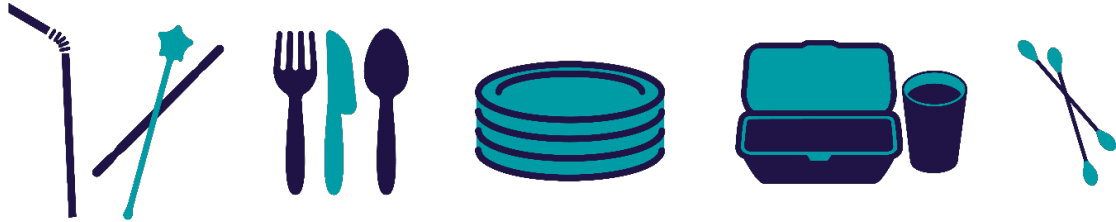


Single-use plastics ban

Guide for businesses and organisations

From 1 February 2023, problematic single-use plastic items will be banned in Victoria.



Frequently asked questions (FAQs)

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ABOUT THE BAN

Why are we introducing a ban?

The Victorian Government has received thousands of responses from local businesses, community organisations and customers supporting bans on single-use plastics.

Single-use plastics make up a third of the litter in our streets and waterways. They remain in the environment for a long time, harming our wildlife and contaminating our food and water.

Many single-use plastic items are difficult and economically unviable to recycle. This ban will also help reduce plastic waste and contamination at recycling facilities.

Who does the ban apply to?

The ban applies to all business and organisations, and any person who owns, manages or has substantial control over the business or undertaking, (not employees).

Key sectors include:

- **Retail and hospitality businesses**, such as cafes, bars, restaurants, hotels, takeaway food outlets, party stores, discount stores, supermarkets, market stalls, festivals, events, and online stores.
- **Suppliers**, such as manufacturers, distributors, importers, wholesalers, and online marketplaces.
- **Other businesses, organisations and non-for-profits**, such as health and community services, hospitals, charities, community groups, sporting clubs, child care centres, schools, and government bodies.

The ban does *not* apply to individuals undertaking private or domestic activities. The ban intends to remove these items from the supply chain before they reach the customer.

What items are banned?

From 1 February 2023, these items are banned in Victoria:

- Single-use plastic drinking straws
- Single-use plastic drink stirrers
- Single-use plastic cutlery
- Single-use plastic plates
- Single-use plastic cotton buds
- Food service items and cups made from expanded polystyrene

The ban includes items wholly or partly made of plastic, including biodegradable, degradable, renewable, and bio-based plastics.

Note: lightweight plastic shopping bags with handles, which are 35 microns or less in thickness, were banned in Victoria from 1 November 2019.

What is an offence under the ban?

A person must not supply a banned item in Victoria while carrying out a business or activity.

From 1 February 2023, it is an offence to:

- sell, supply, distribute or provide banned single-use plastic items in Victoria, whether free of charge or otherwise; or
- provide false or misleading information on the banned items.

This includes:

- items provided individually or in packets;
- the sale, supply, and distribution of items;
- circumstances where a business or undertaking has caused the sale, supply, distribution or provision of a banned item, such as items sold via online marketplaces; and
- providing false or misleading information on the banned items.

What items are exempt?

There are exemptions for specific circumstances where items are required for health and safety reasons, or because more time and innovation is required to switch to safe alternatives.

- **Single-use plastic drinking straws**
You can only provide a single-use plastic drinking straw to an individual who requires one due to disability or medical need, or someone acting on their behalf.

These straws must not be accessible to patrons and only provided if requested. A person does not need to provide proof of need when requesting a straw.

- **Single-use plastic cotton bud sticks**
Cotton bud sticks used for scientific, medical or forensic testing are exempt from the ban.
- **Single-use plastic cutlery**
Single-use plastic cutlery can be supplied where required in correctional and mental health facilities to prevent physical harm or injury.
- **Single-use plastic-coated paper plates**
Single-use paper plates which have a plastic lining or coating (such as some printed paper

plates) can continue to be supplied until they are banned from **1 November 2024**.

- **Integrated items**

Single-use plastic items which are included or attached with a food or beverage product by a machine-automated process (such as a straw attached to a juice box, EPS dehydrated noodle cup, plate in a frozen meal) can continue to be supplied until they are banned from **1 January 2026**.

The ban does **not** include:

- plastic polymers in inks or adhesives;
- serving utensils (such as salad servers or tongs) or serving platters;
- expanded polystyrene (EPS) items where food or drink is not typically consumed directly from the vessel, such as EPS trays used for fresh produce or meat, multi-serve gelato tubs, or seafood transport crates; and
- other types of plastic takeaway containers and cups - only EPS food service items and EPS cups are banned.

Does the ban apply outside Victoria?

The ban applies to the supply of banned items within and into Victoria, including suppliers or online stores based elsewhere which supply to Victorian customers.

If you plan to keep banned items in your range for clients outside Victoria, we recommend:

- checking information on single-use plastic bans in other states and territories; and
- taking steps to ensure Victorian clients cannot purchase banned items, such as settings on your website, adding ban information to product

listings, updating catalogues, and educating your sales team.

How will the ban be enforced?

The Victorian Government will first work with businesses to ensure they understand their obligations; however penalties apply for non-compliance.

Penalties apply for both offences, ranging from 60 penalty units for a natural person to 300 penalty units for a body corporate. [How to calculate penalty units >](#)

The Environment Protection Authority (EPA) will enforce the ban. From 1 February 2023, non-compliance can be reported to the EPA via epa.vic.gov.au or by calling 1300 372 842.



ASSESS ITEMS

Are my products made of plastic?

The ban includes items wholly or partly made of plastic. This includes linings, coatings, films, trims and handles.

Plastic polymers in inks or adhesives are not included in the ban.

Compostable plastics, such as biodegradable plastics, degradable plastics, renewable plastics, and bioplastics are included in the ban. This includes plastic items with composting certifications.

Biodegradable or compostable plastic items can still harm wildlife the same way conventional plastic items do if they are littered. Such plastics require extended periods of time or processing at a specialised composting facility in order to break down.

If an item looks or feels like plastic, but claims to be made from corn, sugarcane, wheat or any other 'natural' source it may still be a plastic.

When ordering disposable alternatives to banned plastic items, [ask your supplier](#) to confirm in writing that the items do not contain any form of plastic polymer, including compostable plastic or bioplastic. Logos, labelling or product claims are not proof of compliance.

Are my products reusable?

A banned single-use plastic item is one that is not reusable.

'Reusable' plastic straws, stirrers, cutlery, plates or cotton bud sticks must:

- be manufactured to be used for the same purpose on multiple occasions, AND
- be manufactured with a written warranty (or other written representation) of at least 1 year.

Takeaway food service items

Most take away food service items provided with food or beverages in a takeaway setting will not be considered reusable, as they are unlikely to be used for the same purpose on multiple occasions.



Genuinely reusable products

Some organisations supply or sell genuinely reusable plastic products, such as travel cutlery sets, children's reusable plates, or return-and-reuse foodware systems used at events. These items can continue to be supplied or sold.



Reusability requirements

- Organisations should ask the manufacturer for a written warranty or other written proof which guarantees the item is designed to be durable over at least 1 year. This may be a declaration that an item can withstand at least daily use and still be considered safe for use.
- The warranty or written representation should be backed up by deliberate design, manufacture and testing of items. A plastic item is not considered durable or reusable if it was previously marketed as disposable or single-use and has not had any design or formulation changes to enhance durability.

Warranties

Under Australian Consumer Law, warranties must be in a language that's easy to understand and include:

- the name, business address, phone number and email address of the person or business giving the warranty
- what you must do to make a claim under the warranty, and what the person or business must do to honour the warranty
- a statement that the warranty is given in addition to consumer guarantees and cannot exclude them.

More information on warranties is available on the [Consumer Affairs Victoria website](#) or the [Australian Competition & Consumer Commission website](#).

Other written representation

If a warranty cannot be supplied, examples of a written representation may include a declaration from the manufacturer that the item:

- is designed to be durable and can withstand at least daily use for at least 1 year; and
- some form of testing to support this claim, such as dishwasher testing to a recognised standard.

What about existing reusable items?

The Regulations do not ban the ongoing provision of existing *reusable* plastic items or the sale of second hand *reusable* plastics items by a registered second-hand store. Examples include reusable plastic plates already in use at an event hire company, durable plastic chopsticks washed and reused within a restaurant, or a second hand picnic set containing reusable plastic cutlery sold by a registered second-hand dealer.

Is my item banned?

If your single-use plastic drinking straw, drink stirrer, cutlery, plate, or cotton bud stick contains a form of plastic, and is not reusable, *it is included in the ban*.

If it is an expanded polystyrene (EPS) food service item or drink container (such as an EPS clamshell, bowl, plate, cup, container or lid), and food or drink is typically consumed directly from it, *it is included in the ban*.

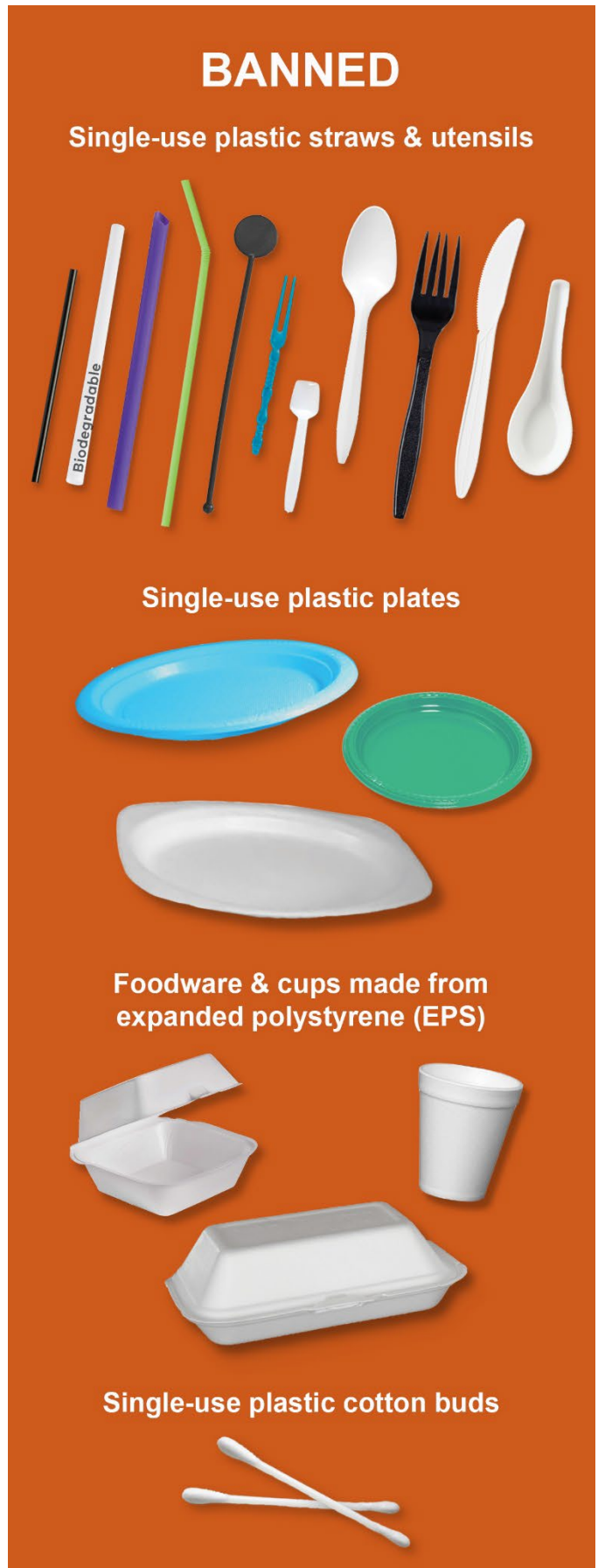
Your item is not banned if it is made of plastic but is manufactured to be used multiple times for the same purpose and is manufactured with a warranty, or other written representation, which sets out that it is durable enough to withstand frequent use for at least 1 year.

Limited [exemptions](#) apply in specific circumstances.

How do I dispose of single-use alternatives?

In many cases, the single-use alternatives to the banned plastic items (e.g. wooden cutlery or paper straws) cannot be recycled or composted and will need to be disposed of in general waste.

Check with your local council or recycling service provider to confirm what is accepted in your recycling collection service.



PREPARE FOR THE BAN

What alternatives should I use?

Customers are increasingly seeking to support sustainable businesses. Before you simply replace items, think about how you can avoid use, increase reusability or reduce waste.

The ban is designed to reduce plastic pollution and shift behaviour towards more sustainable and reusable choices. This may include businesses selling alternative or reusable items, offering a reusable system, providing utensils only on request, or by accepting BYO containers from customers.

1. Avoidance

First, think about whether you need to keep supplying items like disposable cutlery if your customers consume your food at home or in the office. Reducing the number of items you give away can also minimise business costs and waste.

2. Reusable

Look at whether you can use reusable, washable alternatives especially if many customers dine in-store or at an event where they could return items. Official health advice supports the use of reusable items with appropriate cleaning.

You may like to sell reusable items or encourage customers to bring their own through promotions or discounts. Sustainability Victoria is helping businesses and customers make the switch to reusables. More information: www.sustainability.vic.gov.au/plastics

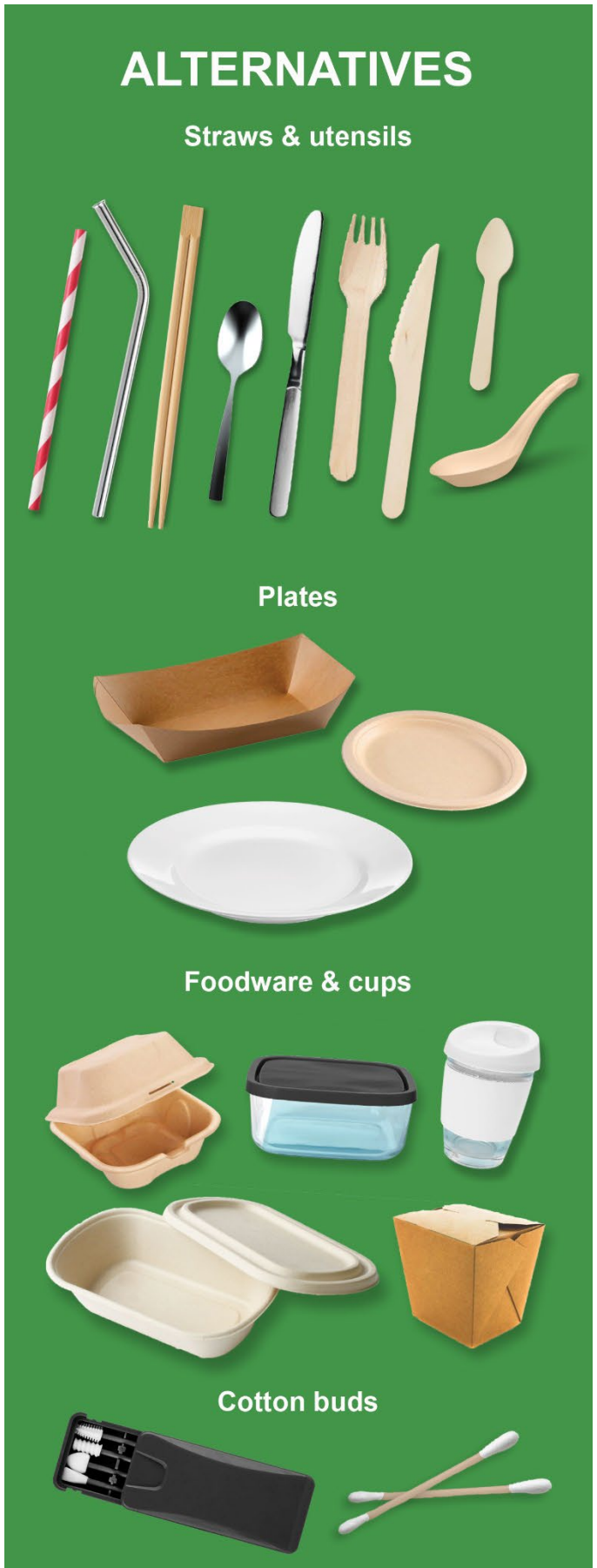
If you sell or supply reusable items, they must be intended to be used multiple times and be manufactured with a warranty (or similar written representation) of at least 1 year.

3. Disposable

If you need disposable items, speak to your supplier about the most sustainable options for your business, such as responsibly sourced paper, bamboo or wood alternatives.

New alternatives are starting to enter the market, such as cutlery made from sugarcane pulp or edible materials, however you should still check that these do not contain plastic polymers and are safe to use.

Ask your supplier to [answer questions](#), in writing, before you order disposable items. If you are unsure about options, check the website, call the hotline or email us.



What should I ask my supplier?

Ask your supplier to respond to these questions, in writing.

If you are ordering **single-use** straws, cutlery, plates, drink stirrers and cotton bud sticks, ask:

- *Do these items contain any type of plastic, including compostable, bio-based or degradable plastic?*
– if Yes then they are banned items

If you are ordering **reusable** plastic straws, cutlery, plates, drink stirrers and cotton bud sticks, ask:

- *Were these items manufactured with a warranty or other written representation that these items are durable and are manufactured to last at least 1 year?*
– if No then they are banned items

You can 'copy and paste' the above into an email to your supplier.

If you need help explaining the requirements to overseas manufacturers, you may like to share this Guide or one of the translated versions available at www.vic.gov.au/plastics

What if my supplier isn't aware?

Talk to your supplier as soon as possible.

If they cannot answer questions accurately about the ban or need more information, send them this Guide and encourage them to visit the website, contact the hotline or attend a free information session.

[Go to support available >](#)

How should I prepare my team?

Help your staff prepare for the ban, by informing them of the changes you are making, and how to explain these to customers.

You may need to make changes to the way your team operates, such as adjusting service areas to accommodate different packaging, placing single-use straws or cutlery away from patron access and providing on request only, or supporting and encouraging customers to bring their reusable items.

Customer-facing team members should also be informed about the ban, how you are complying, and what customers can do to support the change. Displaying official signage can also help your team explain the ban to customers.

How should I inform customers?

Help your customers prepare for the ban, by informing them of the positive changes you will be making to comply with the ban.

We recommend displaying signage to help your customers prepare. Free factsheets, posters and digital materials are available in multiple languages at www.vic.gov.au/plastics

You may also like to promote the changes you are making through emails, newsletters, social media or simply by asking your team to remind customers verbally.

Please remember that it is an offence to provide (by act or omission) any false or misleading information about items included in the ban.

What should I do with leftover stock?

Banned items cannot be sold or supplied from 1 February 2023, even if they were purchased before the ban.

Since the ban was announced on 27 February 2021, many organisations have already changed to compliant alternatives. If you have not yet taken action, start running down existing stocks and do not order any additional banned items.

If you think you will have leftover stock, consider taking actions such as:

1. contacting your supplier to see if they offer exchanges or credit towards compliant replacements; or
2. contacting a local recycler to see if they can recycle bulk quantities (items cannot be placed into household or commercial recycling bins directly).

Offences do not apply to private or domestic activities at home. The intent is to remove these items from the supply chain prior to reaching the customer.

How can others help support the ban?

We encourage all businesses to communicate up and down your supply chain about the ban, so your suppliers, customers and team members are informed and prepared.

Other organisations, such as councils, landlords and peak representative bodies, are encouraged to distribute information and promote the information sessions available to their network.

Customers can help support the ban by choosing to go without disposable items, or to bring their own reusable items. Everyone can play a part in reducing waste, preventing litter and improving our environment.

SUPPORT AVAILABLE

Support for businesses

The Victorian Government has developed a website, information, resources and translated materials to assist businesses and organisations to understand the ban.

The Victorian Government has engaged the National Retail Association (NRA) to visit 3000 businesses across Victoria, hold information sessions, and provide a tollfree hotline. The NRA team are specialists in helping businesses understand and prepare for plastic bans across Australia.

Website & materials:
www.vic.gov.au/plastics

Tollfree hotline:
[1800 844 946](tel:1800844946)

Email:
sustainability@nra.net.au

Free information sessions

Free information sessions are being held **online every Friday at 11am AEDT** until February 2023.

These sessions are designed for all businesses (of any size or type) to 'pop in', ask questions, receive practical advice, and see what other businesses are doing. [Register for a session here >](#)

Reusable signage and support

Sustainability Victoria is providing store visits, information, and resources to help businesses and customers make the switch to reusables. More information: www.sustainability.vic.gov.au/plastics

Support for organisations / individuals

Organisations and members of the public are also encouraged to use the resources on the [website](#).

If you wish to contact the Victorian Government about the ban, please email: SUP.policy@delwp.vic.gov.au



If you need assistance with translating and interpreting, please contact Translating and Interpreting Service (TIS) on 131 450 or visit www.tisnational.gov.au

