

SingleUse@DECC.gov.ie

From: [REDACTED] - Administrator <info@voiceireland.org>
Sent: Friday 11 November 2022 09:27
To: SingleUse
Subject: Submission on the SUDC levy
Attachments: SUDC submission nov 2022.pdf

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Sir/Madam,

Please find attached VOICE's submission on the single use disposable cup levy.

Kind Regards,

[REDACTED]

[REDACTED]

Chief Executive

The logo for VOICE, with the word "VOICE" in a stylized, green, lowercase font.

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VOICE Submission to the
Consultation Call on the Circular Economy (Environmental
Levy) (Single-Use Cup) Regulations

November 2022

VOICE supports the introduction of a 20-cent levy on single-use disposable cups and believes that this type of measure will raise awareness around single use packaging and will serve as an example for other measures in the future to reduce our consumption of disposable packaging. As mentioned in the government's consultation call, Ireland, like all EU member states, has to implement the Single Use Plastic Directive (Directive), and must

- take measures to reduce the consumption of certain SUPs for which there is no alternative (drinking cups including covers and lids, and containers of prepared food for immediate consumption); and
- monitor consumption of these single-use products, along with the measures taken, and report the progress made to the [European Commission](#).¹

The application of this levy and the reporting requirements placed on premises offering single use disposable cups achieves both of the above obligations.

Change in Behaviour

Additionally, the Directive states, 'Member States should encourage the use of products that are suitable for multiple use and that are, after having become waste, suitable for preparing for re-use and recycling.'²

As we have seen, many people are already using their own reusable cups, so there are products available that are suitable for multiple use. However, there is not a huge uptake in people bringing their own cups as the EnvEcon Regulatory Impact Analysis (RIA) report estimates that we are using up to 200-730 million disposable cups annually. In order to achieve significant waste reduction targets, there needs to be effective behaviour change both by the producers and consumers. Like the plastic bag tax has demonstrated, one of the best methods of changing behaviour from single use to reuse is through economic incentives/disincentives.

¹ [Single-use plastics – fighting the impact on the environment \(europa.eu\)](#)

² [Directive \(EU\) 2019/ of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment \(europa.eu\)](#)

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The current Conscious Cup Campaign has been effective in encouraging the use of reusable coffee cups with participating coffee houses offering some type of economic incentive. However, it has been confirmed through a study done by Cardiff University for Bewleys, that an incentive alone is not as effective as it is in conjunction with a levy. It states that their "...field experiment explored how the use of reusable coffee cups could be encouraged by easily implementable measures. It found that through clear messaging, the provision of reusable alternatives, and financial incentives, the use of reusable coffee cups can be increased by (on average) 2.3 to 12.5%.

"The study suggests that a charge may be more effective than a discount. These results are in line with *prospect theory*, which suggests that people are more sensitive to losses than to gains when making decisions. A charge on disposable cups (a loss) is therefore more likely to produce behaviour change than a discount on a reusable cup."³

This type of levy placed on single-use containers will put a value on the item and encourage the take-up of reusable alternatives.

The RIA done by EnvEcon recommends the 20 cent levy on single use disposable cups and calculates that the break-even point is between 10-20 uses, ie, "after this number of uses, the reusable cup represents an environmentally preferable alternative to the single use alternatives."⁴ We also agree with EnvEcon findings that this levy should apply equally to all types of disposable cups, including traditional, compostable and recyclable as all types end up as litter and in the wrong bins.

Enforcement of 'Reuse'

Our one fear is how these regulations will be interpreted and enforced and how retailers might try to avoid the imposition of the levy on their customers. We are seeing an increase in the use of plastic cutlery in the take-away food business over the past few months. Even though these items are banned under the Directive, catering supply companies increasingly are offering plastic cutlery with the label 'reusable' on them, thus attempting to skirt the spirit and purpose of the Directive and the transposed Irish statute.⁵ These newly labelled 'reusable' plastic knives, forks and spoons have no more possibility of being reused than their 'single-use' cousins. There is no collection, sanitisation or logistics system in place and such items are being found in rubbish containers or littered.

We know that under the Circular Economy Act, passed this year, that 're-usable' and 'single-use cup' are defined as such in Part 2 para. 6: Interpretation:

³ <http://orca.cf.ac.uk/99366/1/Coffee%20cup%20summary%20report%20-%20Poortinga%20%28FINAL%29.pdf>

⁴ [gov.ie](http://www.gov.ie) - [Consultation on draft regulations to introduce an environmental levy on single-use disposable cups \(www.gov.ie\)](#)

⁵ [S.I. No. 326/2021 - European Union \(Single Use Plastics\) Regulations 2021 \(irishstatutebook.ie\)](#)

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“re-usable” in relation to a product, means conceived, designed or placed on the market so as **to accomplish**, within a single life span of the product, **multiple trips or rotations** by being refilled for, or put to, the same purpose for which the product was conceived, designed or placed on the market;” (emphasis added)⁶

“Single-use cup” means a cup which---

- (a) is conceived, designed or placed on the market to hold a beverage, and
- (b) is not re-usable

We want to ensure that cafes are not able to give out free cheap plastic cups that are theoretically ‘reusable’, but in most likelihood, won’t be reused. There must be value assigned to reusable cups that is greater than the levy. If there is no value attached to free plastic cups, we will find these cups littered or thrown away.

Applicable to all Disposable Cups

This regulation is aimed at disposable cups that are used by retailers selling hot beverages. We believe that this levy should apply equally to cups used for cold beverages as well as to cups sold in bulk. We have worked with many businesses that supply free disposable cups to their staff and these cups end up in all waste streams and add to the amount of single-use waste. The levy should be apportioned at the wholesale level on a per cup basis and then passed along to each purchaser of the cups, whether to retailers and then on to customers, or to businesses, festivals or other events that use disposable cups, whether free or not to the ultimate consumer. This is a huge loophole and one that can be abused.

The ultimate goal is to reduce the use of single use disposable cups and applying the levy across the board will help change behaviour, both on a business and individual level.

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Chief Executive

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⁶ [Circular Economy and Miscellaneous Provisions Act 2022 \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/2022/circular-economy-and-miscellaneous-provisions-act-2022)