

7 September 2021

Mr Wong Kam-sing, GBS, JP  
Secretary for the Environment  
Environment Bureau  
16/F, East Wing, Central Government Offices  
2 Tim Mei Avenue, Tamar  
Hong Kong

By Email and Post

Dear Mr Wong,

**Public Consultation on the Scheme on Regulation of Disposable Plastic Tableware**

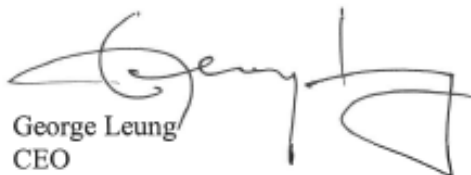
The Hong Kong General Chamber of Commerce is pleased to submit its views on the Government's proposed Scheme on Regulation of Disposable Plastic Tableware.

As pointed out in the Waste Blueprint for Hong Kong 2035, eliminating plastics at source represents an effective means to reducing pollution and achieving sustainability. If Hong Kong is to adopt a plastic-free culture over the longer term, reducing single-use items will be a necessary part of such an objective.

We support the use of legislation to eliminate disposable plastic tableware through the proposals as set out in the consultation document and have also included our comments and recommendations as set out in the attached.

We hope you will find our input useful to your deliberations.

Yours sincerely,

  
George Leung  
CEO

*Encl.*

cc: Waste Reduction and Recycling Group, Environmental Protection Department

**Public Consultation on  
the Scheme on Regulation of Disposable Plastic Tableware (“Regulation Scheme”)  
Response by the Hong Kong General Chamber of Commerce**

The Chamber welcomes the opportunity to submit its views on the Government’s proposal for regulating disposable plastic tableware.

Despite the convenience, durability and low-cost offered by plastic, it does not biodegrade and therefore poses a challenge to our environment and health. According to the World Economic Forum’s estimations, by 2050 there will be more plastic than fish in the sea.

It is therefore important to change the way that plastics are dealt with in our economy if current trends are to be curbed and then reversed. Our views on the Government’s policy proposals to address the sale and use of disposable plastic tableware are as set out in the following.

**Answer to Consultation Questions**

***Question 1: Do you support in principle the introduction of legislation to regulate disposable plastic tableware?***

- The Chamber supports in principle the use of legislation to eliminate disposable plastic tableware from the waste stream.
- At the same time, there are concerns among SMEs over the potential costs that such a policy measure would bring. Although the cost of plastic substitutes has become cheaper due to economies of scale such as advances in technology and rising demand, these are still comparatively more expensive than plastics. To assist and encourage SMEs adapt to the Regulation Scheme, we suggest that the Government consider providing support (financial and/or non-financial) to this segment of businesses (Please also see responses to Question 10).

***Question 2a: Do you agree that the Regulation Scheme should cover all types of disposable plastic tableware listed in Section 3.1?***

- The Chamber agrees that the Regulation Scheme should cover types of disposable EPS plastic tableware as well as non-EPS plastic straws, stirrers and cutlery.
- In the case of non-EPS plastic plates, cups, cup lids, food containers and food container covers, we believe that there should be no immediate ban on these products subject to the market availability for viable substitutes, which should fulfil the following criteria:
  - (a) meet safety and heat resistance standards;
  - (b) possess loading requirements;
  - (c) economically affordable to business of all sizes;
  - (d) eco-friendly and align with environmental practices in the international community; and
  - (e) cater to small and space-starved restaurants in Hong Kong.

***Question 2b: Do you agree that the Regulation Scheme should cover “plastic substitutes” (e.g. oxo-degradable plastics, biodegradable plastics, etc.) that claim to be degradable or biodegradable?***

- We agree that the scope of the Regulation Scheme should also include “plastic substitutes” that fall under the meaning of oxo-degradable.
- As an interim solution to Hong Kong’s problem with plastic waste, the city could explore the possibility of drawing on the experience of the Mainland in switching to biodegradable plastic.

***Question 3: Do you agree that the sale of disposable EPS tableware to local end-consumers (including catering premises) should be banned?***

- We agree that the sale of disposable EPS tableware to local end-consumers (including catering premises) should be banned.

***Question 4: Do you agree that the Regulation Scheme should cover all catering premises?***

- While big businesses such as chain restaurants are better equipped to adapt to the Regulation Scheme relative to SMEs, we also note that the Regulation Scheme would be implemented progressively with a 12 to 18-month window between the first and second phases. The schedule as given in the Government’s proposals should therefore enable the industry as a whole to comply with the policy changes. As such, we agree that the Regulation Scheme should cover all catering premises.

***Question 5: Do you agree that provision of disposable plastic tableware by catering premises to customers for dine-in services should be completely banned in the first place?***

- We agree that provision of disposable plastic tableware by catering premises to customers for dine-in services should be completely banned in the first place due to the relatively low reliance on throwaway utensils.

***Question 6: Given that catering services provided for private events and dine-in services are similar in nature, do you agree that catering services provided for private events (including the provision of food & beverages and catering staff) should be included in the scope of dine-in services?***

- We agree with the proposal to include catering services provided for private events (including the provision of food & beverages and catering staff) in the scope of dine-in services.

***Question 7: Do you agree that the ban on the provision of the following disposable plastic tableware by catering premises to customers for takeaway services should be imposed in phases?***

- We agree that the ban on the provision of the disposable EPS plastic tableware, as well as non-EPS plastic straws, stirrers and cutlery by catering premises to customers for takeaway services should be imposed in phases to facilitate a smooth transition.

***Question 8: What are your views on the timetable for implementing the Regulation Scheme in a progressive manner as proposed in the Regulation Scheme?***

- We note that there are demands by local green groups to expedite the implementation of the Regulation Scheme. Although we agree that there is urgent need to regulate the use of disposable plastic, success of the Regulation Scheme will be largely dependent on the catering sector's ability to comply especially in the context of the unusual and unprecedented conditions brought about by the pandemic. We therefore consider implementation of the Regulation Scheme by 2025 to be a reasonable proposal although the Government should consider earlier implementation (regarding plastic items as set out in our answer to Question 2a) if circumstances so permit.
- We suggest that the Government should consider ways to incentivise businesses to make an early transition towards a plastic-free culture. This could involve accrediting those that have been able to phase out single-use plastic tableware before a certain period of time. Such a measure could encourage businesses to articulate their sustainability goals to consumers, who are increasingly eco-conscious and actively supporting companies that are committed to protecting the environment. The proposed accreditation programme could draw on the Hong Kong Tourism Board's Quality Tourism Services Scheme, which involves a set of protocol for businesses and outlets to comply with, to promote best practices and recognise efforts in reducing disposable plastics through impartial third-party verification.
- The Government should also lead by example by phasing out the use of plastic on government, institution or community (GIC) premises and facilities before the Regulation Scheme is fully implemented.

***Question 9: Do you agree to the exclusions proposed in Sections 3.22 to 3.25?***

- We agree that exclusions should be provided in cases where use of disposable plastic straws is required for medical reasons and for food products pre-packaged outside catering premises as proposed in Sections 3.22 to 3.25.
- However, consideration should be given to how these would be upheld/enforced in practice to ensure that such exemptions are not abused. Furthermore, the onus should not be placed on eateries and their staff to determine whether consumers' requests for disposable tableware are justified. To that end, consideration could be given to the issuance of a set of guidelines for reference by establishments.
- Similarly, there should ongoing efforts to monitor and pre-empt industry practices that seek to circumvent the Regulation Scheme by taking advantage of the exemption provided to foods pre-packed outside of catering premises.

***Question 10: Do you have any other opinions on the "Scheme on Regulation of Disposable Plastic Tableware" and other relevant issues?***

- Education and awareness-building are especially important to garnering support from the public and businesses. In the case of the latter, concerns over additional costs as a result of any measures to protect the environment can be

a major and substantive hurdle to the success and viability of such initiatives. To promote broader buy-in and support for the Regulation Scheme, we suggest that the Government emphasise the cost-saving benefits of switching from single-use to reusable items in public messaging. Reference could be made to the experience of and data from American businesses<sup>1</sup>, which found that replacing disposable cups, containers and cutlery can enjoy substantive cost-savings while contributing to the reduction in waste<sup>2</sup>.

- Reducing the use of disposables will require changes from the throwaway culture which has become so ingrained in our lifestyle. Such a behavioural shift could be fostered through the introduction of a deposit-return scheme for takeaway containers and/or the establishment of cleaning facilities for reusable utensils in public spaces. For the former, reference could be made to a pilot programme called ‘Ben Don Go’ organised by the Environmental Campaign Committee between June and August 2021. Under this scheme, consumers can borrow reusable takeaway containers at a deposit of HK\$20 per item, which is then refunded as and when these are returned to service points in Tsuen Wan and Wanchai. Consumers are required to empty the borrowed containers before these are returned for cleaning by the organiser. We suggest that the Government consider expanding the pilot programme and other similar deposit-return initiatives on a wider scale and provide incentives for eateries to participate in these schemes.
- Common alternatives to disposable plastic tableware include wooden utensils and those made from cardboard or bagasse, which are usually coated with non-biodegradable waterproofing and greaseproofing substances, and are therefore not compostable. In the case of wooden tableware, questions of sustainability and whether these are ethically sourced will inevitably arise.
- There are also issues of safety with alternative products. While the advantage of such substitutes lie with the elimination of microplastics, a study by the European Consumer Organisation (BEUC)<sup>3</sup> found that over half of the 57 alternative products sampled in France, Denmark, Italy and Spain contained one or more unwanted chemicals, including potential cancer-causing materials, above recommended levels. Pesticide residues were also detected in these samples. In making the switch to non-plastic alternatives, guidelines on the use of alternatives should be provided. Reference could be made to the European Union’s regulations<sup>4</sup>, which state that food packaging materials should not:
  - (a) release their constituents into food at levels harmful to human health;
  - (b) change the composition, taste, and odor of foods; and
  - (c) bring about changes in the taste or odor of foods.

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<sup>1</sup> <https://www.rethinkdisposable.org/>

<sup>2</sup> <https://qz.com/2032489/how-businesses-save-thousands-by-replacing-single-use-plastic/>

<sup>3</sup> <https://www.beuc.eu/publications/toxic-chemicals-non-plastic-disposable-tableware-consumer-test-reveals/html>

<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016IP0384&from=EN>

- The foregoing issues notwithstanding, such alternatives provide a viable albeit interim means of transitioning away from plastics. Over the longer term, there is the need for a holistic approach to eliminating the use of single-use items. This will require, in addition to the measures as mentioned above, further investments in education to promote a better understanding of the intentions behind banning the use of plastic tableware.
- It is important to note that while the Regulation Scheme offers the potential to eliminate waste generated from single-use plastic tableware, many other types of plastic products have yet to be regulated and could end up in our landfills or the sea. Enhancement of local plastic recycling facilities and support to companies whose products made from recycled plastics should therefore be actively considered and pursued as viable circular solutions to reducing Hong Kong's plastic waste problem.

HKGCC Secretariat  
September 2021