

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 single-use straws, stirrers, cutlery, cotton buds, bowls 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](https://www.epa.nsw.gov.au/your-environment/plastics) for details.

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:
<https://www.epa.nsw.gov.au/your-environment/plastics>.

Information and resources for retailers and suppliers is available at: <https://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.

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

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 and cotton buds
- expanded polystyrene food service ware, including cups
- rinse-off personal care products containing plastic microbeads.

Other plastic items will be reviewed 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 with a yogurt) 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

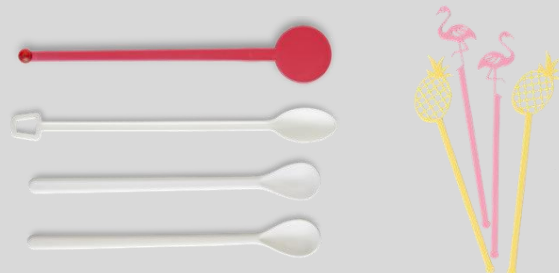
- ☐ Is any part of the item plastic (e.g. stem made or coated with plastic)?
- ☐ Is one or both ends cotton-tipped?
- ☐ Is it designed, intended, or usually used only once? (is it a single-use?)



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?
- ☐ Is it used to prevent a beverage from spilling from the lid of its container?



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 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?
- ☐ 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

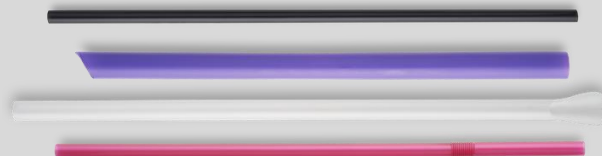
- ☐ Is any part of the item plastic?
- ☐ Is it used to eat food?
- ☐ Is it a fork, spoon, knife, spork, splayd, chopstick, food pick or other similar utensil?
(Note – does not apply to serving utensils such as salad servers or tongs)



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 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 receptacle?



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

If you have any queries, please contact [email to be added when finalised]



If you need an interpreter to assist you, please call the Translating and Interpreting Service on [number to be added when finalised] and ask them to call the NSW Environment Protection Authority (EPA) on [number to be added when finalised]. The interpreter will then help you with interpretation.

NSW Environment Protection Authority

Email: plastics@epa.nsw.gov.au

Website: www.epa.nsw.gov.au

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