



Factsheet to help identify banned plastic items under the *Plastic Reduction and Circular Economy Act 2021*

The NSW Government is banning the supply of some problematic and single-use plastic items from 2022. This guide is to help suppliers to identify if their products are banned plastic items.

The NSW Government released a discussion paper in March 2020 on problematic plastics. The NSW Plastics Action Plan was released in June 2021. It highlights the phase-out of single-use plastics as a key action, with a timetable for phasing out the most littered plastic items. The *Plastic Reduction and Circular Economy Act* was made in November 2021 to enable this to occur.

Along with other items, plastic straws, stirrers, cutlery, cotton buds, bowl (excluding those with a spill-proof lid) and plates are prohibited from 1 November 2022 if they are single-use items.

This information is to help you understand if your item or items are one of those listed as a banned plastic item, noting that lightweight plastic bags and microbeads are not included in this guide.

Some plastic items are exempt from the bans in general or in certain settings, so please check 'current plastics exemptions' on the **EPA website** for details.

The definition of plastic in the legislation is broad, so it's important to note that plastic **includes** items made from biodegradable plastic, compostable plastic (including Australian-certified compostable plastic) or bioplastics.

If your item is banned, you need to stop supplying it by the specified date. The item is banned whether it's free or a fee is charged. You should

seek early advice from your supplier about alternatives.

For further information and resources, visit: epa.nsw.gov.au/your-environment/plastics.

Information and resources for retailers and suppliers is available at: dpe.mysocialpinpoint.com.au/plastics-ban-nsw or you can contact the National Retail Association on their tollfree hotline: **1800 844 946** or email sustainability@nra.net.au.

Banned items

1 June 2022

- lightweight plastic bags with handles, other than a barrier bag, that are 35 microns or less.

1 November 2022

- single-use plastic straws, stirrers, cutlery (including chopsticks and sporks), plates, bowls (excluding those with spill-proof lids) and cotton buds
- expanded polystyrene food service ware, including cups
- certain rinse-off personal care products containing plastic microbeads.

Other plastic items will be reviewed from 2023 to determine whether a phase-out is appropriate.

Items that are an **integrated** part of the **packaging** used to seal or contain food or beverages or included within or attached to that packaging, through a machine-automated process (such as a straw attached to a juice box or a spoon included within a yoghurt cup) are not currently banned, but will be from 1 January 2025.

These principles are provided for information and guidance only. It is not definitive and is not legal or regulatory advice. The EPA reserves the right to use its discretion to determine whether an item is banned and to take regulatory action. You may wish to obtain your own advice if you are unsure whether your item is prohibited. The principles may be updated at any time. The pictures show some examples but are not exhaustive.

Principles to assist

Cotton bud

Is any part of the item plastic (e.g. stem made or coated with plastic)?

Is one or both ends cotton-tipped?

Is it designed, intended, or usually used only once? (is it single-use?)



It's a cotton bud if you tick 'yes' to all questions

Stirrer

Is any part of the item plastic?

Is it intended for stirring or mixing a drink?

Is it used ornamentally in a drink?

Is it used to hold decorations or fruit that will go in a drink?

Does it perform the any of the above, regardless of any additional function e.g. stopper?



It's a stirrer if you ticked 'yes' to the first question and 'yes' to any other question

Plate

Is any part of the item plastic (including any lining or coating)?

Is food eaten directly from the item?
(Note – the ban does not currently apply to serving ware, like platters)

Is it shallow and mainly flat, typically with a slightly raised perimeter to stop food falling/spilling off, with generally uniform thickness?

Does it hold at least one serve of food?



It's a plate if you tick 'yes' to all questions

Bowl

Is any part of the item plastic (including any lining or coating?)?

Is food eaten directly from the item?

The item was **not** designed or intended to have a spill-proof lid, whether separate or attached

Is it a deep type of dish or basin with curved or slanted sides tapering at the base?

Is it open at the top?



It's a bowl if you tick 'yes' to all questions

Cutlery

Is any part of the item plastic?

Is it used to eat food?

Is it a fork, spoon, knife, spork, splayd, chopstick, food pick or other similar utensil?

(Note – the ban does not currently apply to serving utensils such as salad servers or tongs)



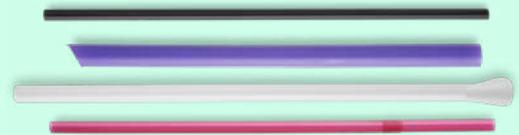
It's cutlery if you tick 'yes' to all questions

Straw

Is any part of the item plastic?

Is it a hollow tube?

Is it used to drink liquids/beverages/food through?



It's a straw if you tick 'yes' to all questions

Expanded polystyrene (EPS) food service item

Is any part of the item expanded polystyrene?

Is it used for serving food or drink that is ready to be consumed?

(Note – not including raw meat for example)

Is it a bowl, cup, clam shell, plate or other item used to serve ready-to-eat food or drink?

Is food or drink typically consumed directly from the item?



It's an EPS food service item if you tick 'yes' to all questions



If you have any queries, please contact plastics@epa.nsw.gov.au

If you need an interpreter to assist you, please call the Translating and Interpreting Service on **131 450** and ask them to call the NSW Environment Protection Authority (EPA) on **(02) 9995 5555**. The interpreter will then help you with interpretation.

NSW Environment Protection Authority

Email: info@epa.nsw.gov.au

Website: www.epa.nsw.gov.au

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