

**Submission
No 17**

**INQUIRY INTO WASTE AVOIDANCE AND RESOURCE
RECOVERY AMENDMENT (PLASTICS REDUCTION)
BILL 2021**

Organisation: Australasian Bioplastics Association Incorporated
Date Received: 30 April 2021



April 30th, 2021

The Director,
Portfolio Committee 7,
Parliament House,
Macquarie Street,
Sydney NSW 2000

Dear Director,

I write in reference to the Waste Avoidance and Resource Recovery Amendment (Plastics Reduction) Bill 2021 as invited by the Portfolio Committee 7.

The Australasian Bioplastics Association (ABA) is the peak Industry body for raw material suppliers, manufacturers, converters and distributors of bioplastic products and materials throughout Australia and New Zealand.

The ABA represents Members in the promotion of and advocacy for, Member's products and materials. The association works with government, organics recyclers (composters), industry groups, NGOs, brand owners and plastic converters to further the understanding and appropriate use of bioplastics.

In the context of this submission we are primarily representing the interests of suppliers and consumers of compostable bioplastics certified in accordance with the Australian Standards 4736-2006 and 5810-2010 as referenced in the National Plastics Plan recently released by the Federal Government.

The ABA is willing to have our submission made public and with our name.

Members of the ABA are small to medium Australian and New Zealand owned businesses, together with subsidiaries of the world's largest bioplastics companies, thus the membership is balanced between interested parties with significant experience in bioplastics, whether certified compostable and therefore fully biodegradable, or bio-based materials, or both.

Additionally, the ABA maintains working relationships with domestic Australian and overseas entities such as the Australian Organics Recycling Association, (AORA), European Bioplastics, Biodegradable Products Institute (BPI North America), DIN CERTCO (Germany), and Industry Associations throughout Asia, such as the Pan Pacific Bioplastics Alliance, which incorporates Industry Associations based in Japan, Thailand, China, Korea and Taiwan.

The ABA administers a voluntary verification scheme, for companies or individuals wishing to have their claims of compliance with the "commercial composting" Australian Standard AS 4736-2006, "Biodegradable plastics suitable for composting and other microbial treatment" (Australian Standard AS 4736-2006) verified.

The ABA also administers a voluntary verification scheme for companies wishing to verify compliance with the Home Composting standard, AS 5810-2010, "Biodegradable plastics suitable for home composting" (Australian Standard AS 5810-2010).

These two verification schemes are important as they are currently the only verification programs available in Australia and New Zealand, to support verification of claims for compliance to these two Australian Standards.

Successful verification to the requirements is signified using one or either of the below ABA logos.



The ABA supports and is a signatory to the New Plastics Economy initiatives developed by the Ellen MacArthur Foundation. The initiative is widely supported by industry and governments in many jurisdictions in establishing and promoting Circular Economy principles. Certified compostable products contribute to a Circular Economy as part of the biological cycle.

Certified compostable bioplastics help facilitate the recycling of organic waste with microorganisms through composting and other microbial treatment, diverting many thousands of tonnes from landfill to the soil. The circular economy principles require plastics use to be reduced where possible and to be reused and ultimately recycled. Bioplastics can be recycled using microbial treatment and conventional mechanical plastics recycling technologies.

The ABA has developed a position paper with the Australian Organics Recycling Association (AORA), on the appropriate use of certified compostable products suitable for organics recycling, a copy is available from this link: <https://www.aora.org.au/sites/default/files/uploaded-content/website-content/180503-certified-compostable-plastics-position-joint-policy-statement.pdf>

The ABA and AORA welcome the legislation to ban certain single use plastics and advises that whilst certified compostable products might be an appropriate alternative to the banned products, this is not necessarily the case and not always an appropriate use of certified compostable products.

Replacing a non-recyclable or non-recoverable single use plastic with a certified compostable alternative that is no more recoverable than the item it replaces is perhaps not the most appropriate use of resources. Consideration needs to be made on each potential substitution on merit and appropriate recovery availability, such as organics recycling infrastructure, for example, composting, anaerobic digestion and so forth.

Certified compostable waste bags and packaging can be a suitable alternative to single use plastic bags as has been established in South Australia for many years. Certified compostable waste bags conforming to the Australian Standards AS 4736 and AS 5810 are proven to be compostable commercially and in home composting environments, when both are well managed.

This enables food waste diversion and in the future with all packaging to become recyclable, reusable or compostable by 2025, the demand for these certified products will inevitably increase, in appropriate applications, where recyclability or reusability is not possible in food contact applications, for example.

Specifically, to the Bill, the ABA makes the following points, suggestions or inclusions in *{italics}*.

Schedule 1

(b) Proposed section 48B Definitions

plastic waste means items that—

(a) are made of plastic—

(i) whether alone or in combination with other materials, including plant materials, *{ABA}and this should include coated paper and other fibre board*

(ii) whether or not the items are processed, recycled, reused or recovered, and

(b) are discharged or deposited into the environment in a volume, constituency or manner that causes an alteration in the environment. *{ABA}This is in conflict with 48B(ii) as if they are processed, reused or recovered, they are not discharged into the environment.*

(d) Proposed section 48D requires the Commission to liaise with industry and government to develop strategies to achieve each of the following plastics elimination targets-

(v) ensuring that, by the end of 2024, all packaging used in the State is comprised of at least 30% recycled plastic, *{ABA}Certified compostable packaging will not be comprised of at least 30% recycled plastic. If certified compostable plastic, it will not contain 30% recycled plastic. If paperboard or other fibre, they will not contain any recycled plastic. Better wording might be "ensuring that by the end of 2024, all packaging used in the state that is not certified as compostable to the requirements of AS4736 or AS5810, is comprised of at least 30% recycled plastic"*

48D

(f) eliminating each type of plastic waste listed in the table to this section from any matter that is discharged or deposited into the environment by the date or period specified (the elimination target date). *{ABA}Many products and types of products are listed in the table. The objective is not clear. Is it to eliminate each type of plastic waste listed in the table to this section from any matter that is discharged or deposited into the environment by the date or period specified or is it to ban the sale*

of these? The former seems to be a litter control and education objective which arguably could be achieved while the products remain commercially available.

If elimination means removal from the marketplace, exceptions must be allowed consistent with 48D (iv) ensuring that, by the end of 2024, all packaging used in the State is recyclable, compostable or reusable,

Division 3 Threat abatement plans in relation to plastics pollution

{ABA}Although touched on, there is not enough recognition that plastics and other packaging in the environment is a litter problem, a behavioural problem. Commensurate with efforts with technology (reusability, recyclability, compostability) must be community education. No elimination of products from the marketplace will eliminate litter while human behaviour remains unchanged.

NSW Waste Avoidance and Resource Recovery Amendment (Plastics Reduction) Act 2021.	National Plastics Plan 2021	APCO Action Plan for Problematic and Unnecessary Single-Use Plastic Packaging
reducing the amount of plastic waste by 90%, from 2019 levels, by the end of 2022,	By 2022 Phase out non compostable plastic packaging products containing additive fragmentable technology that do not meet relevant compostable standards (AS4736-2006, AS5810-2010 and EN13432) (July 2022) <ul style="list-style-type: none"> • Phase out expanded polystyrene (EPS) in loose fill and moulded consumer packaging (July 2022), and food and beverage containers (December 2022) • Phase out PVC packaging labels (December 2022) • Review progress of 2025 National Packaging Targets 	100% of packaging to be reusable, recyclable or compostable by 2025,
ensuring that, by the end of 2024, all packaging used in the State is recyclable, compostable or reusable,		to phase out problematic and unnecessary single-use plastic packaging by 2025.
ensuring that, by the end of 2024, all packaging used in the State is comprised of at least 30% recycled plastic,	By 2025 National Packaging Targets for industry:	50% average recycled content across all packaging by 2025

	<ul style="list-style-type: none"> – 100% of packaging is reusable, recyclable or compostable – 70% of plastic packaging goes on to be recycled or composted – 50% average recycled content within packaging (20% for plastic packaging) – problematic and unnecessary single-use plastic packaging phased out (target 5 of NWPAP) 	
ensuring that, by the end of 2024, all new washing machines are fitted with a lint filter capable of trapping microplastics and microfibres that are loosened during the laundering of synthetic fabrics,	Work with the textile and whitegoods sectors on an industry-led phase-in of microfibre filters on new residential and commercial washing machines by 1 July 2030	

Consistency

{ABA}While there is consistency across jurisdictions in overall objectives, there is inconsistency in timing and detail, for example lint filters on washing machines. For consistency of regulations and ease of commerce, timing across jurisdictions should be consistent. How can industry, retailers and regulators cater for varying timeframes?

Additional Comment - Fragmentable Technology as proposed to be phased out in National Plastics Plan

The ABA contends that so called oxodegradable, oxobiodegradable, enzyme mediated, landfill biodegradable are all fragmentable technology products, are not compostable and therefore not biodegradable, cannot be certified compostable according to the prevailing Standards in Australia or anywhere else in the world, for organics recycling, or any form of microbial treatment, contribute to the creation of microplastic as a result of their ultimate accelerated fragmentation (not microbial biodegradation), and are therefore unsuitable as an alternative for single use plastics.

Bans on such products as in the South Australian Plastic Waste Avoidance Bill should be considered in the NSW context for the same reasons, however the ABA would consider such bans should be **extended** to cover agricultural single use plastics made from these materials such as agricultural mulch films, which today are rarely recycled or recovered. Certified soil biodegradable alternatives that do not contribute to the accumulation of microplastics is globally available where conventional or fragmentable technology films are not recovered or cannot be recycled. Further information on this topic is available upon request.

The ABA therefore welcomes such a ban on all items made from or containing oxo additives as the creation of microplastics from these products is too high a risk to allow them to enter organics recycling and ultimate application on land as an organic output. As they fragment in the presence of heat or UV, the term photo fragmentable is more appropriate than oxodegradable or oxo biodegradable. The ABA supports a ban on such materials in the most comprehensive manner available.

The ABA stands ready to assist in consultation on the appropriate use of certified compostable bioplastics and non compostable biobased bioplastics to support the NSW Government in its objective of plastic waste avoidance.

Yours sincerely,

Rowan Williams
President
Australasian Bioplastics Association Incorporated



AORA/ABA - Joint Position Paper

Certified Compostable Bioplastics

May 2018

The Australian Organics Recycling Association (AORA) is the National Peak Industry body for the recycled organics industry. Organics that can be recycled include food waste, green or garden waste and food soiled packaging amongst many others.

Certified compostable plastics suitable for microbial treatment in commercial composting or anaerobic digestion (AD), are those materials that conform to the Australian Standard AS 4736:2006, or for home composting are those that conform to AS 5810-2010.

In the case of commercial scale organics recycling, verification of certification and therefore conformance to AS 4736 is critical for organics recyclers to know that these materials will biodegrade in their facilities without interfering with normal processes and ensure they will not leave any physical or chemical residues in the finished organic output after processing.

AORA endorses the use of AS 4736 certified materials for the source separation of food waste in the home or commercial premises and also as a suitable alternative to otherwise non-recyclable packaging. Compostable coffee cups, capsules and compostable bags can all be successfully processed through normal organic recycling processes without concern of contamination.

Conventional plastics such as polyethylene are not certified compostable and are not biodegradable in any context. These materials are not suitable for organics recycling as they will not biodegrade and will remain in the organic output after processing leaving unacceptable physical residue.

Other varieties of polyethylene containing additives, such as those called oxo-degradable or oxo-biodegradable are not certified compostable and are not biodegradable. These and their conventional plastic alternatives should not be used for food waste source separation or disposal of or with food waste or organics in a kerbside FOGO collection or home composting.

The Australasian Bioplastics Association (ABA) offers a verification program for individuals or companies that wish to have their claims of conformance to the Australian Standard verified. Further details on this verification process can be found at www.bioplastics.org.au

Whilst there are other Standards that cover commercial and home compostability throughout the world, these Standards are not equivalent to the Australian Standard. The Australian Standard contains an important ecotoxicity test for earthworm survival, which has been included to assure users of the recycled organics of zero residuals of the compostable plastics in the organic output.

Regardless of claims about benefits of biodegradable plastics, products that do not comply with AS 4736 should not be included in the inputs for organics recycling. To do so may cause unacceptable physical contamination (small pieces of plastic, chips or film) and render the finished organics product worthless.

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