Lightweight plastic carrier bags in the EU - Legislation & voluntary initiatives

Briefing

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**EU level legislation**

The use of plastic carrier bags in the EU is governed by the [Directive 2015/720](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L0720&from=EN), amending [Directive 94/62/EC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=NL) on reducing the consumption of lightweight plastic carrier bags. This Directive needs to be transposed into national legislation by 27 November 2016.

Member States can:

* either take measures to reduce annual average consumption of plastic bags to 90 lightweight bags per citizen by the end of 2019 and 40 by the end of 2025 *or*;
* ensure that by the end of 2018, no more lightweight plastic bags are given to shoppers free of charge

The Directive makes a distinction between lightweight plastic carrier bags, with a thickness below 50 microns (0.05mm), and very lightweight plastic carriers bags, with a thickness below 15 microns (0.015mm), required for hygiene purposes or provided to prevent food wastage. Very lightweight plastic carrier bags may be excluded from the measures that are required by the Directive. Member States can thus choose whether or not they will include this latter category in their national legislation.

Art. 1(2) of Directive 2015/720 states that:

“*By 27 May 2016, the Commission shall adopt an implementing act laying down the methodology for the calculation of the annual consumption of lightweight plastic carrier bags per person and adapting the reporting formats adopted under Article 12(3). That implementing act shall be adopted in accordance with the regulatory procedure referred to in Article 21(2)”*

So far (January 2017), the Commission has not yet adopted such a calculation method. A [Study to assist the Commission to develop a methodology for calculation of annual consumption of lightweight plastic carrier bags](http://bookshop.europa.eu/en/study-to-assist-the-commission-to-develop-a-methodology-for-calculation-of-annual-consumption-of-lightweight-plastic-carrier-bags-pbKH0216409/;pgid=GSPefJMEtXBSR0dT6jbGakZD00004Qbfuw-a;sid=rYdM6uiy7ndM97DOOP7STYqXD0QwuqXRs_U=?CatalogCategoryID=lR4KABst5vQAAAEjxZAY4e5L) was published in April 2016. The Commission informed the EuroCommerce secretariat that an implementing act defining a methodology for calculation of consumption of lightweight plastic carrier bags is currently in the final stage of preparation. Adoption is expected still in the first half of 2017, but no exact date can be given at this stage.

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| *Country /* Specifics  **Overview of the national legislation on plastic bags (in selected countries)** | Lightweight | Entry into force | Comment |
| *Belgium – Flanders* | The Directive has not yet been transposed in Flanders | Unknown | The Directive deals with both regional and federal competences, hence the responsibilities are shared between the Federal Minister of Energy, Environment and Sustainable Development and the competent Flemish, Wallonian and Brussels’ ministers. A recycling tax[[1]](#footnote-1) was already adopted in 2007. |
| *Belgium – Brussels* | Ban on free plastic bags | 1 September 2017 |
| *Belgium – Wallonia* | Ban on free plastic bags | < 50 micron: 1 December 2016  < 15 micron: 1 March 2017 |
| *Bulgaria* | Eco-tax on plastic bags, to be paid by producers and importers | 1 October 2011 | Tax is levied for bags with a thickness up to 15 microns. |
| *Croatia* |  |  | Croatia was the only Member State to vote against the proposal for a ban on plastic bags |
| *Cyprus* | Tax on plastic bags (expected) | End 2016 (expected) | Cyprus is expected to adopt legislation, they aim for mandatory charges for all bags, excluding very lightweight plastic carrier bags |
| *Czech Republic* | Ban on free plastic bags | 2018 | The law was adopted in June 2016. Very lightweight bags will fall outside of the scope |
| *Denmark* | Tax on the weight of the plastic material used for production of the plastic carrier bag | 1994 | There is also a Danish tax for recycled plastics in general |
| *Estonia* | Ban on free lightweight carrier bags  Price increase for consumers buying plastic bags | Ban: July 2017  Price increase: 2019 | Legislation has not yet been adopted |
| *France* | Ban on single-use check out plastic bags, however there are exceptions; allowed if bags are:  -*compostable* at home  -*bio sourced*  The definitions of these criteria are specified in a Decree | Lightweight plastic carrier bags: 1 July 2016  Very lightweight plastic carrier bags: 1 January 2017 | The French legislation (*Law on energy transition + Decree*) goes beyond the EU Directive’s requirements  France has also banned plastic plates and cutlery |
| *Germany* | Recycling tax  Agreement with retail sector | April 2016  1 July 2017 | Agreement between government and retail sector to curb use of plastic bags |
| *Greece* | Charge for plastic bags, expected to be 5-10 eurocents per bag | 2017 (expected) | The Greek government is expected to regulate plastic bags in 2017 |
| *Ireland* | Tax plastic bags, levied on consumers | May 2002 | Tax increased from € 0.15 in 2002 to € 0.22 in 2007 |
| *Italy* | Ban on *non-biodegradable bags* | 2011 |  |
| *Luxembourg* | Proposed legislation to reduce use of plastic bags | Currently being discussed in Parliament, since October 2016 | No concrete measures have been adopted so far |
| *Netherlands* | Ban on free plastic bags  Exceptions (if bag <0.015 mm):  -food protection  -combatting food waste  -tax free bags | 1 January 2016 | Exemptions for bags with thickness below 15 microns  No fixed minimum price for bags |
| *Poland* | Government is drafting bill to reduce use of plastic bags, introducing recycling fees | Drafting legislation September 2016 | No concrete measures have been adopted so far |
| *Portugal* | Green tax on single-use plastic bags, 10 eurocents per bag | February 2015 |  |
| *Romania* | Eco-tax on plastic bags | January 2009 | The money is used as an income for the Environmental Fund |
| *Slovakia* | Ban on free plastic bags (expected) | Working on it, August 2016 | The Government is expected to amend its Waste Act. No concrete measures have been adopted so far |
| *United Kingdom - England[[2]](#footnote-2)* | 5p tax per bags, to be paid by consumer | 5 October 2015 | Compulsory only for companies with 250 + employees  [Other exemptions](https://www.gov.uk/guidance/carrier-bag-charges-retailers-responsibilities) |
| *United States - California[[3]](#footnote-3)* | Ban on single use plastic bags | Currently on hold | Reusable bags can be sold for 10 cents |
| *Queensland – Australia* | Ban on single use plastic bags | 2018 | The proposal will have to be approved by a referendum |

**Examples of voluntary practices (in selected retailers)**

Delhaize

* No more free (lightweight) plastic carrier bags since 2007
* Possibility to buy reusable stronger carrier bags

Carrefour

* No more free (lightweight) plastic carrier bags
* Possibility to buy reusable and/or biodegradable stronger carrier bags

Lidl

* No more free (lightweight) plastic carrier bags
* Possibility to buy reusable and/or biodegradable stronger carrier bags

Colruyt

* Generally no plastic carriers bags available, except very lightweight plastic bags for fruits and vegetables
* Possibility to buy reusable crate or to use cardboard boxes

Tesco

* No more free (lightweight) plastic carrier bags (minimum price of 5p)
* Possibility to buy reusable and/or biodegradable stronger carrier bags

M&S

* No more free (lightweight) plastic carrier bags (minimum price of 5p)
* Possibility to buy reusable and/or biodegradable stronger carrier bags

Rewe

* Ban on (lightweight) plastic carrier bags since July 2016
* Alternatives (such as jute or cotton bags) are available

1. Retailers have to pay a tax for handing out plastic bags to consumers. [↑](#footnote-ref-1)
2. Market research firm IRI has found a significant drop in the use of plastic bags since the introduction of the 5p levy, see <http://www.esmmagazine.com/plastic-bag-usage-well-uk-following-levy-introduction-study-finds/34257> [↑](#footnote-ref-2)
3. <https://www.plasteurope.com/news/PLASTICS_AND_ENVIRONMENT_t235546/> [↑](#footnote-ref-3)