

Opinion on the proposed Directive “on the reduction of the impact of certain plastic products on the environment”

Longer transitional arrangement required for plastic drinking straws for single-portion drinks packaging

I. General

With the above-mentioned proposal for a Directive, the European Commission is addressing a problem that deserves to be taken seriously. Protection against harmful plastic waste is an important concern, to which due regard should be paid. Even though it cannot be said that drinking straws for single-portion drinks packaging make any significant contribution to littering, which raises the question of proportionality, manufacturers are already working hard on alternatives.

The proposed Directive envisages a future prohibition on the placing on the market of plastic drinking straws (Art. 5 in conjunction with Annex Part B). The ban is to be implemented two years after this Directive enters into force (Art. 17). It is commercially and technically impossible to deliver an approved marketable alternative within the given time period.

This would have fatal economic consequences for affected businesses, and would be counter-productive from an environmental point of view.

The assumption made in the explanatory section of the proposed Directive, that alternatives to such drinking straws are readily available or on the market, is not true for plastic drinking straws for single-portion packs.

II. Detailed comments:

1. Drinking straws – a differentiated approach is needed

The drinking straw is an aid through which liquids can be sucked so that they can be drunk. As single-use products, drinking straws are mainly made from thin-walled plastic. They are usually sold as isolated units, i.e. without beverage products, to be used for example in private homes and in the food service industry. With regard to this area of application, it does not seem unlikely that it will be possible to switch to alternatives soon.

2. Drinking straws for single-portion drinks packaging have to meet special requirements

Moreover, these drinking aids are sold in direct association, i.e. as a product unit, with the portioned drinks packaging.

The underlying packaging consists mainly of drinks carton packaging and foil stand-up pouches.

Drinking straws are a technically necessary aid that enables the underlying products (particularly fruit juices but also soft drinks and dairy drinks) to be consumed. These drinking aids are designed both to match the size of the underlying containers (U-shape), and to perforate the protective membrane over the container opening.

3. Replacing plastic drinking straws for single-portion drinks packaging requires an adequate transition period

At present, there is no marketable alternative available to replace these plastic drinking straws, which are used as a product unit, in the near future.

The technical challenge is to find solutions

- that are bendable, so that the straw can be attached to the packaging

- that are strong enough to pierce the membrane over the container opening, and
- that are recyclable together with the packaging.

The industry is working hard to develop a solution. The technical challenges are immense. Another factor is that suitable machines will need to be developed and filling/packaging processes adapted to attach the alternative drinking aids to the packaging or integrate them into it. In addition, the drinking aids have to be approved as food safe.

According to current estimates by affected businesses, it can be assumed that this will require a period of time up to and including 2024.

4. Environmental relevance of plastic drinking straws in connection with ecologically advantageous drinks packaging

Drinks cartons and foil stand-up pouches are recognized in German law as “ecologically advantageous” packaging. A high percentage are taken back and recycled via the household waste packaging collection system (“dual system”). This includes drinking straws, which according to estimates by affected businesses remain in the packaging in 95% of cases, and hence do not contribute to littering.

Without a marketable alternative to plastic drinking straws, single-portion packages (drinks cartons, stand-up pouches) could not be sold any more. The fillers would either have to switch to other packaging types that are not ecologically advantageous, or fill corresponding drinks only in packaging sizes larger than a single portion. Regarding the latter aspect, it should be considered that single-portion packaging makes an important contribution to preventing food wastage and hence to climate protection and resource conservation.

5. Economic relevance of a ban

The envisaged substitution of plastic drinking straws used with single-portion packaging represents a considerable technological challenge and financial outlay for the businesses concerned.

An “untimely” ban on these drinking straws would specifically threaten the existence of businesses that mainly or even exclusively sell drinks in single-portion packaging, as it would lead to a ban on their sales.

III. Our recommendation

More time should be allowed before prohibiting the placing on the market of plastic drinking straws for single-portion packaging where the drinking straws form a product unit together with the drinks packaging. Affected businesses should be given a period of time which they need in order to develop marketable alternatives to the plastic drinking straw and adjust production processes accordingly.

It should state in Art. 17 (1) of the proposed Directive that

“the implementation of the prohibition of the placing on the market pursuant to Art. 5 will not take effect until five years after entry into force of the Directive in respect of plastic drinking straws that are sold as a product unit in conjunction with single-portion drinks packaging (drinks cartons, foil stand-up pouches)”.

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