

Regulation of Disposable Plastic Tableware and Other Plastic Products

Retail and Service Sector



環境保護署
Environmental
Protection Department

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May 2024 version

Agenda of Training Seminar

14:30 – 15:30	Introduction of the New Regulation on Disposable Plastic Products
15:30 – 15:50	Quiz & Explanation
15:50 – 16:00	Discussion & Q&A session
16:00	End of training seminar



Outline

1. Overview of the New Regulation on Disposable Plastic Products
2. Statutory requirements
3. Details of the Regulation (Retail and Service)
4. How can retail and service 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

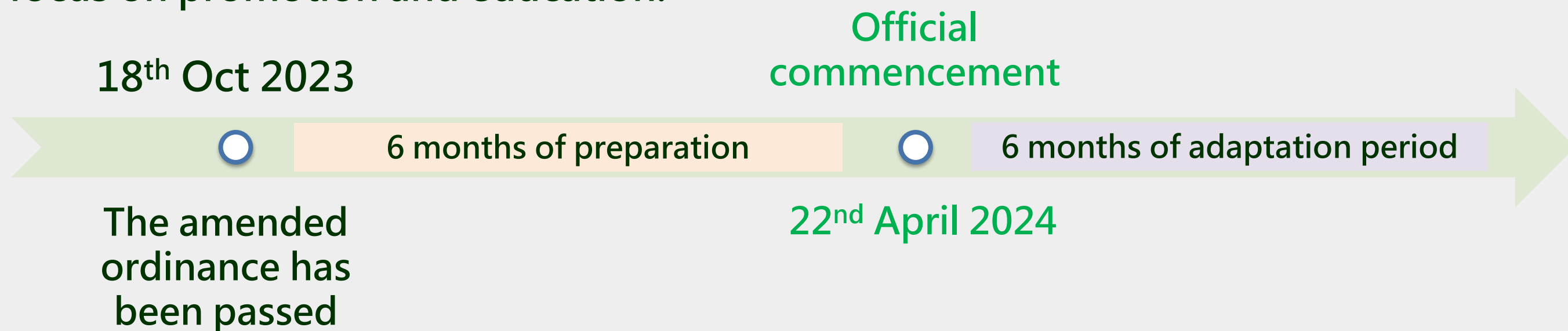
- ❑ The new regulation will ban the local sale and prohibit restaurants from providing customers with nine types of disposable plastic tableware (such as expanded polystyrene tableware, straws, cups, and cup lids, etc.), and also regulate a series of disposable plastic products (such as inflatable sticks, 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 18th October, 2023.
- ❑ With a 6-month preparation period, the regulation will commence from 22nd 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">• toothbrushes• toothpaste• shower caps• razors• nail files• combs• small sized shampoo, body wash, conditioner, lotion and hand wash• disposable plastic bottled water	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

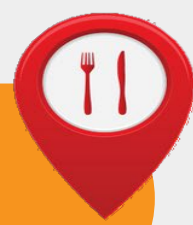


e.g. Disposable plastic containers for pre-packaged food



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:



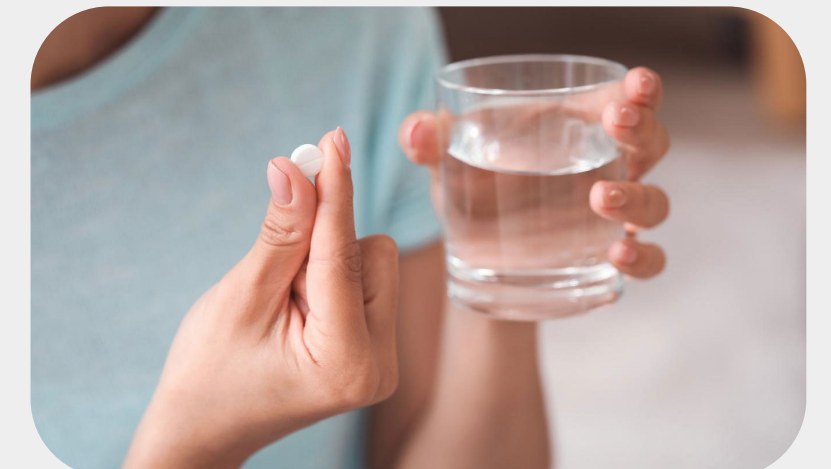
Forensic Analysis



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

Retail and Service



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.



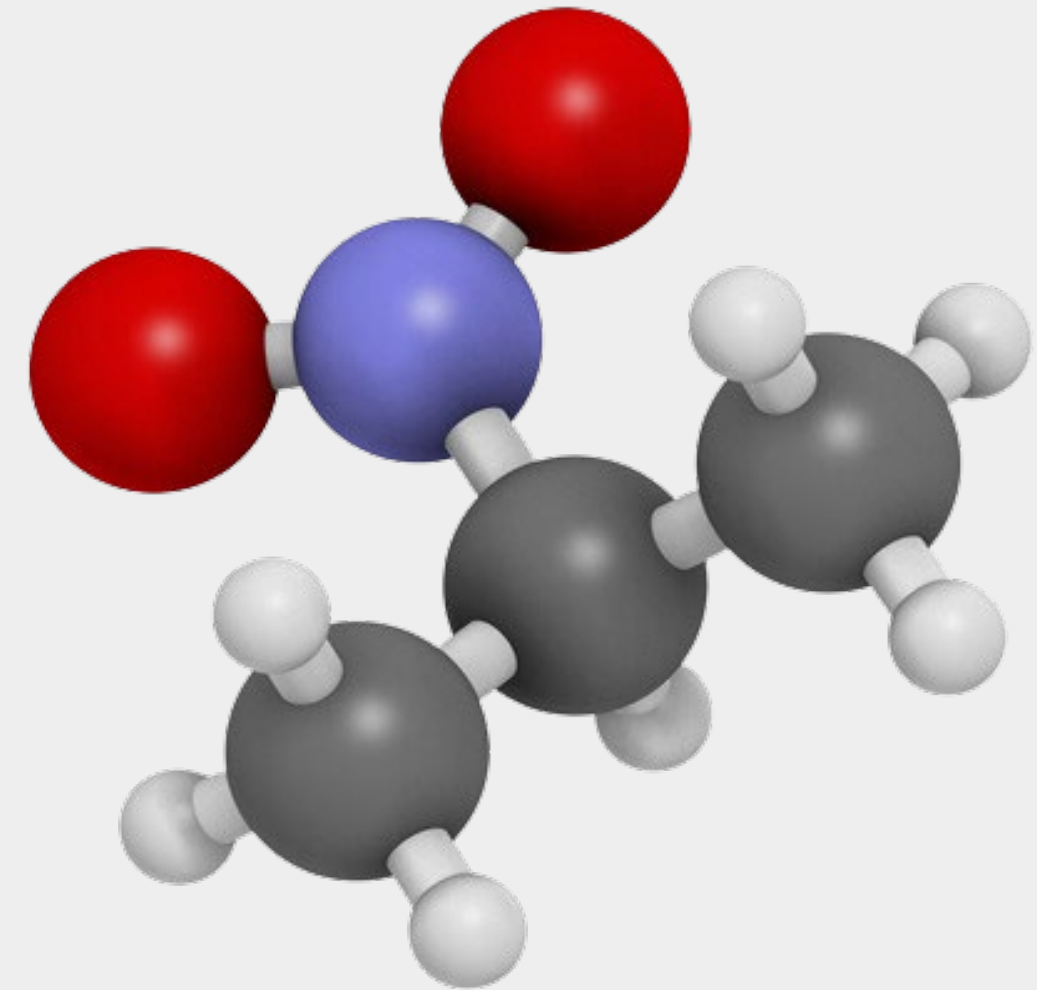
Note: The definition of 'disposable' in the legislation primarily focus on the original design of the product, rather than the number of times an individual user can use it before disposing.

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

Business premises regulated under the regulation

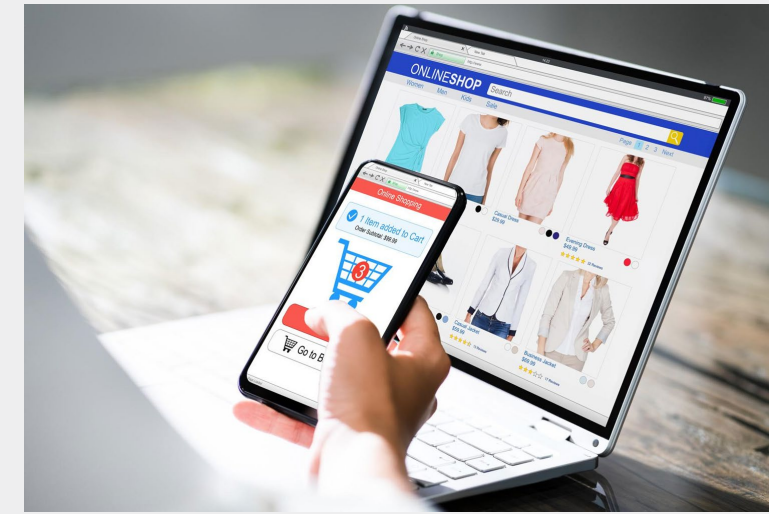
Retail and Service Sector



Supermarket



Department Store



Online Shop



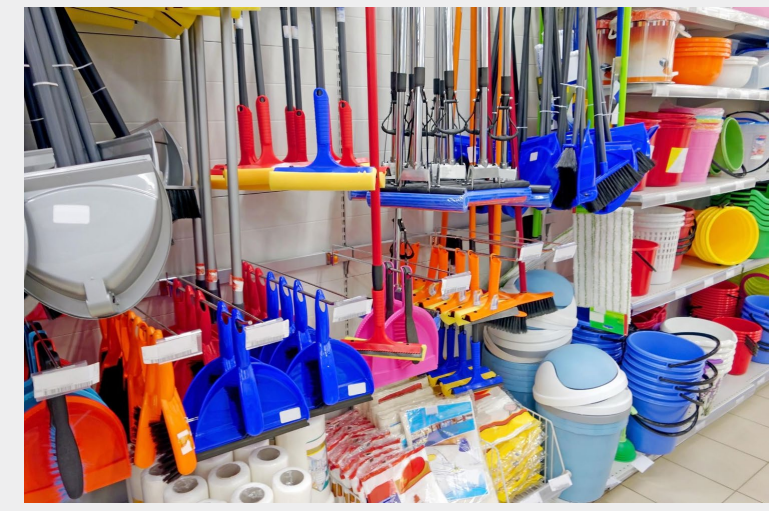
Shopping Mall



Wet Market
/Bazaar



Convenience
Store



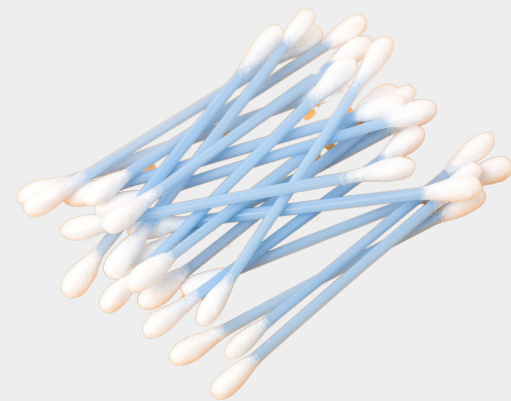
Houseware
shop



Other Business
Premises

Scope of First Stage Regulation

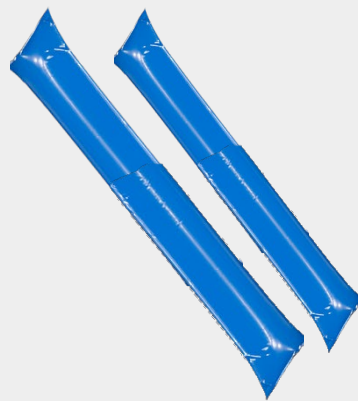
Sale (including displaying for sale purpose) and free distribution of the following disposable plastic products are prohibited:



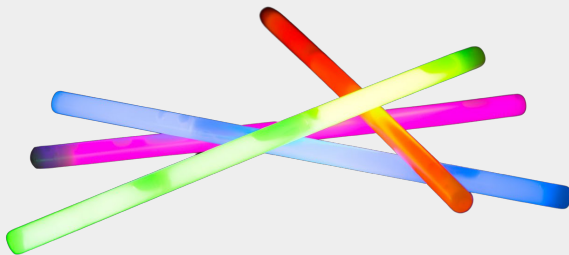
Plastic stemmed cotton buds



Balloon Sticks



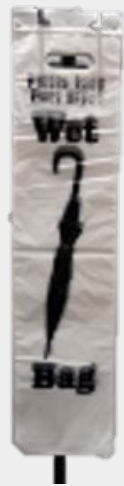
Inflatable Cheer Sticks



Glow Sticks



Party Hats



Umbrella bags



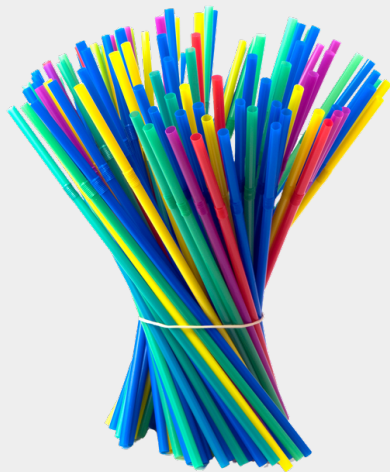
Food Sticks



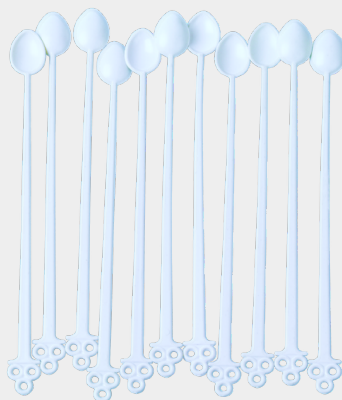
Plastic Toothpicks



All EPS tableware (including plate, food container and cup)



Plastic straw



Plastic stirrer



Plastic knife, plastic fork, plastic spoon



Plastic plate



Oxo-degradable Plastic Products (regardless of disposability)

What does 'display for sale' mean?

- (a) Allowing potential customers to view the product or its information ;
- (b) Such potential customers can view the product or its information by using an electronic device ; or
- (c) The product or its information is kept in a place where such potential customers can access it

***The product information includes :

- (a) A photograph, image, or drawing of the product;
- (b) Any information describing the product (such as its brand, size, style, or material); and
- (c) The price of the product



Display a statement that the product is provided

Exceptions:

Retailer displays the product or information to a customer on his/her request:



Retailer displays the product or information to a customer in the reasonable belief that, if the product is acquired by him/her --



The customer will, in the course of the his/her business, resell the product to another person; or



The customer will use the product in the manufacturing process (for example: a manufacturer)

Scope of First Stage Regulation

Free supply of the following items is prohibited
(but sale is allowed)



Manufacture of the following item is prohibited



Non-medical use transparent plastic gloves
(can provide for free to employees
When discharging duties)



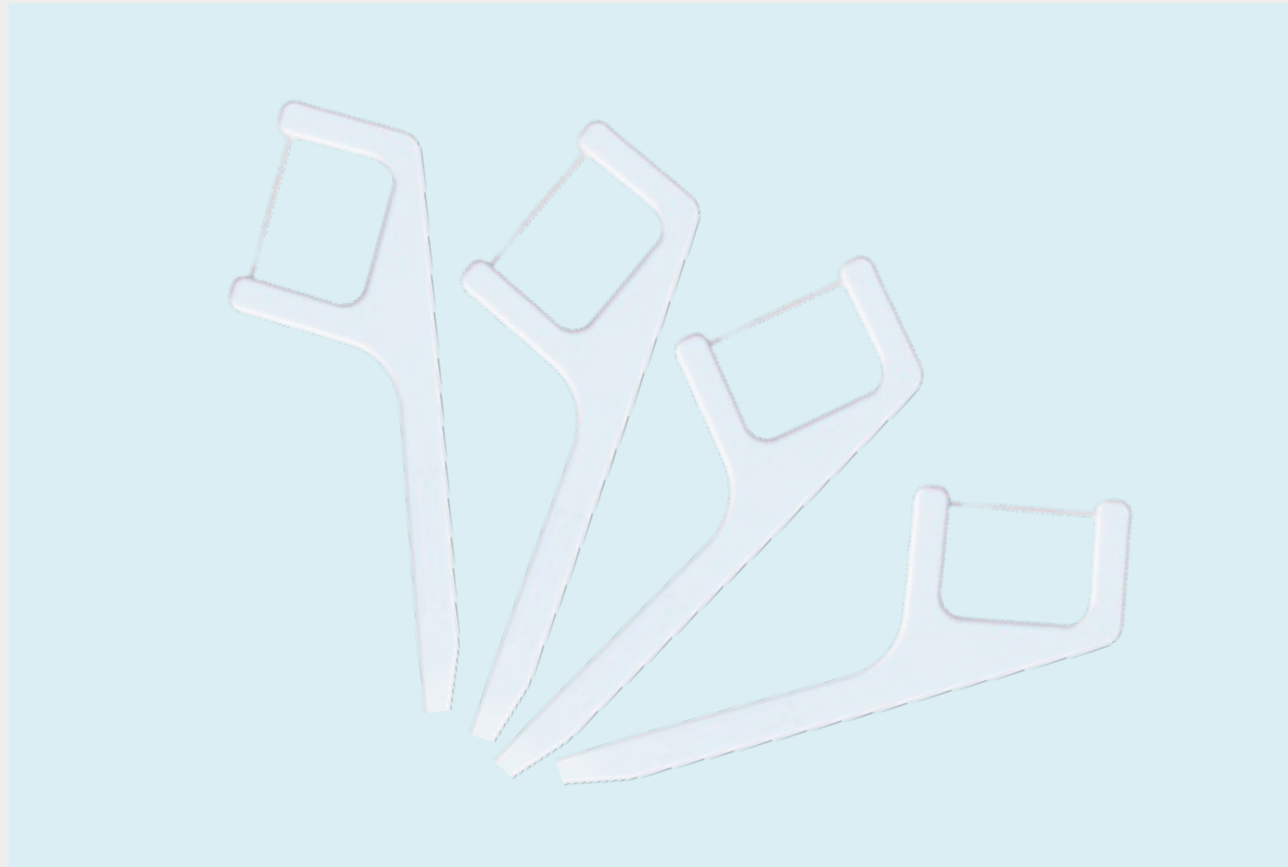
Plastic-packaged tissue paper for promotional use



Oxo-degradable plastic product
(Regardless of disposability)

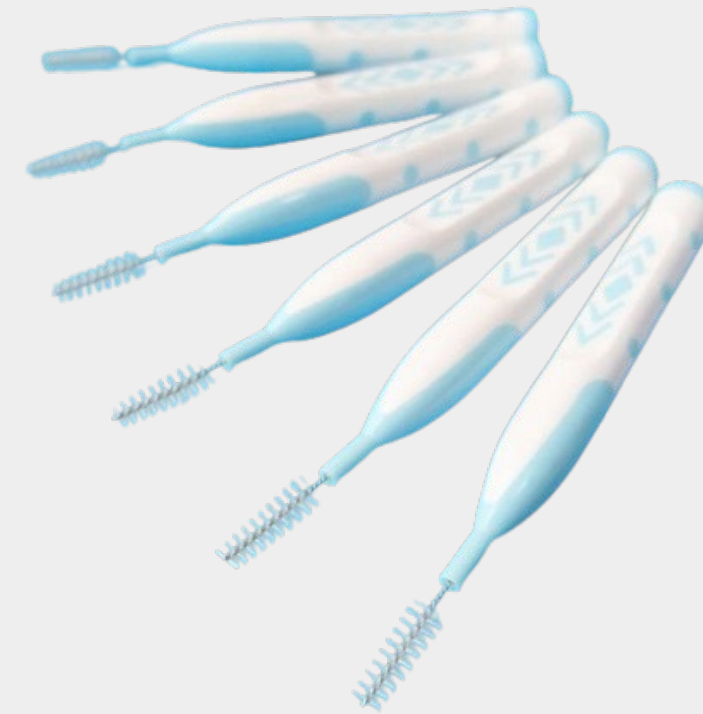
Scope of First Stage Regulation

Not Regulated at this stage



Plastic stemmed dental floss

Not Regulated



Interdenatal brush

Alternative Products and Solutions

Reusable cloth/paper
party hats
(without plastic lining)



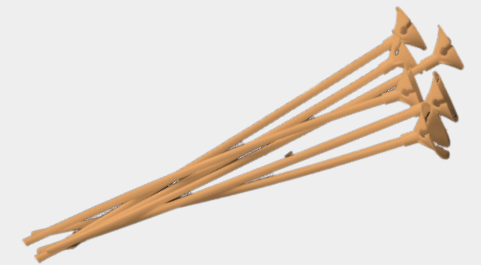
Reusable umbrella
drainer/
Umbrella bag



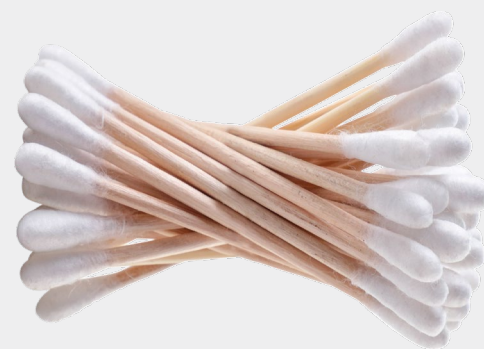
Reusable
tableware



Paper balloon
Sticks



Wood/bamboo/paper
stemmed cotton Buds



Wooden/Bamboo
Toothpicks



Bamboo Food
Sticks



Non-plastic
disposable tableware



Retail
and
Service
Sector

Alternative Products and Solutions

Handwashing Facilities



Glow Stick Apps



Digital Promotion



Retail
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Preparation work



Tips for getting prepared

1. Check the disposable plastic products sold in the store, such as plastic bags, straws, cutlery etc., and procure suitable alternatives and solutions
2. Strengthen communication with suppliers, requesting suppliers to provide more alternatives
3. Check if the products sold (or manufactured) in the store are made of oxo-degradable plastic products (regardless disposability) (including products that are partly or wholly made of oxo-degradable plastic). If so, please arrange to handle the inventory and replacement solutions as soon as possible.
4. Purchase reusable or non-plastic alternatives, such as cloth bags, bamboo straws, wooden cutlery, to provide consumers with more "plastic-free" options.



Tips for getting prepared

5. Post slogans and posters in prominent places in the store, encouraging customers to bring their own shopping bags, cutlery etc., to reduce the use of disposable plastic products
6. If there are operational needs and no viable alternatives and solutions, you must charge your customers for the products that are prohibited to provide for free
7. Strengthen staff training, enhance their awareness and importance of the regulation, make sure the employees understand the regulation, and encourage employees to actively promote a plastic-free and disposable-free culture.

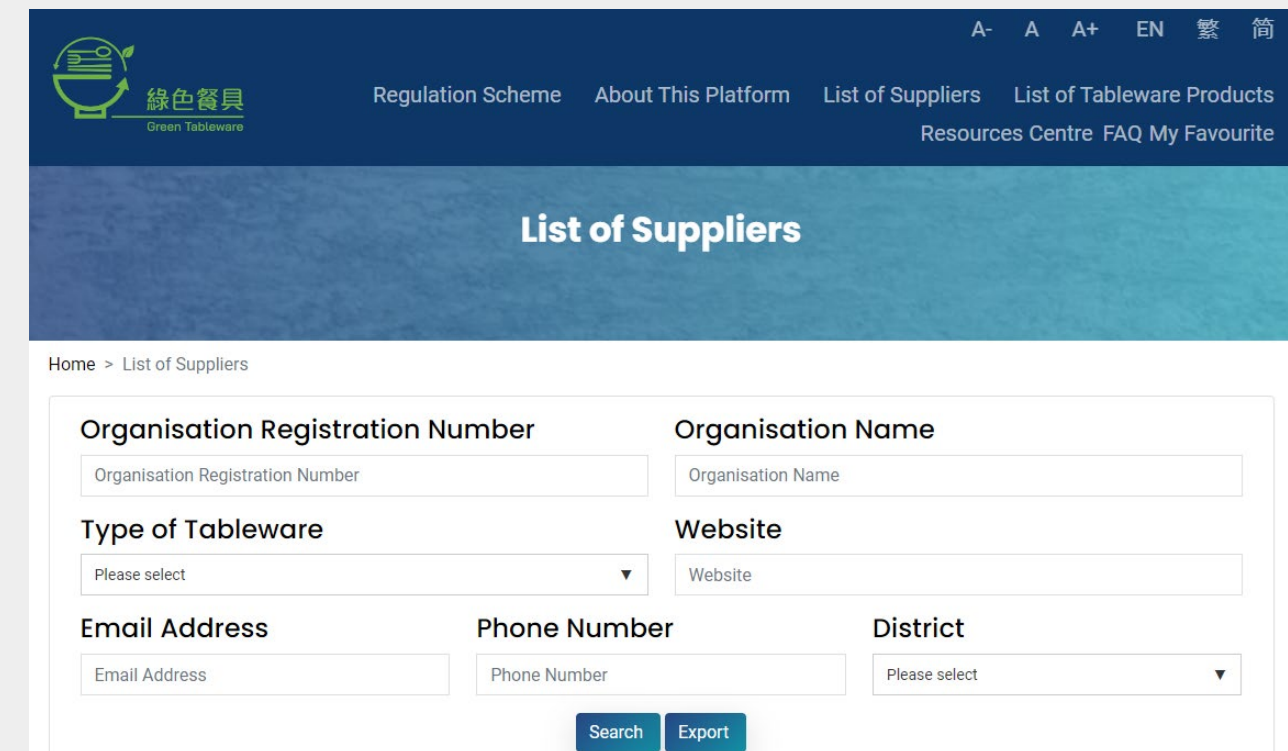


Government Support

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.



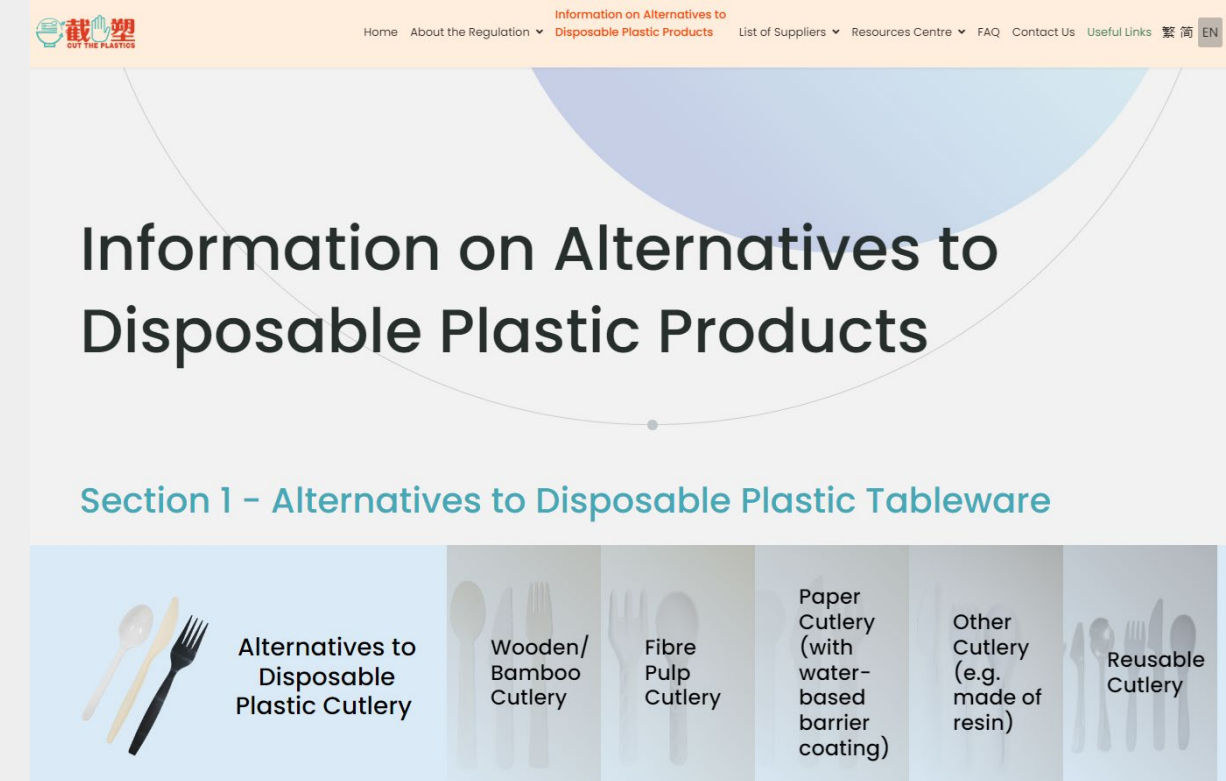
The screenshot shows the 'List of Suppliers' page on the Green Tableware Platform. The header includes the logo and navigation links: Regulation Scheme, About This Platform, List of Suppliers, List of Tableware Products, Resources Centre, FAQ, and My Favourite. The main content area is titled 'List of Suppliers' and contains a search form with the following fields: 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) Can hospitals and clinics continue to provide plastic spoons to children or patients for taking medicine?

A4) Yes. The provision of disposable plastic products (such as plastic spoons) by hospitals and clinics for children or patients to take medicine is exempted under the regulation, as it falls under the category of medical treatment or procedures.

Frequently Asked Questions

Q5) After April 22nd, will stores be prohibited from selling disposable plastic stemmed cotton buds, plastic toothpicks, plastic stemmed dental floss, and interdental brushes? What are the alternatives available in the market?

A5) Interdental brushes are not regulated under the regulation.

Plastic stemmed dental floss is not regulated at this stage.

Plastic stemmed cotton buds and plastic toothpicks will be regulated after April 22nd. Retailers are not allowed to sell or supply for free relevant products. There are several alternatives already available in the market, such as wood/paper shaft cotton buds, and bamboo/wooden toothpicks.

Scenarios and Examples



Scenario 1 : Retail Store

Case 1 : Selling a pre-packaged product containing a box of toothpaste and a box of plastic-stemmed cotton buds

- This involves the supply of plastic-stemmed cotton buds, where retails are prohibited to sell/supply for free

Case 2 : Selling a box of toothpaste and giving away a box of plastic-stemmed cotton buds

- This involves the supply of plastic-stemmed cotton buds, where retails are prohibited to sell/supply for free

Case 3 : Displaying products of plastic-stemmed cotton bud on the shelf to inform exempted customers that the products are available for sale in the store

- Since other potential customers can also see the product, it is considered as displaying for sale
- However, displaying statement like "This store sells plastic stemmed cotton buds" in the store is not regulated



Scenario 2 : Online Platform

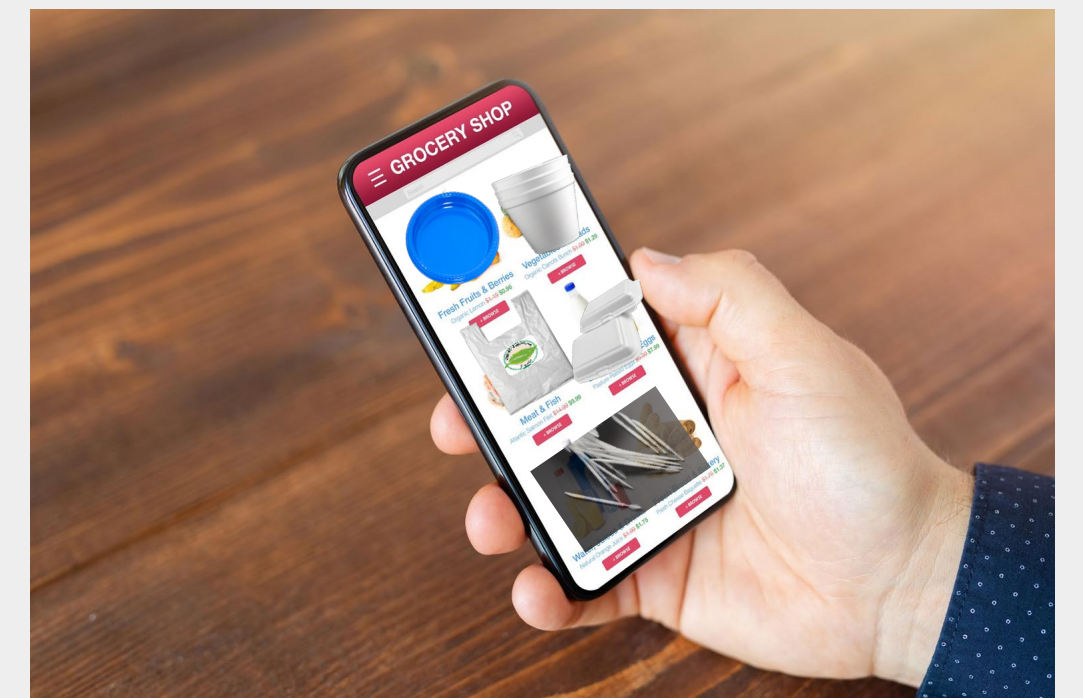
Case 1 : Displaying and selling regulated disposable plastic products on your own online platform

- Considered as displaying regulated plastic products for sale. A company's own online platform is subject to regulation.



Case 2 : Displaying and selling a company's regulated disposable plastic products on a third-party online platform

- Considered as displaying regulated plastic products for sale (regardless of whether the product belongs to that online platform). A third-party online platform is also subject to regulation.



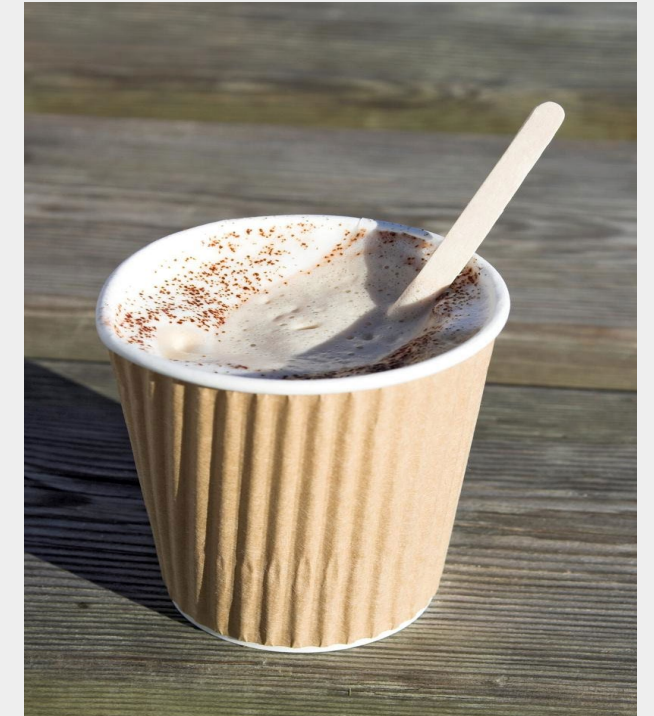
Scenario 3 : Service Industry

Case 1 : A jewelry store provides customers with coffee in disposable plastic cups and stirrers

- After the implementation of the regulation, retailer and service sectors can still sell/supply without charge non-EPS plastic cup, plastic bowl, plastic meal box and plastic cover. But the sale and free distribution of plastic fork, plastic knife, plastic spoon, plastic straw, plastic stirrer and plastic plate are prohibited

Case 2 : A bank has a coffee vending machine, and disposable plastic cups are placed next to it for customer to self-serve

- After the implementation of the regulation, retailer and service sectors can still sell/supply without charge non-EPS plastic cup, plastic bowl, plastic meal box and plastic cover. But the sale and free distribution of plastic fork, plastic knife, plastic spoon, plastic straw, plastic stirrer and plastic plate are prohibited



Scenario 4 : Supermarket

Case 1 : The cooked food section sells food packaged in the supermarket for immediate consumption (e.g. boxed sushi, sandwiches), and the food are placed on the shelves for customers to choose

- Considered as takeaway. Non-EPS plastic cup, plastic bowl, plastic meal box and plastic cover can still be provided
- Where the customers consume the product is not relevant



Case 2 : The cooked food section prepares and serves food (e.g. stir-fried noodles) on the spot according to the orders placed by customers, for the customers to dine in the dining areas of the supermarket

- Considered as dine-in. Provision of the nine types of disposable plastic tableware is prohibited

Case 3 : The cooked food section prepares and serves food (e.g. stir-fried noodles) on the spot according to the orders placed by customers, for the customers to take away and consume outside the supermarket

- Considered as takeaway. Non-EPS plastic cup, plastic bowl, plastic meal box and plastic cover can still be provided



Scenario 4 : Supermarket

Case 4 : Selling raw meat or uncut fruits packed in disposable plastic food boxes that is packaged inside the supermarket

- Disposable plastic food packaging used to package unprepared food (such as frozen meat, uncut fruits) or prepared food that is not ready for immediate consumption (such as marinated meats) is not regulated. But disposable plastic products (such as plastic knife, plastic fork, plastic spoon, plastic food stick etc.) cannot be provided



Scenario 5 : 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 outside the restaurant, but the content in the product were altered or the packaging was opened by staff in the restaurant before supplying

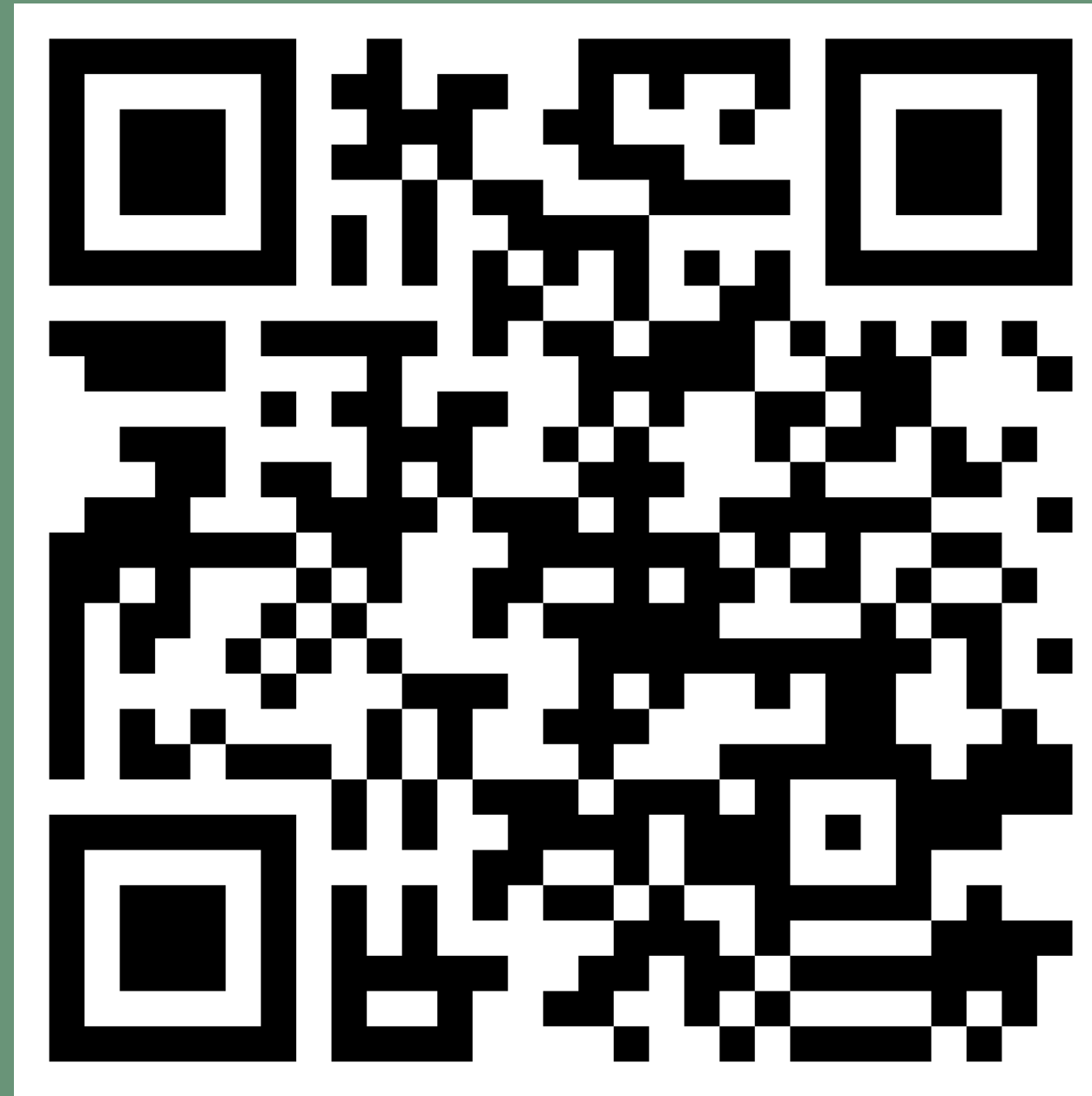
- Not considered as pre-packaged product and not exempted.
Subject to regulation under dine-in/takeaway

Case 3: 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



Quiz Section



SCAN ME



Quiz Content

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

Quiz Content

2. In the first phase of regulation, which of the following disposable plastic products is prohibited from sale and free supply?

- i. Cotton Buds
- ii. Glow Sticks
- iii. Plastic toothpicks
- iv. Tablecloths

A. (i)

B. (ii)

C. (iii) and (iv)

D. (i) , (ii) and (iii)

Quiz Content

3. Under the regulation on disposable plastic products, which of the following plastic products are prohibited from manufacturing?

- A. Oxo-degradable plastic
- B. Biodegradable plastic
- C. All of the above

Quiz Content

4. Under which circumstances, the sale and/or supply of regulated disposable plastic products are exempted?

- i. Forensic analysis
- ii. Taking medicine
- iii. Scientific research or experiments

- A. (i) , (ii)
- B. (i) , (iii)
- C. (ii) , (iii)
- D. All of the above**

Quiz Content

5. In the first phase of regulation, which of the following disposable plastic products are prohibited from being provided for free but can still be sold?

- i. Non-medical use transparent plastic gloves
- ii. Plastic-packaged tissue paper for promotional use
- iii. umbrella bag

A. (i)

B. (ii)

C. (iii)

D. (i) , (ii)

Q&A Session



Open for application

Join training seminars

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Catering

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Hotel

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Retail

End of Session

Thank you

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