers to customers taking food away from the catering premises.

However, in certain cases, when there are seating or tables that are made available in the area specifically for customers for dining purpose (for example, in food courts or at outdoor café outside the store) (regardless of whether the location is within the lease boundary), these cases are also regarded as providing dine-in service.

## Catering Sector

Dine-in Services



Takeaway Services





# What are dine-in, catering, and takeaway services?

In addition, some catering services for private events, such as providing food or drinks at a location specified by a customer and providing catering attendant(s) to serve the guests, are similar in nature to dine-in services. Therefore, the regulation of disposable plastic tableware for catering services will be similar to that for dine-in services.













## Catering Sector

### Catering Services










# Scope of First Stage Regulation (Tableware)

Examples of regulated disposable tableware			Dine-in/ Catering	Takeaway
All EPS Tableware (including plates, food containers and cups)	  			
Plastic Straws	  			
Plastic Stirrers	  			



# Scope of First Stage Regulation (Tableware)

Examples of regulated disposable tableware			Dine-in/ Catering	Takeaway
Plastic Cutlery (knife, fork, spoon)				
				
Plastic Plates				
				

# Scope of First Stage Regulation (Tableware)

Examples of regulated disposable tableware			Dine-in/ Catering	Takeaway
Plastic Cups	  			 Can continue to be used #
Plastic Cup Lids	     			 Can continue to be used #

#Except for those made of Expanded Polystyrene (EPS) or Oxo-degradable Plastic

# Scope of First Stage Regulation (Tableware)

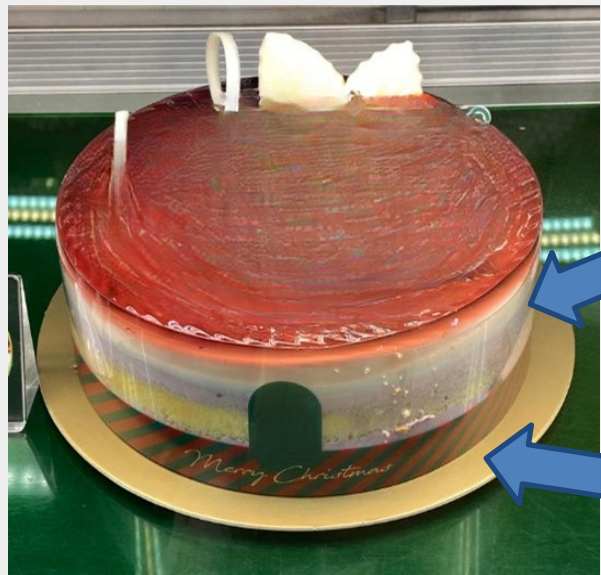
Examples of regulated disposable tableware	Dine-in/ Catering	Takeaway
<p><b>Plastic Food Containers</b> (including plastic bowls and plastic boxes)</p> 		 Can continue to be used #
<p><b>Plastic Food Container Lids</b> (including the lids of plastic bowls and plastic boxes)</p> 		 Can continue to be used #

#Except for those made of Expanded Polystyrene (EPS) or Oxo-degradable Plastic



# Examples of items outside of the scope of regulation

## Wrappers



## Bags












# Scope of First Stage Regulation (Other related products)

Examples of regulated disposable products		Free distribution	Sale
Non-medical use transparent gloves			 Can continue to be sold
Plastic-packaged tissues for promotional use			 Can continue to be sold



# Scope of First Stage Regulation (Other related products)

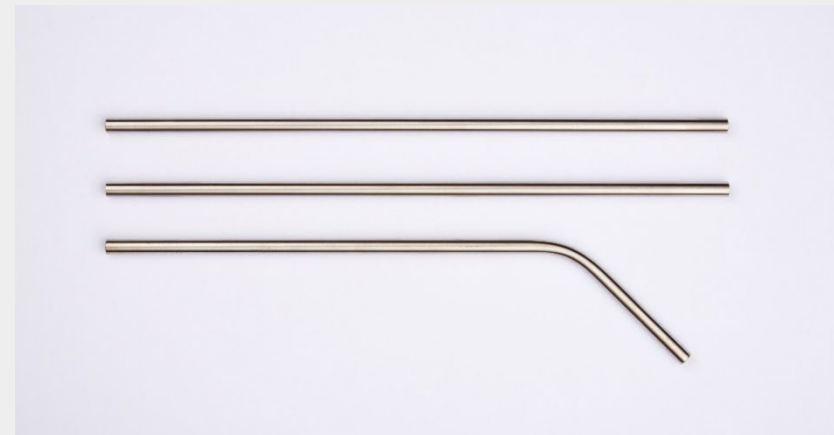
Examples of regulated disposable products		Free distribution	Sale
Umbrella bags			
Food plastic picks			
Plastic toothpicks			



# Alternative Products and Solutions (Reusable Tableware)

Made of stainless steel/ceramic/glass/plastic/wood, etc.

Catering  
Sector





# Alternative Products and Solutions (Reusable Tableware)

Made of stainless steel/ceramic/glass/plastic/wood, etc.

Catering  
Sector





# Alternative Products and Solutions (Non-plastic Disposable Tableware)

## Catering Sector

### Alternatives to plastic straws



Paper Straw



Bamboo straw



Rice straw

### Alternatives to plastic stirrers



Wooden stirrer



Bamboo stirrer



# Alternative Products and Solutions (Non-plastic Disposable Tableware)

## Catering Sector

Alternatives to plastic cutlery (knife, fork, spoon)



Wooden cutlery



Bamboo cutlery

Alternatives to plastic plates



Paper plate



Paper plate  
(with water-based barrier coating)



Bagasse plate



# Alternative Products and Solutions (Non-plastic Disposable Tableware)

## Catering Sector

### Alternatives to plastic cups



Paper cup



Paper cup (with water-based barrier coating)



Plant fiber cup

### Alternatives to plastic cup lids



Paper cup lid



Paper cup lid  
(with water-based barrier coating)



Plant fiber cup lid

# Alternative Products and Solutions (Non-plastic Disposable Tableware)

## Catering Sector

### Alternatives to plastic food containers



Paper food container



Paper food container  
(with water-based barrier coating)



Bagasse food container

### Alternatives to plastic food container lids



Paper food container lid  
(with water-based barrier coating)



Bagasse food container lid



# Alternative Products and Solutions (Other Related Products)

## Catering Sector

Alternatives to non-medical use transparent gloves



Provide hand washing facilities



Reusable towels

Alternatives to plastic umbrella bags



Reusable umbrella drainer



Reusable umbrella bag



# Alternative Products and Solutions (Other Related Products)

## Catering Sector

Alternatives  
to plastic  
food sticks



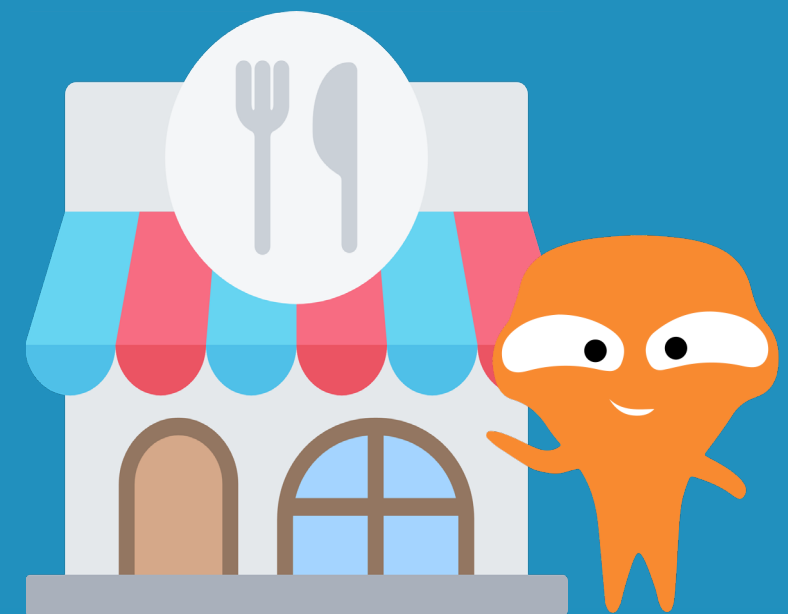
Bamboo food sticks

Alternatives  
to plastic  
toothpicks



Wooden/bamboo  
toothpicks

# Preparation Work



# Tips for getting prepared

## (1) Switch to reusable tableware

1. Seek suitable reusable tableware and other necessary equipment (e.g., racks and trays for holding cutlery and dishes)
2. Purchase dishwashers of appropriate size according to the size of the restaurant and the number of customers
3. Consider using dishwashing services or reusable tableware rental services etc. provided by third parties
4. Prepare a list of items to be purchased and a list of suppliers
5. Conduct staff training on how to properly handle and clean reusable tableware to ensure they are clean and safe for customers





# Tips for getting prepared

## (2) Use non-plastic disposable tableware

1. Procure appropriate alternative products or alternative solutions as soon as possible
2. Find suitable supplier partners
3. Conduct performance tests for the alternative products
4. Handle the stock of disposable plastic tableware as soon as possible
5. When procuring from suppliers, it is advisable to request for a material test report or certificate issued by a local or international (e.g. EU) accredited laboratory or certification body from the supplier to prove that the relevant products do not contain the plastic as specified in the legislation

**CMA TESTING**

**TEST REPORT**

Report No : A00003621(1) Date: 2023-02-02

Application No : L0000184(2)

Test Result :

Test method : With reference to AATCC 20:2021 clause 9.11 (by attenuated total reflectance – Fourier Transform Infrared Spectroscopy (ATR–FTIR))

	Test Item
	Polymer identified
Sample	
1	Cellulose
2	Cellulose
3	Cellulose
4	Cellulose
5	Cellulose
6	Cellulose
7	Cellulose
8	Cellulose

Note: ATR–FTIR detects polymer(s) of sample surface.

Sample	Description
1	White cup body (inner surface) of sample A
2	White cup body (outer surface) of sample A
3	White cup lid (inner surface) of sample B
4	White cup lid (outer surface) of sample B
5	Pale brown box body (inner surface) of sample C
6	Pale brown box body (outer surface) of sample C
7	Pale brown box lid (inner surface) of sample D
8	Pale brown box lid (outer surface) of sample D

Page 2 of 4

CMA Industrial Development Foundation Limited  
Room 1302, Yan Hing Centre, 9-13 Wong Chuk Yeung St., Fo Tan, Shatin, N.T., Hong Kong.  
Tel: (852) 2695 8198 Fax: (852) 2695 4177 E-mail: [info@cma-testing.org](mailto:info@cma-testing.org) Web Site: <http://www.cma-testing.org>

## How to verify with suppliers if the material composition of the product complies with the legal requirements?

### 5.1 If it is needed to confirm the [major material composition](#) of the concerned product.

- You can request for a Fourier Transform Infrared Spectroscopy (FTIR) material analysis report (or a document of equivalent nature) from the supplier.

### 5.2 If the product is a [paper-based product with a water-based barrier coating](#).

- You can ask the supplier for a test report showing compliance with the repulpability standard (score not less than 70) as specified in the Group Standard “Water-based Coated Paper Cup (including Water-based Coated Carton Paper” (T/CPA 001-2021) and its relevant amendment issued by the China Paper Association (or equivalent document(s)); or
- Certificate of "plastic-free product" recognised in European Union (or equivalent document(s)).

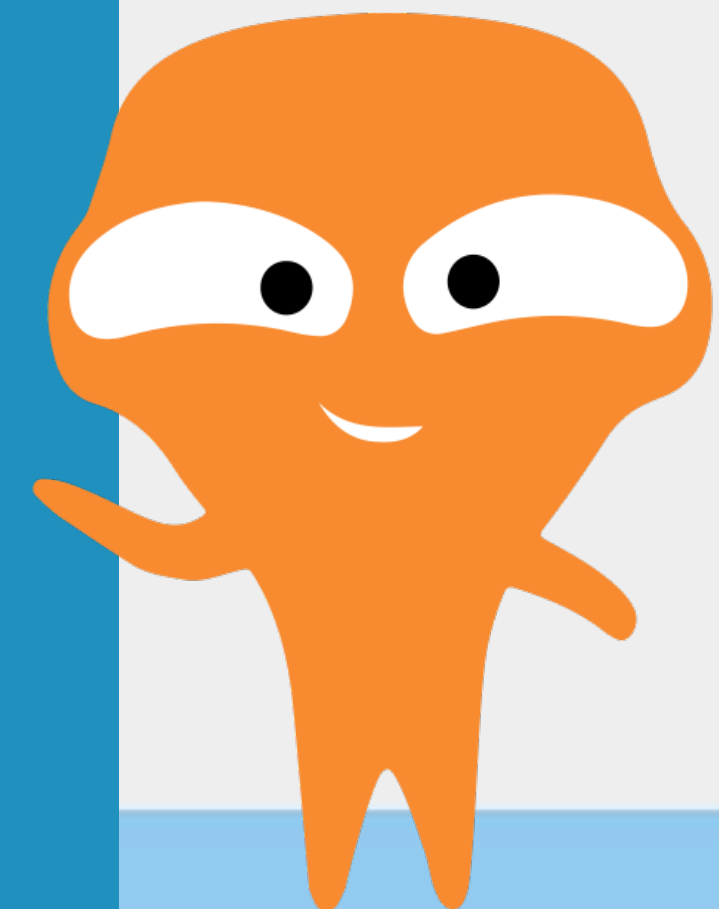
### 5.3 If the product is a [non-pulp product](#) (e.g. wooden fork, bamboo knife etc.)

- You can consider asking the supplier for a duly-signed self-declared material data sheet confirming the material composition of the concerned product.



**When discussing the procurement of non-plastic disposable alternatives with suppliers, the following questions can be raised:**

1. What are the major material composition of the concerned product? Does it exclude conventional plastics (such as PET, PP), oxo-degradable plastics, biodegradable plastics (such as polylactic acid (PLA), corn starch), plastic lining, or other chemically modified polymers?
2. If the product contains water-based barrier coating, does it comply with relevant repulpability or equivalent standards?

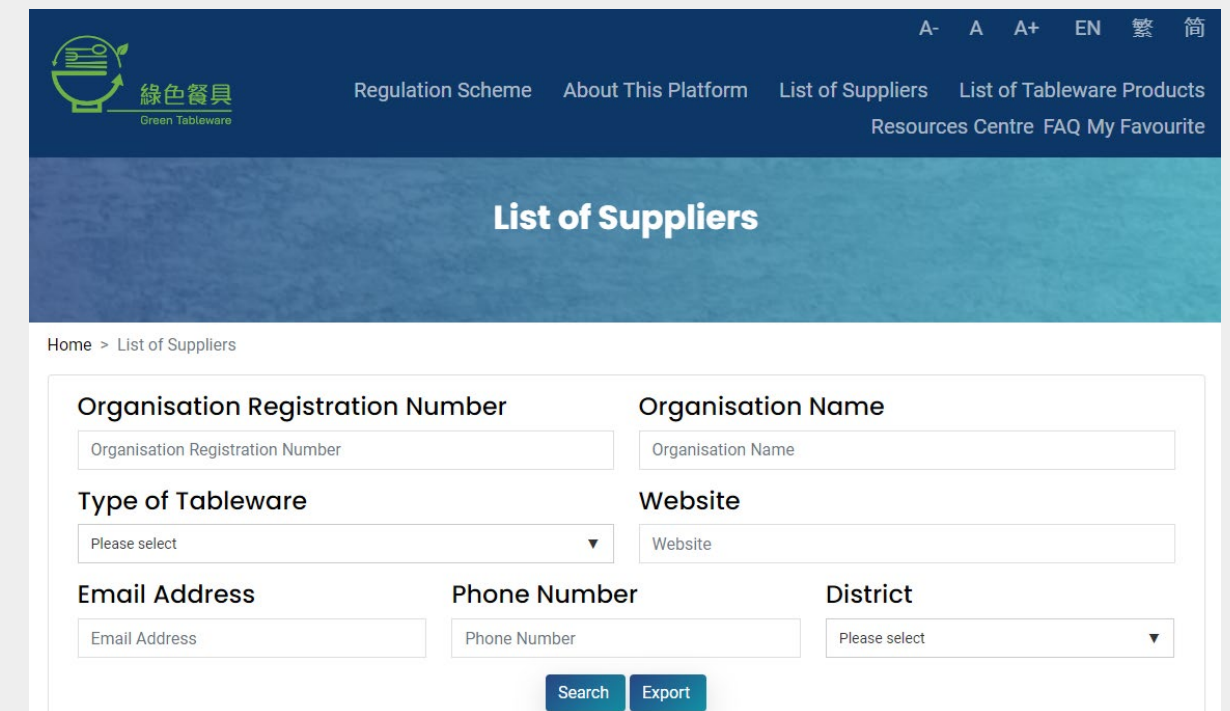


# Government Support

## 1. Green Tableware Platform

( <https://www.greentableware.hk> )

- To encourage the industry to adopt environmentally friendly alternatives to disposable plastic tableware (i.e. paper/plant fibre etc.), and to facilitate catering sector to source alternatives that can meet the requirements of the regulation, EPD commissioned the Hong Kong Quality Assurance Agency (HKQAA) in January 2022 to establish the "Green Tableware Platform" for reference by the catering sectors, suppliers, and the public.
- In addition to alternative non-plastic disposable tableware products, the platform also provides information on reusable tableware, including details of suppliers offering tableware rental and cleaning services.



The screenshot shows the 'List of Suppliers' page on the Green Tableware Platform. The page has a dark blue header with the logo and navigation links: Regulation Scheme, About This Platform, List of Suppliers, List of Tableware Products, Resources Centre, FAQ, and My Favourite. The main content area is white with a search form. The form includes fields for Organisation Registration Number, Organisation Name, Type of Tableware (a dropdown menu), Website, Email Address, Phone Number, and District (a dropdown menu). There are 'Search' and 'Export' buttons at the bottom of the form.

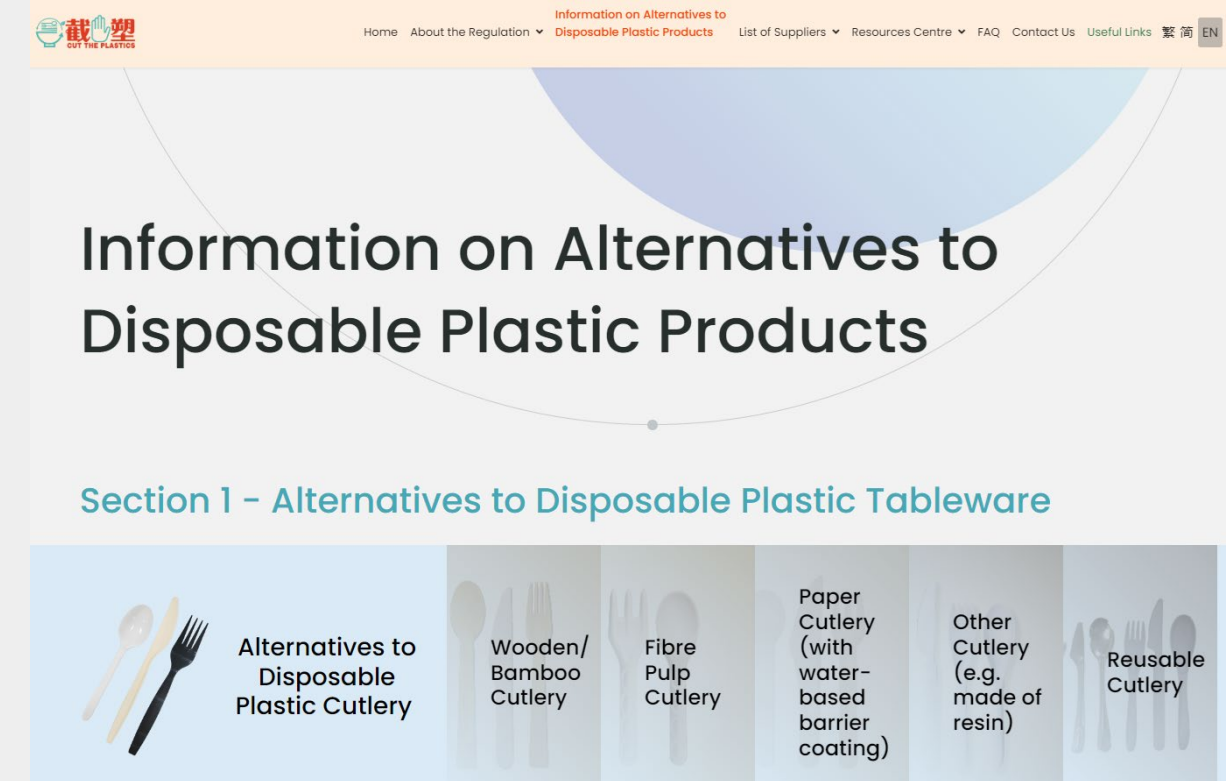




# Government Support

## 2. Cut Plastic Use ( <https://www.cuttheplastics.hk/index.php/en/> )

- “Cut Plastic Use” platform aims to disseminate information related to the regulation to the public, businesses and relevant stakeholders, such as the scope and timetable of the regulation. Possible alternatives and ways to replace the use of regulated disposable plastic products are also provided on this platform.
- In addition to offering viable alternatives or solutions, the websites also provides a list of suppliers for reusable/non-plastic hotel toiletries.



# Frequently Asked Questions

Q1) Why is there a complete ban on all expanded polystyrene (EPS) tableware? Does this prohibition extend to the EPS products used for transportation and packaging?

A1) EPS is very light and can easily break and flow into the ocean, if inadvertently eaten by marine organisms will cause them to suffocate or be poisoned. It has a particularly serious impact on the environment and marine ecology. In fact, both the Mainland China and Macau have already banned the use of EPS tableware. However, it should be noted that the EPS products used for transportation and packaging are not regulated under the regulation.



# Frequently Asked Questions

Q2) Why is there a complete ban of oxo-degradable plastic products?

A2) Oxo-degradable plastic products will fragment into micro-plastic through oxidation which damaging the environment. The European Union and New Zealand have already implemented similar regulation on this type of products.

# Frequently Asked Questions

Q3) Does the regulation apply to plastic cutlery designed for children?

A3) The legislation specifically focuses on regulating disposable plastic cutlery and does not encompass reusable plastic cutlery. Plastic cutlery designed for children, which can be reused, is not subject to regulation.

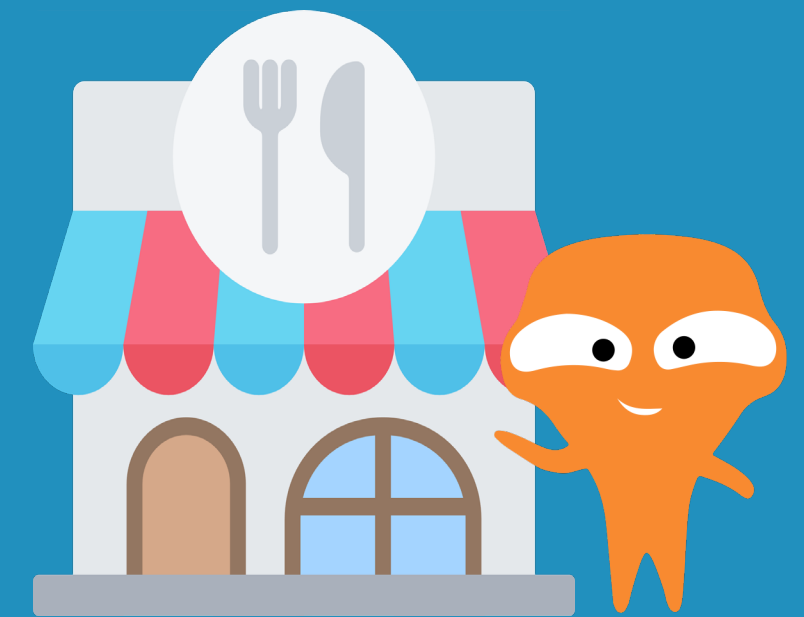


# Frequently Asked Questions

Q4) After 22nd April , will restaurants be prohibited from using disposable plastic containers for takeaway beverages (such as transparent plastic cups and lids/wraps for bubble tea) or for takeaway items like hot soup (such as wonton) and meals?

A4) No. After 22nd April, restaurants can still provide plastic cups, bowls, food containers, and lids to takeaway customers. However, they cannot provide plastic forks, knives, and spoons, as well as any plastic cups, bowls, or food containers made of EPS. Restaurants are also not allowed to provide disposable plastic cutlery and plastic food containers to dine-in customers.

# Scenarios and Examples





# Scenario 1: Restaurant

**Case 1 :** Selling food for customers to dine in the premises

➤ Considered as Dine-in

**Case 2 :** Selling food for customers to dine in nearby dining area outside the premises provided specifically for customers of that restaurant (regardless of whether the restaurant only holds a food factory license)

➤ Considered as Dine-in

**Case 3 :** Selling cooked food for customers to take away and consume outside the premises

➤ Considered as Takeaway





## Scenario 2 : Hot pot restaurant

**Case 1 :** Selling fresh ingredients that cannot be immediately consumed (e.g. raw dumplings) for customers to cook and dine in the premises

- Considered as Dine-in

**Case 2 :** Selling fresh ingredients that cannot be immediately consumed (e.g. raw dumplings) for customers to take away and consume outside the premises

- Outside the scope of regulation





## Scenario 3 : Pre-packaged products

**Case 1:** Selling pre-packaged food prepared in a food factory located outside the restaurant premises, and the food is wholly contained in packaging

- Considered as Pre-packaged product and exempted

**Case 2:** The product is packaged in a kitchen inside the restaurant, but not outside the restaurant

- Not considered as pre-packaged product and not exempted. Subject to regulation under dine-in/takeaway

**Case 3:** The product is packaged outside the restaurant, but the content in the product were altered or the packaging was opened by staff in the restaurant before supplying

- Not considered as pre-packaged product and not exempted. Subject to regulation under dine-in/takeaway





## Scenario 4 : Food factory



**Case 1 :** A food factory supplies pre-packaged food and beverages to a restaurant for the restaurant to resell to customers

- Indirect sales to end consumers
- May be considered as supplying pre-packaged products, and excluded from the regulations under takeaway

**Case 2 :** the food factory directly sells to end customers

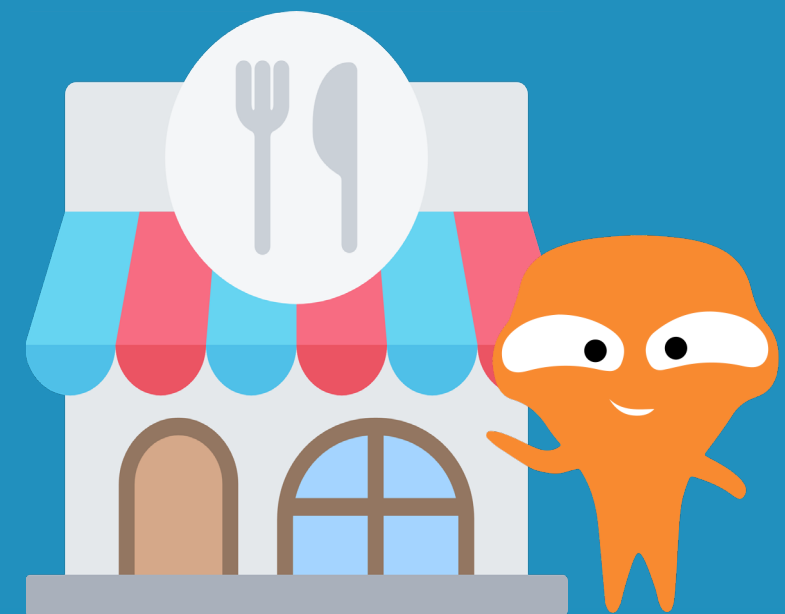
- Considered as Takeaway



# Quiz Section



SCAN ME



# Quiz Content

1. The "Product Eco-responsibility (Amendment) Ordinance 2023" was officially passed on 18<sup>th</sup> October, 2023, to regulate disposable plastic tableware and other plastic products. When will the first phase of regulation be implemented?
- A. 1<sup>st</sup> April, 2024
  - B. 22<sup>nd</sup> April, 2024**
  - C. 1<sup>st</sup> June, 2024
  - D. 1<sup>st</sup> December, 2024



# Quiz Content

2. For individuals with medical needs, restaurants can provide which type of disposable plastic tableware?

- A. Plastic Knife
- B. Plastic Fork
- C. Plastic Cup
- D. Plastic Straw**

# Quiz Content

3. According to the regulation of disposable plastic tableware and other plastic products, in which specific circumstances are exemptions granted for supplying disposable plastic cutlery?

- i. Packaged at a place outside the supply point
- ii. Food or drink is wholly contained in packaging (outside the supply point)
- iii. The contents of the package have been altered at the supply point

A. ( i )

**B. ( i ) and ( ii )**

C. ( i ) , ( iii )

D. All of the above



# Quiz Content

4. According to the regulation of disposable plastic tableware and other products, which of the following fall within the definition of “plastic” ?

- i. Materials made from pure natural corn starch through a polymerization process
- ii. Biodegradable and environmentally friendly plastic materials that have obtained 100% compostable and biodegradable certification from relevant international organizations.
- iii. Products made from pure natural bagasse with biodegradable PLA coating on the surface.

A. ( i )

B. ( i ) , ( ii )

C. ( i ) , ( iii )

**D. All of the above**

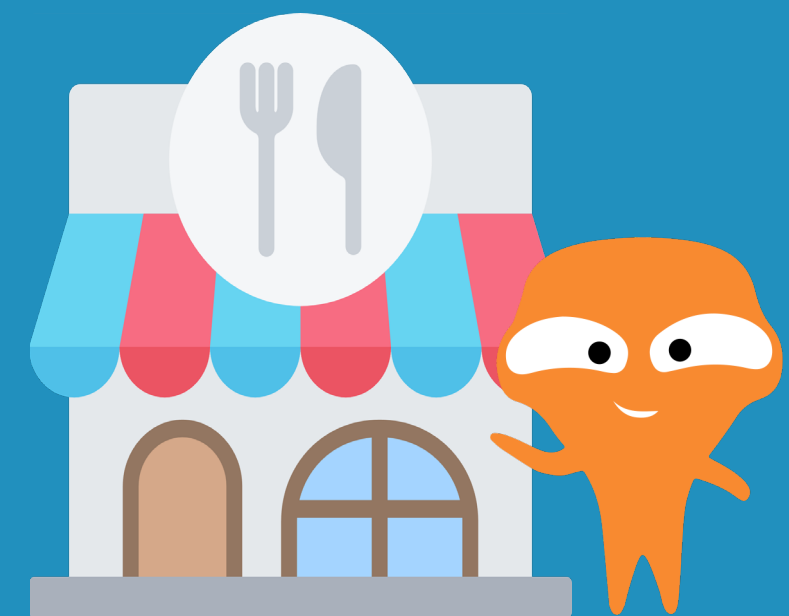
# Quiz Content

5. In case of a violation of the regulation of disposable plastic tableware and other plastic products, the authorities can issue a fixed penalty notice to the violator. How much is the fine amount per notice?

- A. \$1,000
- B. \$1,500
- C. \$2,000**
- D. \$3,000



# Q&A Session



# Open for application

## Join training seminars

SCAN ME



Catering

SCAN ME



Hotel

SCAN ME



Retail



# End of Session

# Thank you

- For any inquiries, please call the hotline at 2838 3111 or email [enquiry@epd.gov.hk](mailto:enquiry@epd.gov.hk)
- For more information and updates on disposable plastic control, please visit the dedicated website for the Disposable Plastic Control Scheme