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21st October 2020

Dear Welsh Government,

The Marine Conservation Society welcomes the opportunity to respond to the 'Reducing single use plastic in Wales' consultation. We have submitted this response via the website and see our responses below.

Should you have any further question or clarification with regard to our responses, please contact me via gill.bell@mcsuk.org or by phone: 07889251437

Kind regards,

Gill Bell

Gill Bell
Head of Conservation (Wales)
Marine Conservation Society



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Question 1 - Do you support our proposal to ban each of the single use plastic items listed above? If not, please give reasons and where possible evidence to support this view.

Yes, however the ban should go further (See response in question 12). MCS would recommend banning rather than charging for these items, as alternative solutions are available, which have much lower environmental impacts.

Question 2 - Do you agree the potential environmental and social benefits of our proposals will outweigh the potential impacts on people in Wales? Please give reasons and where possible evidence to support this view.

Yes, we agree the benefits outweigh the potential impacts. In 2019, the Marine Conservation Society Beachwatch programme found in its annual beach clean 475 pieces of litter per 100m- a 27% increase from 1994 when MCS first started monitoring. Around a quarter of all litter that is found can be attributed to the public, while for 43% it is classified as “unsourced” because the source of the litter is unable to be attributed (typically these are plastic pieces which are too degraded to determine the product type). Cotton buds are found regularly on our beaches- just under six per 100 m although this is likely to be an underestimate as they are often mistaken for lollipop sticks. Clean up from the ocean is very costly and ineffective and therefore it is important to focus on prevention, which is also important for reducing carbon dependency. The proposed bans therefore are in alignment with the Well-being of Future Generations Act and the circular economy ambitions. Disamenity of litter has shown that it impacts on the tourism and can potentially weaken coastal economics. Beach users regularly highlight cleanliness as being a critical component^{1,2}. Oxodegradable impacts the ability of plastic to be recycled since the additive remains in any mechanically recycled material- meaning that any polymer subsequently made from it will be inherently unstable. This recognition led to recycling industry trade bodies and NGOs signing this letter³. Research commissioned by Defra concluded that “incorporation of additives into petroleum-based plastics that cause those plastics to undergo accelerated degradation does not improve their environmental impact and potentially gives rise to certain negative effects⁴”. In particular, we would highlight that the additive results in a degradation of plastic leading to the breakdown of larger plastics into microplastics, thereby increasing the bioavailability of plastic pollution and adverse impacts, and having no benefit environmentally.

Question 3 - Do you agree with our assessment of the potential benefits and impacts our proposals will have on businesses, including manufacturing, in Wales? Please give reasons and where possible evidence to support this view.

While the proposals focus on banning items, it is hoped that this will shift the Welsh economy to one of reuse, repair and green recovery. A reusable economy provides and supports local jobs in the local community and provides the road to a low carbon future.



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Question 4 – Should oxo-degradable plastics be included on the list of items to be banned? Please provide evidence to support this view.

Yes, oxodegradable must be included in the banned list. This additive to plastic increases fragmentation of plastic, resulting in more microplastics occurring in the environment. It is also detrimental to the waste stream and has resulted in calls from industry including the British Plastics Federation Recycling Group for it to be banned⁵. It has also been recognised by experts within the EU as problematic and has resulted in a ban of oxodegradable in products by 3rd July 2021.

Question 5 – Do you believe the COVID-19 pandemic has resulted in changes to the market that are currently not accounted for in our research? Please give reasons and where possible evidence to support this view.

We have had reports of increased prevalence of PPE from volunteers. This resulted in us adding items of PPE to our annual Beachwatch survey in 2020. Results for our annual Beachwatch survey are to be released shortly (we can provide an update on PPE when published).

We are also concerned over the refusal by some companies to allow customers to use their reusable cups, forcing consumers to have to buy a single use item. Reusables have been shown that they can be safely employed using basic hygiene measures⁶. We ask that Welsh Government issue clear guidance around reusable items as well as PPE- in particular reusable facemasks.

Question 6 – Do you agree with the exemptions we are proposing and how can we make them as clear and practicable as possible to apply? Please give reasons and where possible evidence to support this view.

Exemptions within a care/clinic setting and for disability access should be appropriate and proportionate.

Question 7 – Are there other exemptions we should consider in relation to all of the single use plastic items in our proposal? If so, please provide evidence to support this view.

We do not think there should be any further exemptions.

Question 8 – Do you agree the proposed timescale for the implementation of the bans provides sufficient time for businesses of all types to adapt? Please give reasons and where possible evidence to support this view.

We think the proposed ban is more than feasible. For cotton bud sticks, stirrers and straws, this legislation is already enacted in England and therefore businesses that carry out transactions in England will be familiar with this. For items related to takeaway- expanded polystyrene food containers and cups, as well as cutlery and plates, many businesses have already moved away from plastics in the last few years in response to consumer pressure and therefore it will have limited impact on them. As a result of this, businesses who have not yet moved to this system will benefit from more easily sourced materials at competitive prices.

The timeline for adoption is also similar to that of the EU Directive, which states by end of 2021, which provides adequate time for businesses to use any existing stock and change



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their buying practices. Welsh Government will need to give ample warning of these changes, to avoid unnecessary hardship to businesses.

Question 9 - Do you agree with the proposed use of Civil Sanctions?

The civil sanctions should be made significant enough to deter business from not adhering and adequate resources provided to ensure monitoring, compliance and enforcement when necessary. The effectiveness of civil sanctions should be reviewed on a regular basis.

Question 10 - Do you agree Local Authorities should enforce the bans?

They should have a statutory duty to enforce the bans and will require financial and personnel capacity, if they are to be enforcers of the bans, which should be reflected in budget allocations.

Question 11 – Should wet wipes be included in future proposals for further bans or are there other measures which should be introduced to address them, for example Extended Producer Responsibility? Please give reasons and where possible evidence to support this view.

From an environmental, pollution and carbon point of view, wet wipes (both those described as flushable and non-flushable) do not fit in the circular economy. The Marine Conservation Society has found over the last 26 years over a 50% increase in the amount of sewage related debris found on Welsh beaches and a depressing increase of 361% in the number of wet wipes found on the beaches since wet wipes first started being monitored in 2005. Wet wipes regardless of whether using a substrate made from plastic or semi-synthetic, use a huge amount of resources, and are carbon heavy, due to the transportation of wet material. They are packaged in plastic (typically flexible plastic that is typically not acceptable for recycling and where it is- results in downcycling). However, we recognise that a ban of all wipes has the potential to cause issues around health and other access issues. Therefore, we propose that plastic wet wipes be banned, with Extended producer responsibility (EPR) applied to all other types of wipes. EPR, under the SUP Directive in the EU, which is only applied to plastic wipes, is seen as driving companies to move away from plastic to regenerated cellulose such as lyocell and viscose, which are potentially exempt, as it is not considered chemically modified⁷. However, this does not move from a model of make-use-dispose and therefore EPR must be applied to all material types (excluding those banned).

Banning plastic wipes alone will not remove the issue of incorrect disposal of wipes into the sewer system. Semi-synthetic wipes, does not mean by de facto, they are suitable for flushing and have the potential to contribute to blockages and pollution, regenerated cellulose fibres have been found in deep sea sediments and the impact of these entering the food chain is currently unknown^{8,9}. In addition, it has been highlighted that cellulose is particularly prone at adsorbing heavy materials, a characteristic exploited in the waste water treatment to prevent them escaping beyond the treatment works^{10,11}.

Consumers are already confused about wipes and their flushability with Welsh Water reporting that 25% of flooding was caused by wet wipes in August 2020. Wipes which pass the water industry specification *Fine to Flush* (WIS 4-02-06)¹² could have a lower EPR applied, however Fine to Flush, should only be used for products which are expected to come into contact with faecal matter or other bodily fluids, and should not



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be applied to wipes with e.g. anti-bacterial applications, which should be continued to be disposed of in the bin.

Under the proposed Environment Bill, Wales would have the power to apply EPR. EPR should cover education of consumers and cost of campaigns for correct disposal (see below). With ongoing research to verify engagement is effective, as well as cost of clean-up (regardless of by whom the clean-up is undertaken by and could include, but not limited to water companies, local councils, Natural Resource Wales and NGOs) as well as subsidising reusable wipes in line with Wales commitment to circular economy.

There also needs to be clearer labelling with only those which pass 'Fine to Flush' allowed to describe to the consumer, that the disposal method, should be anything other than disposal in the bin. None 'Fine to Flush' products should be labelled with, 'Do Not Flush' clearly on the front of the packaging, which should be statutory, standardised and have a minimum size. Companies producing wet wipes should pay for campaigns and public awareness raising around this issue. For instance, research commissioned by United Utilities, found that "one in five women (20%) said they had never been told how to dispose of sanitary items such as tampons and sanitary towels" and for baby or child wet wipes it was "almost a third (32%) of respondents¹³"

Question 12 – Are there any other items that should be included in any future proposals to tackle single use plastics? Please give reasons and where possible evidence to support this view.

We need to move from a single use society to one, which puts reuse at its core. We cannot recycle our way out of our current plastics crises and we should not simply replace a single use plastic item with one made from a "biodegradable" alternative, as this perpetuates our linear make-use-throw society. The EU directive included other mechanisms beyond the bans proposed in this consultation and the EU Directive should be the minimum invoked. Reduction targets, not exceeding dates set by the EU, should be set for items such as food containers and cups for beverages as well as recycling targets for other commonly littered items e.g. packets and wrappers. Labelling where plastic is present in a product should be included in future proposals, as well as the environmental impacts of littering and appropriate waste disposal options. Well-being of Future Generations Act demands environmental improvement and plastic through its persistence and physical and chemical legacy means that further restrictions and limitations of use should be applied. We are disappointed that Welsh Government were not aspirational in this consultation, falling short when we would have expected them to go beyond the EU Directive.

For ease, we have provided some of the key proposals below that should be considered as a minimum.

Cigarettes: In 2019 on Welsh beaches- 32.6 cigarette butts were found on average for every 100m surveyed, and it was the third most prevalent litter type found. Comparison of cigarette data across Wales shows that compared to 1994, there has been over a 1000% increase!

As MCS, we are signatories to a letter sent to Scottish Governments in, with one being finalised for Wales, to support a ban of plastic filters, and a review of other single use filters biodegradability and health implications. The letter highlights concern¹⁴, ¹⁵, ¹⁶, ¹⁷. This highlights while the Extended



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Producer Responsibility should also be applied, a ban on plastic filters would bring both environmental and health improvements.

Tethered lids: The EU Directive has highlighted the issue of separate lids and will require by 2024 that all drinks lids are tethered. We believe this is an important addition, as it would ensure that drinks containers would include their lids when recycled (and if returned under a Deposit Return Scheme). In Wales on average 14.8 lids were found per 100m of beach, with caps and lids being the eighth most prevalent item found in 2019.

Deposit Return Scheme (DRS): We recognise that a DRS consultation is being considered separately. However, we wish to highlight that drink containers of all sizes and materials should be included. We look forward to responding to the upcoming consultation, which we request not be delayed any further. In addition to the previously mentioned lids, 2.3 plastic bottles, 3.6 cans and 8.3 bottles per 100m were found on Welsh beaches in 2019.

Single use sachets: Single use sachets and other applications, which have multilayer, multimaterial, should be banned. Alan Jope, CEO of Unilever when asked recently during the launch of the “Break the wave plastic report”¹⁸ (July 2020) about multilayer single use plastic sachets stated “we have to get rid of them” saying they have “no real value” for mechanical recycling and chemical recycling is not economical¹⁹. This material is not fit for the circular economy of the future.

Packets and wrappers: These are found as top 10 items (no.5) during the MCS Beachwatch survey with 20.9 packets per 100m on Welsh beaches. We therefore recommend that these should be considered under EPR- in particular they need to show feasible economical recyclability and if they cannot meet this criterion, the material should be removed from market. As well, as campaigns to encourage correct disposal.

Balloons and sky lanterns: Balloons should also be subject to EPR and awareness raising. Sky lanterns while typically made of paper are a single use item, which causes environmental harm as well as an issue around potential fire risk and use of vital emergency services²⁰. We suggest that Welsh government legislates to ban mass sky lantern and balloon releases.

Cups (for all beverages, not just “coffee” cups): A charge should be applied to all single use cups, as they are not compatible with a circular economy. “Coffee” cups are difficult to recycle- requiring specialist equipment, meaning that very few are recycled. In 2017, the Environmental Audit committee found that only 0.25% were recycled²¹. Industry’s response to this was to set a lowly target of 8% by 2019 which they have so far failed to achieve, reaching only 6%²². We would highlight that these products are part of a linear-make-use-throw and even with industry, setting its own low target of 8%, it was still unable to achieve a basic response-recycling rate. In line with the waste hierarchy, reusables need to be encouraged. Research by Cardiff University showed that charging was considerably more effective than a discount²³. We therefore recommend a minimum charge of 25p on all single use cups²⁴ with a target for reduction.



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Sanitary items: Wet wipes are highlighted in question 11 but other sanitary items should be addressed. Plastic tampon applicators should be banned²⁵ as similar to plastic cotton bud sticks this item is regularly misflushed and ends up being found on our beaches. Sanitary items should also have Extended Producer Responsibility applied regardless of material (e.g., cardboard applicators would be included) as well as ensuring correct labelling and customer awareness raising of correct disposal. Many items are often not clearly labelled and add to consumer confusion for disposal e.g. biodegradable, compostable etc.

EPR funds should be used to promote reusable alternatives and support these as they reduce waste and carbon footprint. Wales has already identified period poverty as a significant social issue and allocated funding²⁶ and have identified reusables as part of this solution²⁷. They can last a number of years and therefore are cost efficient but can represent an expensive upfront cost.

EPR on nappies should be used to support reusable nappies schemes, and with the Welsh Government, currently piloting a baby bundles scheme through Swansea Bay University Health board²⁸ these bundles should include a focus on reusables. Providing parents with a free starter pack of e.g. reusables nappies and wipes so they can try these is likely to improve uptake.

Stopping pollution at source, as outlined above, should be the primary steps taken to reduce sanitary waste impacts. However, the amount of sanitary waste, which is recorded on beaches, highlights a failing within the sewerage system and urgent action is needed to stop sewage being discharged from storm overflows. Natural solutions to reduce the amount of rainwater run-off going into the sewerage network should be used to provide wider benefits to society and biodiversity.

Microplastics: Any product, which contains intentionally added microplastics, is by definition single use plastic, because the plastic is too small to be recovered. As the UK exits the EU, we are also leaving REACH, which is consulting, on restricting the use of intentionally added microplastics. ECHA's committee for Risk Assessment (RAC) supports the proposal to restrict the use of microplastics that are intentionally added to products on the EU/EEA market, in concentrations of more than 0.01% weight by weight²⁹. Microbeads that are currently restricted under Welsh legislation only make up a small proportion of microplastics. Analyses by ECHA cites (across the EU) emissions of microbeads, i.e. from rinse-off containing microbeads cosmetics, make up only 107 tonnes per year whereas cosmetics in total emit 9300 tonnes/year. In addition, other sources of emissions include detergents (9700), agriculture (23500), paints (5,200) and medicinal (2,300)³⁰. Therefore, the restrictions implemented by REACH should be invoked as a minimum.

Fishing litter: Fishing litter makes up over a fifth of litter (21%) found on Welsh beaches and therefore steps need to be taken to address this. Fishing net is the second most prevalent item found on Welsh beaches (behind plastic pieces) with 40.9 pieces per 100m (almost double the average across the UK). Extended producer responsibility for nets as well as ensuring that ports offer a flat fee for port reception facilities would be the minimum, with lockable skips. The current Welsh fleet are mainly potters, the number and location of pots are currently unknown. Within the future fisheries policy, all pots should be registered and traceable, similar to American and Canadian schemes, which would allow for pot recovery and better fisheries management. With the possible expansion of the existing offshore pelagic and demersal fleet, all opportunities should be investigated to support Welsh fisheries to adopt a more circular approach.