

To the Chairperson of the House of Representatives
Binnenhof 4
2513 AA THE HAGUE

Date: 26 February 2015
Re: Tackling carrier bags (including free plastic bags)

Dear Madam Speaker,

Dealing responsibly with natural resources and ensuring that no waste is generated are important elements in the transition to a Circular Economy (CE). For that reason, work is being done on developing a broad approach for reducing consumer use of carrier bags and, in particular, reducing the number of plastic bags.

I have exchanged ideas on this subject with your House on several occasions. In this letter, I provide an outline of the approach for achieving the desired reduction.

This step is very much in line with European developments. As you are aware, within the European Union (EU), agreement has been reached on reducing the use of certain types of plastic bags. The member states are obliged to implement measures. The broad approach outlined in this letter, which includes this legislation, is in alignment with the European goal.

Member of the House of Representatives Dijkstra has put forward questions on this subject. My response to these questions, which I have sent you separately, contains more detailed information.

The Netherlands Institute for Sustainable Packaging (KIDV) recently conducted a study into the environmental pressure generated by the various materials used in carrier bags. When drawing up the broad approach for carrier bags, I used the reported conclusions and I have enclosed a copy of the KIDV's final report for your perusal.

Prevention first: use fewer carrier bags

The biggest environmental gain is to be achieved by offering fewer carrier bags and accepting fewer of them at the checkout. Consumers can bring along their own bag when they go shopping, and retailers can show restraint in offering bags. This is a way of dealing responsibly with natural resources. It requires awareness and effort from all parties. Of course, there are ifs and buts involved. We cannot force consumers to carry their own shopping bag and retailers want to provide customers with good service. A broad approach was therefore chosen to allow for the implementation of other measures and to support these with a communication approach.

Communication approach

A broad communication approach will be developed in collaboration with trade associations. This communication approach is intended to raise awareness on both sides of the cash desk. The KIDV pilot "*Mag het een tasje minder zijn?*" (What About Using Fewer Bags?) showed that awareness of the goal of a measure is a decisive factor in terms of public support.

The message will be focused on minimising pressure on the environment by:

- striving to reduce the total use of carrier bags;
- promoting reuse of purchased carrier bags – encouraging consumers to reuse carrier bags as often as possible;

- explaining the ban on free plastic bags;
- disposing of carrier bags correctly once they can no longer be reused so that they can be recycled.

Ban on free plastic carrier bags

Part of the broad approach focuses on reducing the use of plastic carrier bags. In addition to dealing responsibly with natural resources, it is also important to limit the generation of waste. Plastic carrier bags require special attention in this approach due to the negative impact they have on the environment after their use phase.

For these reasons, alongside the preventative approach regarding all carrier bags, free plastic carrier bags will be banned. The ban on free plastic bags at all points of sale, does not mean that plastic bags will disappear from retail trade in the Netherlands: the ban only applies to giving plastic bags away free of charge.

The ban will enter into force on 1 January 2016 and applies to free plastic bags at points of sale. The ban will include an exemption for plastic bags which are necessary for reasons of functionality or food safety.

The ban is based on the following considerations:

1. Plastic is a special material: it is light, strong, and cheap. However, these characteristics are not very beneficial for the environment. Plastic hardly degrades which means it accumulates. The plastic soup in our seas is one of the consequences. The annual monitoring of beaches performed by Rijkswaterstaat (the executive arm of the Ministry of Infrastructure & the Environment) showed that plastics bags rank third on the list of items most commonly found on beaches.
2. Plastic soup has many causes. It is difficult to quantify the share of Dutch plastic bags but this does not mean no measure should be introduced. Other sources should also be tackled. We are doing so within, for example, the Marine Strategy Framework Directive. In addition, I have promised your House to perform a number of studies into litter. This will involve identifying the amount of litter in certain locations in the Netherlands, setting down best practices from abroad, and determining the number of drink bottles and cans in certain places in the Netherlands. I will also have identifying the amount of bags in litter on land included in the research. In mid-2015 I will send your House the findings of these studies accompanied by an approach for litter. This approach will contribute to the fight against litter.
3. A legal ban also prevents retailers from being tempted to provide free plastic carrier bags with a view to creating a competitive advantage. Obviously, it is not my intention that well-meaning retailers should lose customers because the competition provides free plastic carrier bags.
4. If a shop wishes to provide a free carrier bag as part of its service, it may opt for bags made of a material other than plastic. It could also choose to provide plastic bags for a small surcharge. No longer providing customers with plastic bags free of charge and letting customers know the reason why will promote conscious and sustainable behaviour.
5. The KIDV study referred to earlier ("*Mag het een tasje minder zijn?*") showed that good communication combined with pricing contributes to a significant reduction, namely 77%, in the number of plastic carrier bags provided at points of sale.

The KIDV study provides retailers with a concrete frame of reference. Examples include minimising the number of carrier bags provided by charging a fee for them, good communication and encouraging the reuse of carrier bags.

6. Many consumers also support the reduction of plastic carrier bags. In advance of the European Commission's proposal to reduce plastic bags, within the framework of the impact assessment, a survey was performed among the residents of Europe.¹ This survey showed that the public at large is very concerned about the non-sustainable use of plastic carrier bags and expects a great deal of the EU measures in that regard.
7. There are, however, situations in which plastic bags are acceptable. When food products are purchased, food safety plays a role. For this reason, plastic bags that are necessary due to functionality or for the purposes of food safety, will be exempt from the ban. For practical reasons, the ban on free plastic carrier bags targets their provision at the checkout.
8. The sectors with which I am conducting talks, such as the Dutch Retail Council (RND), street traders, Koninklijke Horeca Nederland (Royal Dutch Hospitality Trade Association), bakers and butchers all support a ban on all free plastic bags. In addition to an exemption for plastic bags for the purposes of food safety, these sectors would also like to see an exemption for the most sustainable materials from the KIDV study.
The results of this study show that in terms of materials, the most sustainable materials for big shoppers include (recycled) polypropylene (PP), polyester (PET) and jute. For medium-sized shoppers, sustainable materials include polyester (PET), (recycled) low-density polyethylene (LDPE) and recycled paper.
The environmental effects of litter were beyond the scope of the KIDV study. The reason for this is that currently no LCA method is available. Given that plastic accumulates in the environment and does not degrade, for me, plastic is not a sustainable alternative.
For that reason, an exemption will only apply for plastic bags that are needed for purposes of functionality and food safety.
I still need to examine whether or not bio-based and biodegradable bags will be exempt. On the one hand, I would like to offer opportunities for desired developments towards making the economy greener and encouraging the move away from fossil fuels to renewable raw materials, while on the other hand, materials must degrade in the open air and in the sea.

Legislation

The ban on free plastic carrier bags must be clear, implementable and enforceable. The ban will be set down in a Ministerial Order. The *Besluit beheer verpakkingen 2014* (Packaging Management Decree) allows for this possibility. Article 3 paragraph 6 contains a provision, in the event of a Ministerial Order, to prohibit certain unfilled packaging from being provided free of charge to end users. I expect the text of this order to be ready before the summer of this year. The Human Environment and Transport Inspectorate (ILT) will be the regulatory supervisor. The Inspectorate will use standard administrative instruments which allow a fine or other administrative measures to be imposed. The amount of the fine will be related to the financial benefit gained.

To have sufficient lead time before the measures go into effect, the aim is for the ban to enter into force as of 1 January 2016.

Proper disposal

Carrier bags that consumers bring with them may also be disposed of incorrectly. Plastic bags should not become a problem because they enter the environment.

Analyses of waste show that the overwhelming majority of plastic carrier bags currently end up as waste. A portion of plastic carrier bags enters the environment.

¹ http://ec.europa.eu/yourvoice/consultations/2011/index_en.htm

As stated earlier, it has also been shown that plastic bags are in the top 10 of items found on beaches. At the moment, research is being performed into litter in a wider context, investigating the scope, composition and percentage of, for example, plastic bags in litter. In this phase of the research, it is not possible to make a statement for the whole of the Netherlands regarding the composition of litter and the percentage of plastic bags in this litter. It is, however, possible to get a picture based on the locations selected in the Netherlands for the study. The outcomes of the study will be used to further improve the current approach to and monitoring of litter. I will submit a letter about the outcomes and the approach to your House halfway through this year.

With a view to dealing responsibly with raw materials, it is best to reuse plastic bags as often as possible. Ultimately, recycling is possible through collection via waste separation. After all, a bag is packaging and we have a collection structure for packaging. The ever increasing results of the separate collection of plastic packaging provide assurance that plastic bags too can return as recycle.

Citizens have a role to play in this regard. Through the *Duurzaam Doen* (Behave Sustainably) programme, my ministry and its partners are contributing to making choosing sustainable options relevant, fun and easy.

Netherlands Institute for Sustainable Packaging (KIDV) Materials Study

The KIDV recently performed a study into the pressure placed on the environment by the materials from which carrier bags are made. I used the relevant findings from this study in setting down my approach for carrier bags.

It is evident that the biggest gain is to be made by using fewer bags. Another finding of the study is that it is better for the environment if bags are reused more often. A bag that is only used once is bad for the environment. The environmental impact of carrier bags in litter was not included in the KIDV report. It turned out that the environmental pressure via litter could not be determined objectively.

The reason for this is that no LCA method is currently available. The study did, however, examine the degradability of the materials from which carrier bags are made.

As mentioned earlier, several studies are currently being performed into litter in a broader context. The aim is to determine what percentage of litter is made up of plastic bags.

The broad approach described in this letter is well aligned with the *Van Afval Naar Grondstof* (From Waste to Raw Materials) programme that focuses on a circular economy and is expected to contribute to making consumers and retailers adopt more sustainable behaviour.

Yours faithfully,

THE MINISTER FOR THE ENVIRONMENT,

Wilma J. Mansveld