

EPR AND POLICY DEVELOPMENT IN INDONESIA, INDIA, THAILAND, PHILIPPINES, VIETNAM

February 2022

Presented by Anne Johnson, Principal and Vice President, RRS

AGENDA TOPICS



Policy & the Circular Economy



Extended Producer Responsibility



Implications of EPR Implementation



Policy and EPR for Select Markets

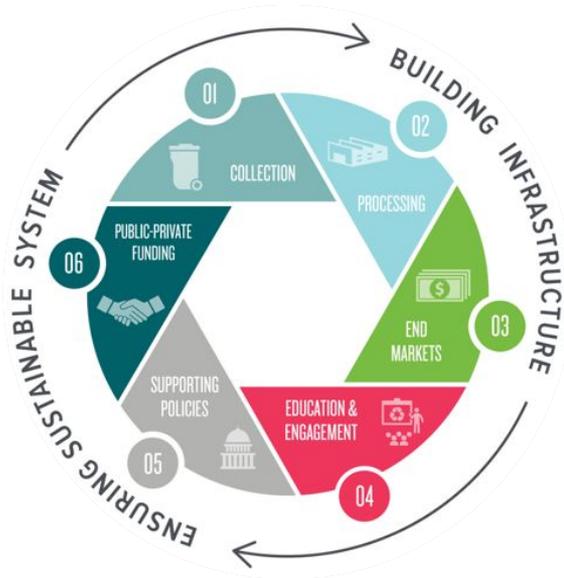


Takeaways

SECTION

01

**POLICY AND THE
CIRCULAR ECONOMY**



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ELEMENTS OF A SUSTAINABLE RECYCLING SYSTEM

POLICY AND THE CIRCULAR ECONOMY

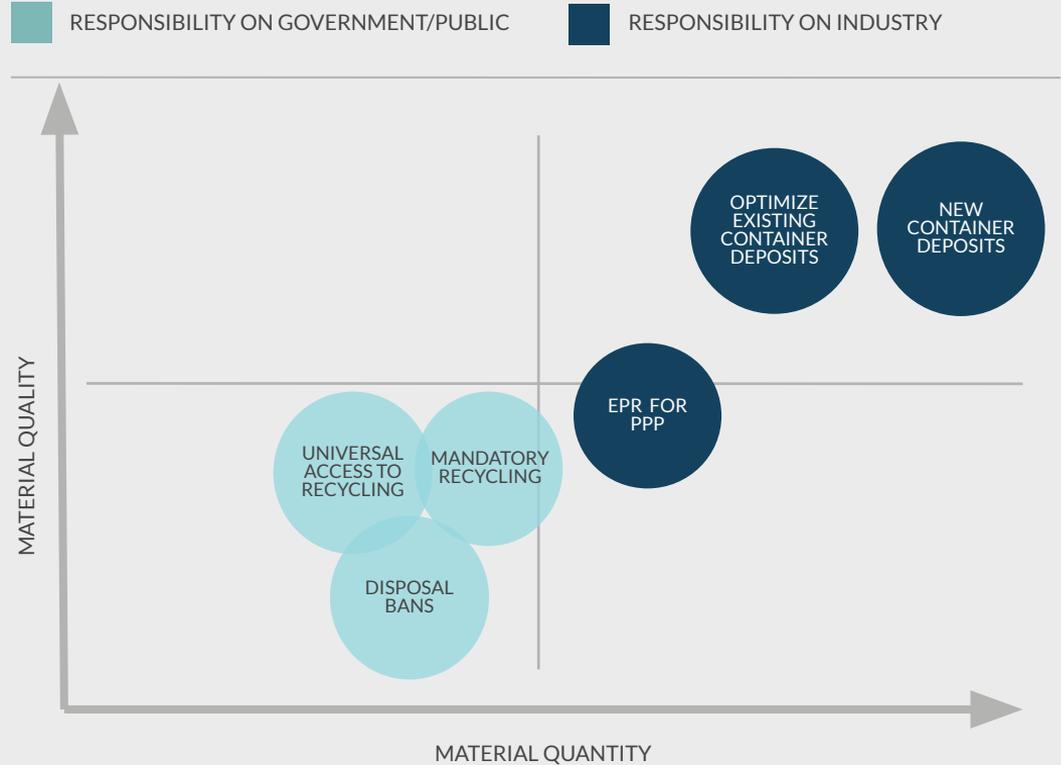
- The role of policy, as it pertains to waste management and producer responsibility, is to provide a set of mandatory and legally enforceable standards or requirements.
- Policy can formalize systems and align expectations for material management and create disincentives to penalize undesired management options.
- Some policies ensure funding mechanisms for recycling infrastructure and education.
- Eco-modulation of packaging fees can incentivize the elimination of problematic materials and encourage designing packaging for recovery systems.
- Supply side policies are focused on growing the supply of recovered material.
- Demand side policies create sustainable demand for recycled materials, making recycling programs more stable and profitable.
- Policies can stimulate economic development and drive innovation and investment in new materials, recycled end markets or new business models.

COMMON POLICIES TO SUPPORT CIRCULAR ECONOMY

POLICY	DISPOSAL BANS/ LANDFILL TAXES	RECYCLED CONTENT MANDATES	MANDATORY RECYCLING	CONTAINER DEPOSITS	EXTENDED PRODUCER RESPONSIBILITY	VOLUNTARY EPR
Intent	Disincentivize landfilling of specific materials	Grow demand and markets for recycled material	Grow supply of recovered material	Grow supply of recovered materials - beverage containers	Grow supply of recovered material – all packaging	Grow supply of recovered material – all packaging
Description	Prohibits disposal of designated items (e.g., beverage containers) with trash. Example: EU	Requires producers to use a specified amount of recycled content in their products or packaging. Example: EU	Requires service providers (public or private sector) to offer recycling everywhere waste collection is provided. Example: Select US States	Places a deposit on certain beverage containers that can be redeemed when returned for recycling. Example: EU and select US States	Mandatory scheme. Requires producers/brands/retailers to cover some or all of the costs of EOL management of packaging. Example: EU and Canada	Non-mandatory EPR schemes generally tied to recovery targets. Can be focused on all packaging or specific types of packaging. Example: S Africa, Australia and Canada
Impact	Can drive participation, when coupled with education, infrastructure, and enforcement.	Stabilizes demand for recycled materials by mandating producers to buy recycled content regardless of price.	Can drive participation when coupled with education, infrastructure, and enforcement.	Generates significant quantities of high-quality material suitable for closed-loop applications. Associated with high consumer participation.	Provides financial support and central coordination/management of recycling system.	Provides financial support and some coordination to recycling system. If targets are missed triggers regulated system.

LEADING SUPPLY-SIDE RECYCLING POLICY OPTIONS

This matrix is intended to give a directional sense of the impact of different policy options; exact outcomes will depend on the state targeted and the policy details.



SECTION

02

EXTENDED PRODUCER
RESPONSIBILITY

WHAT IS EXTENDED PRODUCER RESPONSIBILITY (EPR)?

"Extended producer responsibility (EPR) is a policy approach under which producers are given a significant responsibility – financial and/or physical – for the treatment or disposal of post-consumer products"

OECD n.d.



WHAT IS EXTENDED PRODUCER RESPONSIBILITY (EPR)?



What is EPR designed to do?

Designed to hold “producers” (typically brands and retailers) financially responsible for the end life management of their products or packaging, and to implement standards for management of designated post-consumer waste.

Eco-modulated fees can serve to incentivize the desired materials and formats. This ensures that waste packaging is collected, sorted, and recycled or responsibly disposed of in another way.



What does EPR not do?

EPR schemes are supply focused and do not grow end markets for recycled markets.

WHAT IS EXTENDED PRODUCER RESPONSIBILITY (EPR)?



How is EPR implemented?

EPR is most effective if implemented through legal regulation that specifies producers and the standards of post-consumer waste management that producers must meet. Fees are collected to support the management system and support recycling education.¹

Source: 1) Ellen MacArthur Foundation 2021



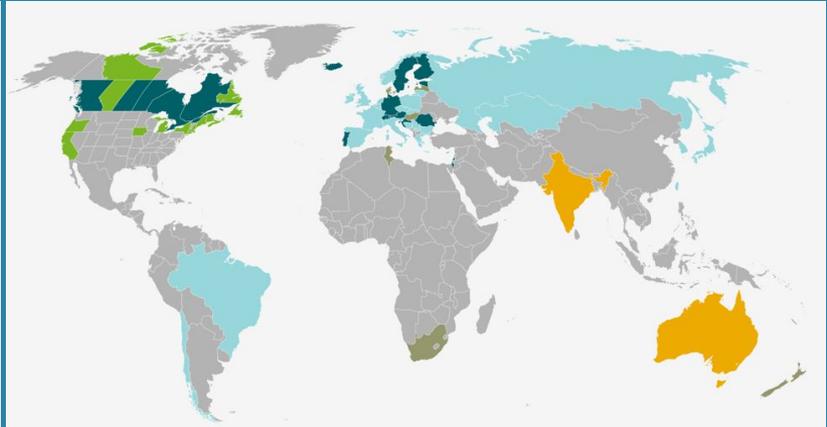
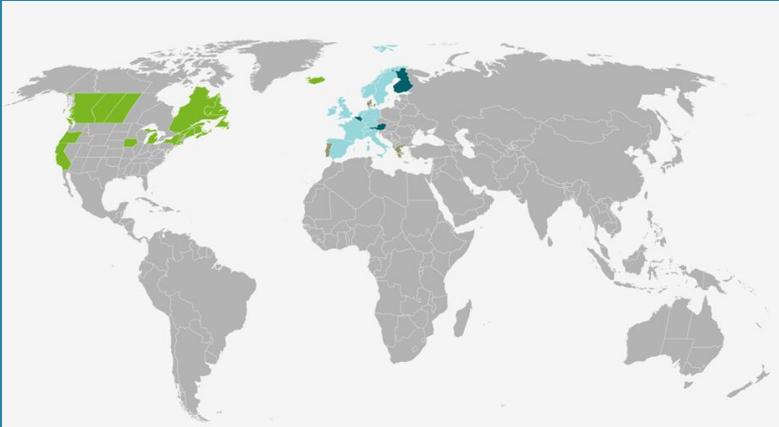
Who are "producers"?

Retailers, brand owners, distributors, and importers of products and packaging.

GROWTH OF EPR FOR PACKAGING AND PAPER PRODUCTS (EPR for PPP)

2000

2020



■ No EPR
■ Beverage Container Deposit

■ EPR
■ EPR + Beverage Container Deposit

■ Voluntary EPR, Packaging Tax, or Other
■ Voluntary EPR, Packaging Tax, or Other + Beverage Container Deposit

COMMON FEATURES OF EPR FOR PPP PROGRAMS



Created by legislation establishing rules and targets



Managed by one or more Producer Responsibility Organizations (PRO)



Guided by a Program Plan

COMMON FEATURES OF EPR FOR PPP PROGRAMS



Legal framework that outlines the rules and targets

- Sets requirements for producer responsibility for residential recycling programs
- Creates performance standards (e.g., recycling rates, service standards, etc.)
- Establishes oversight and reporting requirements



Producer responsibility organization (PRO)

- Authorized by regulation to represent producers.
- Manages obligates set in regulation
- Develops and implements program plan
- Sets and collects fees



Program Plan (approved by oversight agency)

- Roadmap for meeting goals and obligations set forth in legislation
- Designates impacted products or packaging
- Identifies valid options for managing post-consumer waste (e.g., collection and recycling)
- Education and outreach
- End market development

Organizations Active in Global Development of EPR

Organisation for Economic Cooperation and Development (OECD)

- OECD has published and updated a manual and guidance on EPR to support implementation in member countries.

Ellen MacArthur Foundation

- Statement Paper that calls on governments and businesses to act immediately for the implementation of EPR policies and schemes has been endorsed by more than 150 multinational businesses, investors, NGOs and other organizations.

World Wildlife Fund (WWF)

- Developed 15 basic principles for governments, the private sector, and other stakeholders to consider when designing an EPR scheme.
- "No Plastics in Nature" initiative – aims to eliminate unnecessary plastic waste items; double reuse, recycling and recovery; and ensure that remaining plastic is sourced responsibly.

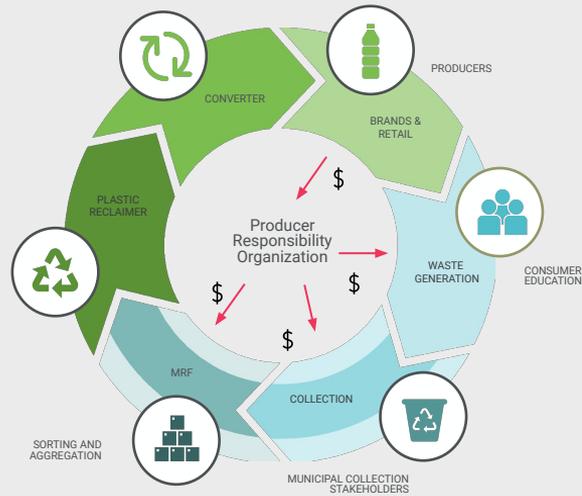
ROLES AND RESPONSIBILITIES IN EPR FOR PPP PROGRAMS





EPR FOR PPP IMPLEMENTATION CHALLENGES: GENERAL

- Appropriate roles for federal/state/provincial and local governments
- Proper balance of responsibility, authority and accountability
 - What decision making authority is appropriate for producers/funders?
 - What accountability is required by local governments/funding recipients?
- Industry engagement



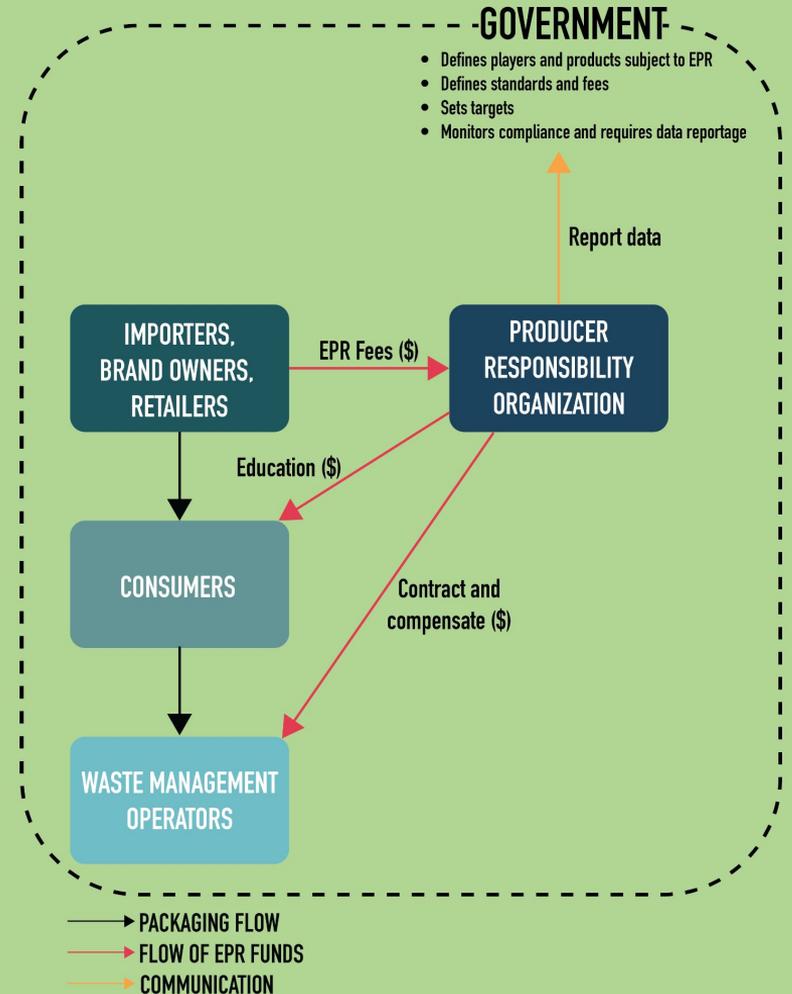
EPR FOR PPP IMPLEMENTATION CHALLENGES: SPECIFIC TO ASIA

- Complexity of relationships and number of actors between federal/state/provincial and local government
- Lack of formalized collection infrastructure in some markets and in rural areas
- Low level of consumer recycling education and engagement
- Lack of transparency within recovered material value chains and role of “unofficial” businesses
- Low to no cost for disposal
- Conflict of interest for some stakeholders
- Growth of waste plastic to RDF for cement kilns and waste to energy

IMPLEMENTING EPR FOR PPP IN ASIA – ADDITIONAL CONSIDERATIONS

- EPR schemes need to consider the local market context including available waste management infrastructure, existing policy, local culture, and readiness for implementation of key stakeholders, and ability to enforce requirements.
- Formal recognition of the role of the informal sector and integration in waste management systems and national EPR scheme.
- Investment and capacity building for recycling and waste management infrastructure and operators.
- Formal training/capacity building for waste and recycling workers.
- Public education and other mechanisms to promote separation at source are critical.
- Understanding of economic implications of implementing EPR in a country's market (i.e., how EPR will affect prices, small businesses, and employment.)

EPR SYSTEM

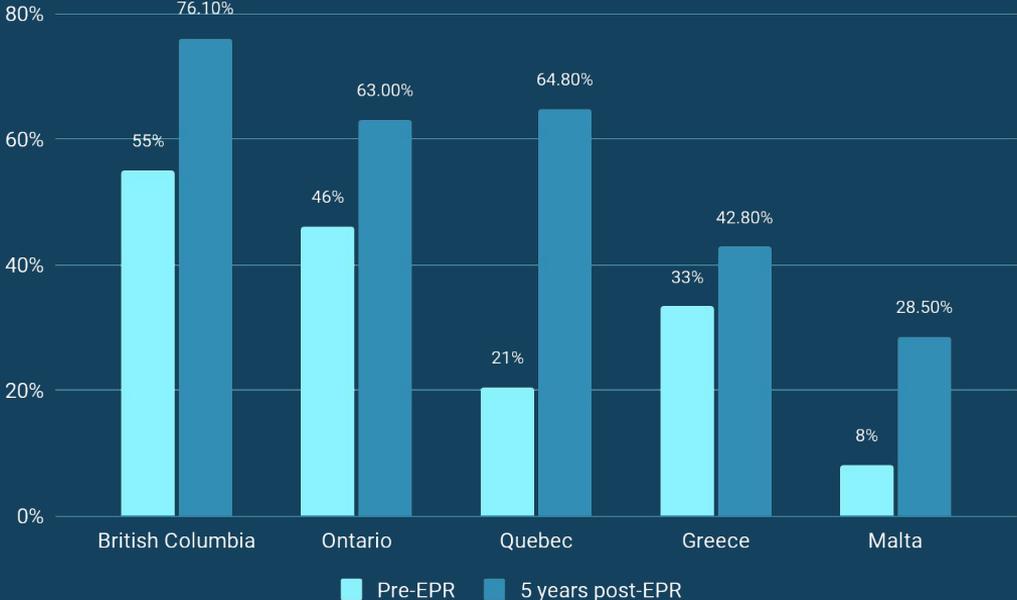


SECTION

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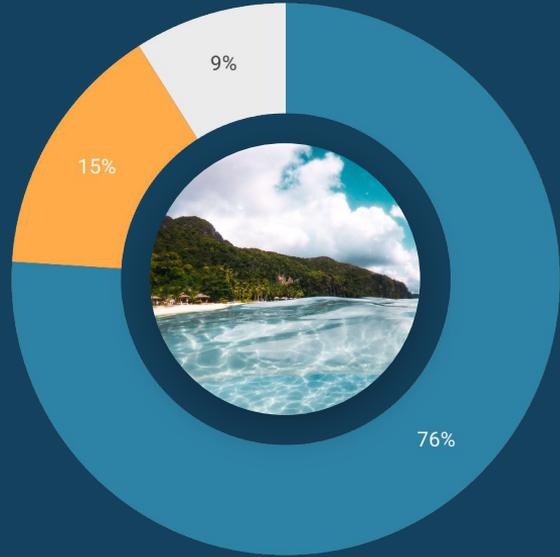
IMPLICATIONS OF EPR
IMPLEMENTATION

IMPACT OF EPR FOR PPP ON RECYCLING RATE



IMPACT OF EPR FOR PPP ON PRODUCT PRICING

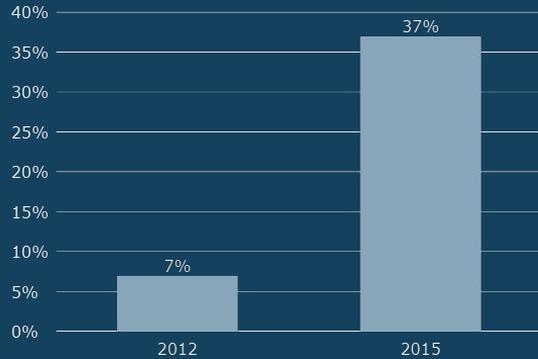
	Number of products	%
● Prices equal in communities studied	90	76%
● Higher price in communities in provinces with EPR for PPP	18	15%
● Higher price in communities in provinces without EPR for PPP	10	9%
Total	118	100%



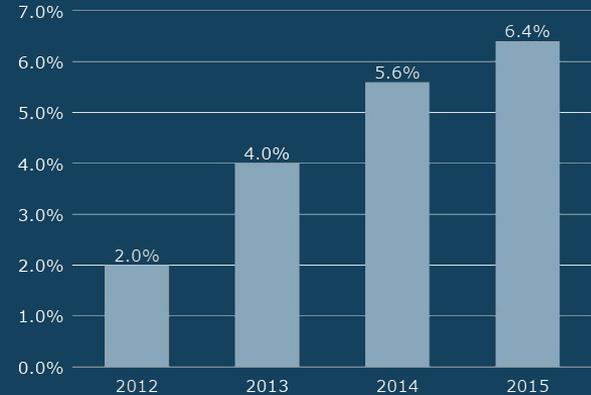
- Prices equal in communities studied
- Higher price in communities in provinces without EPR for PPP
- Higher price in communities in provinces with EPR for PPP

IMPACT OF EPR FOR PPP ON PRODUCT DESIGN

Increase in Packaging with Sorting Instructions

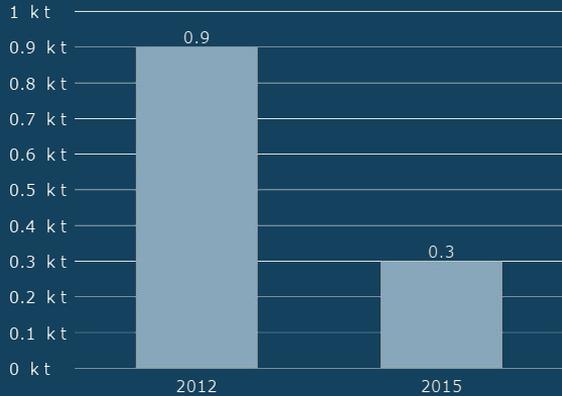


Percent of Packaging (by weight) Receiving Source Reduction Incentive

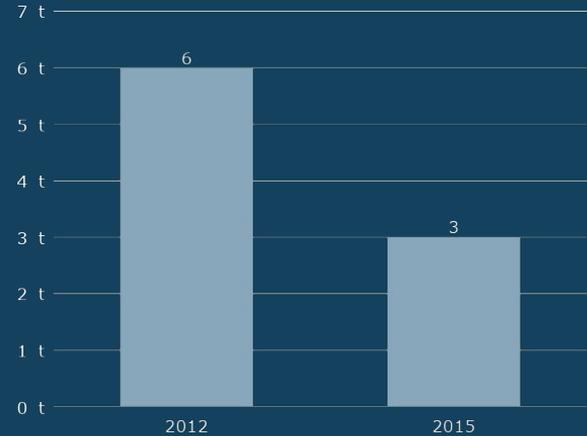


IMPACT OF EPR FOR PPP ON PRODUCT DESIGN

Decrease in Clear PVC Bottles



Decrease in PET bottles with Aluminum

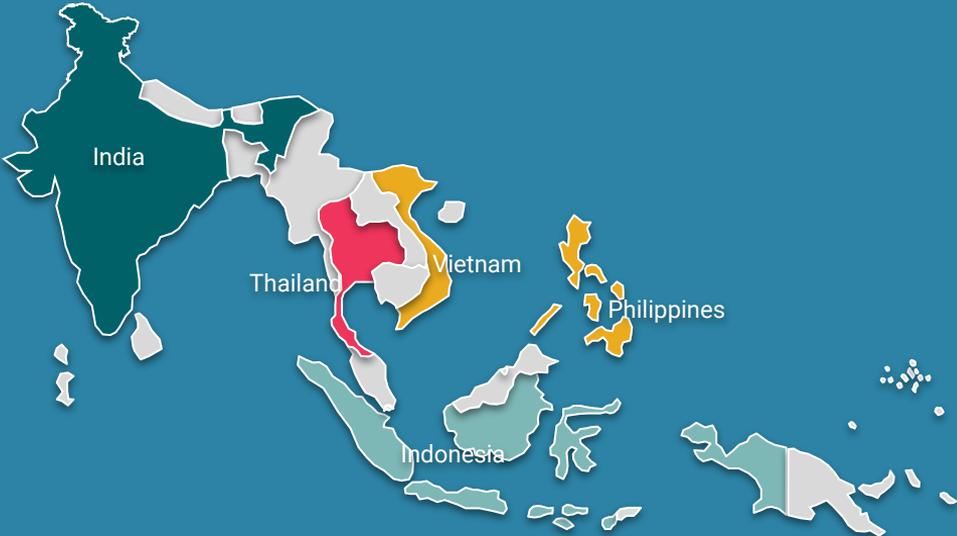


SECTION

04

**CURRENT POLICIES
AND THE STATUS OF
EPR BY COUNTRY**

MAP OF EPR STATUSES



- Has EPR legal framework
- Has EPR legal framework, but either focuses on e-waste and/or lacks guidelines for packaging and is not implemented
- Formally developing and preparing to pass EPR legislation
- Has no EPR legal framework

OVERVIEW OF EPR POLICY STATUSES BY COUNTRY

	THAILAND	INDONESIA	VIETNAM	PHILIPPINES	INDIA
EPR for Packaging Framework	No form of EPR has been legally established.	Law of Solid Waste Management (2008), supported by Ministerial Regulation 81/2012, has EPR framework for packaging. However, this framework has never been implemented.	Articles 54 and 55 of The Law on Environmental Protection (LEP), passed in 2020, are the legal framework for EPR. An EPR draft decree is in development and is intended to go into effect alongside the LEP.	Senate Bill 2425, a comprehensive guiding EPR framework, was voted on and passed by the Senate for a third and final time on Jan. 31, 2022. Senate Bill 2262, if passed, would require producers and importers of SUP products to adopt EPR programs.	Plastic Waste Management Rules, 2016 (amended by the Plastic Waste [Amendment] Rules, 2021) is the most comprehensive EPR legislation in India. Draft Uniform Framework for EPR is a forthcoming legislation intended to clarify EPR regulations and help EPR to be implemented on a local level throughout the country.
Legislative Status of Framework		The Roadmap of Waste Reduction by Producer (Ministerial Regulation No. 75/2019) requires producers to develop waste roadmaps to 2030. As of Nov. 2021, 31 manufacturing sector and retail sector roadmaps have been presented to the Ministry of Environment and Forestry.	Due to COVID-19 and further revisions, the EPR draft decree, which is supposed to guide the implementation of EPR and was supposed to go into effect in Jan. 2022, will likely not be implemented until 2023 or 2024.	Senate Bill 2425 has been passed by the Senate and will be transmitted to the President to be signed. There is no definite date for Senate Bill 2262's approval, but there is a chance it will be made into law during 2022.	The Draft Uniform Framework for EPR is expected to come into force by Dec. 2021, but at this time it is currently still under review.

THAILAND - POLICY & ROADMAPS

Policy



Plastic Bag Ban (2019)¹

- Thailand's Minister of Environment moved up the date for implementation of the ban on plastic bags less than 36 microns in thickness at major retailers from 2022 to Jan. 1, 2020.
 - Unfortunately, due to COVID-19 and the resultant rise in e-commerce and food delivery, plastic bag usage has gone up.

Plastic Waste Import Ban²

- MONRE is currently working with the PCD to form a control measure for plastic waste imports. This would cap the 2021 quota for plastic waste imports to 250,000 tons, and then the quota would be reduced by 20% each year until reaching a total ban by 2026.

Global Policy



Basel Convention Ban Amendment (2019) and Plastic Waste Amendments (2021)³

- While most signatory countries have ratified the Ban Amendment treaty, Thailand has yet to do so.
- The Ban Amendment aims to increase control of transboundary movements as well as increase industrial and commercial waste prevention and minimization, while the Plastic Waste Amendments were developed to enhance the control of transboundary movements of plastic waste.

THAILAND - POLICY & ROADMAPS

Roadmaps



Roadmap on Plastic Waste Management, 2018-2030 - Approved by cabinet in Feb. 2021¹

- Goal is to phase out in stages certain types of single-use plastics (e.g., plastic bags and single-use food & beverage packaging/products).
 - Calls for these products to be replaced with biodegradable/easy-to-recycle alternatives.
- Goal by 2027: 100% of plastic waste to flow in a circular economy model.
- Calls for the development of a plastic waste database and for tax incentives to encourage manufacturers to transition to biodegradable plastic packaging.

National Solid Waste Management Master Plan (2016-2021)²

- Goal by 2021: Thailand will collect and responsibly treat 75% of MSW produced.

Marine Plastic Litter (2019)

- Thai Government announced their goal of reducing marine litter by at least 50% by 2027 using a circular economy strategy.³

EPR IN THAILAND

Status of EPR Legislation

- No form of EPR has been established.
- The government began holding public consultations to discuss EPR in the beginning of 2020, but the discussion ceased due to the COVID-19 pandemic.

Obligated Producers

n/a

PROs & Others Involved

- No PRO has been established in Thailand.
- Some alliances have formed to advocate for EPR (e.g., Thailand Public-Private Partnership for Plastic and Waste Management [PPP Plastic] and the Thailand Institute for Packaging and Recycling Management for Sustainable Environment [TIPMSE])¹

Implicated Packaging

n/a

Key Market Challenges to Implementation

- Large volume of stakeholders involved in the solid waste collection and management systems (there are over 7,000 local administrations in Thailand).
- Policymakers do not seem willing to agree on EPR regulations.
- The newest legislation on waste management in Thailand, the National Roadmap on Plastic Waste Management 2018-2030 (approved Feb. 2021), makes no reference to EPR and does not formally hold producers responsible for what happens to their post-consumer products/packaging.
- Historically, solid waste policies have been poorly implemented.

INDONESIA - POLICY & ROADMAPS

Policy

Law of Solid Waste Management (Law No. 18/2008)

- Has EPR framework but has not been implemented.
- Introduced EPR by including in Article 15 that producers must manage their packaging and products which are unable to naturally decompose. However, there is no expansion on or clarification of how producers are expected to manage their waste.
- Supported by Ministerial Regulation 81/2012, Articles 12-15: Expanded on how producers should manage their packaging waste.

Presidential Regulation No. 35/2018¹

- Packaging producers are required to limit waste generation by producing packaging that minimizes waste generation and is easy to decompose.
- By 2022, packaging producers are required to produce raw materials using recycled materials.

Single-Use Plastic Bag Bans²

- Banjarmasin, Balikpapan, and Bogor enacted single-use plastic bag bans as early as 2016.
- In 2019, the Indonesian Supreme Court reviewed and approved the Bali single-use plastic bag ban ensuring that similar bans in other provinces could be upheld and enforced.
- More than 33 cities and regions have adopted similar bans, including Jakarta.

INDONESIA - POLICY & ROADMAPS

Roadmaps

Presidential Decree No. 97/2017, “A Roadmap Towards 2025”

Target waste reduction of 30% by 2025, and target waste diversion of 70% by 2025.

National Action Plan on Marine Debris 2017-2025 (2017)

- Government pledge to reduce plastic and other marine waste by 70% by 2025.
- Calls for the industrial sector to transition to using recycled plastics in production and produce more biodegradable plastics.

National Plastic Action Partnership (NPAP) Roadmap - Indonesia joined NPAP in 2019¹

Developed a national roadmap (and a financial roadmap) for eliminating plastic pollution. Contains a 5-point System Change Scenario which aims to achieve near-zero plastic pollution by 2040:

1. Substitute and reduce plastics to prevent the consumption of more than 1M tons of plastics per year by 2025.
2. 500,000 tons of plastic products and packaging should be redesigned for reuse or high-value recycling.
3. Plastic waste collection must be doubled to 84% by 2025 through boosting state-funded, informal, and private sector collection systems.
4. Recycling capacity must be doubled by an additional 975,000 tons per year through the building or expansion of plastic sorting and recycling facilities.
5. Controlled waste-disposal facilities need to be built or expanded to manage an additional 3.3M tons per year by 2025.

INDONESIA - POLICY & ROADMAPS

Roadmaps



Ministerial Regulation No. 75/2019, “Roadmap of Waste Reduction by Producer”

Requires producers to establish a waste reduction roadmap through 2030 and submit a waste reduction report to relevant local government offices. Allows for the Ministry of Environment and Forestry, governor, and regent/mayor to penalize producers who do not comply.

EPR IN INDONESIA

Status of EPR Legislation

Law of Solid Waste Management (2008), supported by Ministerial Regulation 81/2012, has EPR framework for packaging. However, this framework has never been implemented.

Roadmap of Waste Reduction by Producer (Ministerial Regulation No. 75/2019) was developed to push forward implementation of EPR and make producers align with the national waste reduction target of 30% by 2025.

- Requires producers to establish a waste reduction roadmap through 2030 and submit a waste reduction report to relevant local government offices.¹
- Outlines three main obligations of producers: 1) limit waste generation, 2) take back and reuse post-consumer products and packaging, and 3) take back and recycle post-consumer products and packaging.²

PROs & Others Involved

- Indonesia Packaging Recovery Organization (IPRO).
- **Voluntary PRO:** Packaging and Recycling Association for Indonesia's Sustainable Environment (PRAISE) (currently 6 major consumer brands with public commitments).
- **NGOs:** Indonesian Plastics Recycling Association (ADUPI); **Government:** Ministry of Environment and Forestry.

Obligated Producers

- Retailers and manufacturers of packaging and products related to food and beverages, consumer goods, personal care, food services, and retail, as well as service providers of food and beverage products (e.g., restaurants, catering companies, hotels, etc.).¹

Key Market Challenges to Implementation

- Reliance on informal collection and material supply chains will make implementation very challenging due to the number of actors involved and the lack of transparency in the supply chain.
- Lack of enforcement of existing regulations and lack of clear guidelines.
- Indonesia has a weak waste collection and management system. Very low waste collection rate, especially in rural areas.

Implicated Packaging

- Plastic, aluminum, glass, and paper.
- PVC, plastic straws, and polystyrene are banned by Jan. 1, 2030.³

VIETNAM - POLICY & ROADMAPS

Policy

Law on Environmental Protection (LEP), 2020 - revised 2014 LEP, will go into effect Jan. 1, 2022

- Articles 54 and 55 are the legal framework for EPR in Vietnam.

Decree requiring 80% quota on imported recycled materials, with the remaining 20% required to come from domestic sources - expected to be enforced by Jan. 2025¹

- Only materials allowed to be imported are secondary and to be used for production (deposit fee required; not allowed to import materials for secondary processing or resale.

Decree guiding the implementation of the LEP ("Draft Decree")^{2*}

- EPR will apply to various product sectors as well as packaging sectors:
 - Producers & importers of packaging in the food and beverage, detergent, cosmetics, shampoo and conditioner, and pharmaceuticals categories, as well as product packaging with a capacity of more than 500ml.
 - Producers & importers of products including electronics, tires, batteries, lubricants, and electric vehicles.
- 3 ways businesses may implement EPR: 1) Recycle their post-consumer waste, 2) recycle through a product recycling organization, or 3) financially contribute to the Vietnam Environment Protection Fund (VEF).
- Will specify a minimum raw materials recovery rate of 50% and a take-back requirement for recyclable products and packaging, and an advance disposal fee applicable for products and packaging with difficult collection.³

¹In a recent discussion between RRS and a person closely following the EPR draft decree, it was suggested that the decree would not actually take effect for another 1-2 years due to COVID-19 and a slow legislative process.
Sources: 1) Sanderson 2021 2) IUCN 2021a 3) IUCN 2021b

VIETNAM - POLICY & ROADMAPS

Roadmaps



National Strategy on Integrated Solid Waste Management to 2025, with a Vision to 2050 (2009, last amended 2018)¹

- Government to enforce the Polluters Pay Principle (PPP) approach to individuals and organizations that generate waste which fails to be treated responsibly.
- Solid waste should be collected and managed as a resource for future materials or energy.

Action Plan on Marine Plastic Waste Management for the Fisheries Sector, 2020-2030 period (2021)²

- Calls for the industry to transition to a fully circular approach.

National Action Plan for Management of Maritime Plastic Litter by 2030 (2020)³

- Identifies increased rates of recycling and the elimination of single-use plastics as vital mechanisms.
- Reduce marine plastic litter by 50% by 2025 (75% by 2030).
- Prevent the use of single-use plastics and plastic bags in 80% of coastal tourism areas by 2025 (100% by 2030).

Vietnam National Plastic Action Partnership (NPAP, subgroup of WEF GPAP)⁴

- To be launched Aug./Sept. 2021: Roadmap with proposed regulation to curb plastic pollution and marine plastic debris. Developed by MONRE, WEF, and the WWF.
- 130 partners in GPAP are working on developing and implementing roadmap for plastic waste in Vietnam. Members have access to government ministries and have support.

EPR IN VIETNAM

Status of EPR Legislation

Forthcoming: The Law on Environmental Protection (LEP), passed in 2020, and the draft decree were intended to go into effect Jan. 2022 (with a grace period to Jan. 2023 for the draft decree), however, the finalization of the draft decree has been continuously pushed back and could go into effect much later.

- Articles 54 and 55 of the LEP are the legal framework for EPR targeting packaging.

The draft decree will be a roadmap for the implementation of EPR as directed in articles 54 and 55 of the LEP.

- Will specify who the producers are that will be accountable to the national EPR scheme and the requirements that they must abide by.
- Will enforce a required recycling rate that will gradually increase (rate TBD) and will require the development of a reporting mechanism so violators of EPR laws will have an additional 30% in recycling expenses.¹

PROs & Others Involved

- **Government:** Ministry of Natural Resources and Environment (MONRE)
- **Voluntary PRO:** PRO Vietnam (currently made up of 10 major consumer brands that have made public commitments)
- **NGOs:** Vietnam Zero Waste Alliance; Global Plastic Action Partnership (GPAP), WWF, WEF

Obligated Producers and Implicated Packaging

- Manufacturers and importers of packaging in the following sectors: food & beverage, detergents, cosmetics, shampoo & conditioner, pharmaceuticals, and other products used in transport or packing of plastic goods with a capacity of more than 500 ml. And manufacturers and importers of recyclable products related to electronics, tires, batteries, lubricants, and electric vehicles.²

Key Market Challenges to Implementation

- Enforcement of EPR policies and regulation at the local level, especially in rural municipalities.
- Lack of recycling infrastructure capable of handling high-level capacities of waste.
- Large role of “unofficial businesses” to aggregate and sell material.

PHILIPPINES - POLICY & ROADMAPS

Policy

Republic Act No. 9003, “Ecological Solid Waste Management Act of 2000”

- Guiding national ecological solid waste management program.

House Bill No. 7609, “An Act to Promote Circular Economy and a Whole-of-Nation Transition Towards a Sustainable Future”

- The legal framework for the Philippines' National Sustainable Consumption and Production (SCP) Action Plan (2020-2040).

Senate Bill No. 2425, “Extended Producer Responsibility (EPR) Act” - Approved by the Senate on Jan. 31, 2022¹

- Amends the Republic Act No. 9003 (Ecological Solid Waste Management Act) and institutionalizes EPR.
- Sets targets for producers, manufacturers and importers of consumer goods using plastic packaging to 2030 and stipulates fines for failure to comply.
- Exempts micro, small, and medium enterprises from EPR programs.
- Calls for redesigning packaging for recyclability/reusability, phasing out non-recyclable products and packaging, implementing collection programs and alternative delivery systems.

PHILIPPINES - POLICY & ROADMAPS

Policy



Senate Bill No. 2262 (formerly HB 9147), "Single-Use Plastic Products Regulation Act" (2019)¹

- Filed in June 2021 and was approved by the Philippines House of Representatives in late July. Senate has yet to make a decision.
- Consolidation of 41 other bills and resolutions related to EPR, the circular economy, and managing plastic waste.
- Prohibits the production, import, and sale of most single-use food packaging and products.²
 - Would require plastic straw, stirrers, and bags thinner than 10 microns to be phased out within 1 year of the bill passing.
 - Would require non-compostable plastic cutlery, expanded polystyrene, film wrap, and sachets to be phased out within 4 years of the bill passing.
- Requires producers and importers to establish responsibility programs and mandates that government agencies implement programs to help manufacturers acquire sustainable raw materials and technology for recyclable materials.

Roadmap



Philippines' National Plan of Action for the Prevention, Reduction and Management of Marine Litter (launched Nov. 2021)³

- Roadmap to 2040, intended to set strategies for guiding the Philippines' private and public sectors into a circular economy model, focusing on an enhanced waste management system and sustainable consumption and production practices, to prevent the leakage of plastic waste to the marine environment.

WWF-Philippines, "Extended Producer Responsibility (EPR) Scheme Assessment for Plastic Packaging Waste in the Philippines" (published Jan. 2022)

- Targets the plastic packaging industry and proposes an EPR scheme led by an industry-led, non-profit producer responsibility organization (PRO) that prioritizes building high-quality recycling capacity in the region.

EPR IN PHILIPPINES

Status of EPR Legislation

Current: Senate Bill 2425, "Extended Producer Responsibility (EPR) Act" - Approved by the Senate on Jan. 31, 2022.

- Amends the Republic Act No. 9003 (Ecological Solid Waste Management Act) and institutionalizes EPR.
- Sets targets for producers, manufacturers and importers of consumer goods using plastic packaging to 2030 and stipulates fines for failure to comply.
- Sets targets for required companies to 2030 and stipulates fines for failure to comply.
- Exempts micro, small, and medium enterprises from EPR programs.

Forthcoming: Senate Bill 2262, "Single Use Plastic Regulation Act"

- If this bill passes, within two years, producers and importers of single-use plastic products would be required to adopt EPR programs; however, the bill does not give a comprehensive EPR strategy.¹

PROs & Others Involved

- **Voluntary PRO:** The Philippine Alliance for Recycling and Materials Sustainability (PARMS) (currently made up of 10 major consumer brands that have made public commitments)
- **Government:** National Solid Waste Management Commission

Obligated Producers

- Senate Bill 2262 targets producers and importers of single-use plastic products, even compostable or recyclable products.
- Senate bill 1331 targets all producers, importers, and retailers of packaging.

Key Market Challenges to Implementation

Cooperation of the private sector

- In an interview given Nov. 1, 2021, with Rappler, Crispian Lao said that members of PARMS are not currently in favor of disclosing their plastics production volumes due to perception of unrealistic EPR targets laid out in SB 2262.²

Implicated Packaging

- Senate bill 2262 targets all single-use packaging.
- Senate bill 1331 targets all packaging.

INDIA - POLICY & ROADMAPS

Policy

Plastic Waste (Management & Handling Rules, 2011)

- Made municipal authorities responsible for establishing and operating a waste management system for plastic waste.
- (Replaced by the Plastic Waste Management Rules, 2016.)

Draft Uniform Framework for Extended Producer Responsibility (expands Plastic Waste Management Rules, 2016) - was expected to be implemented by Dec. 6, 2021 but is under evaluation.

- Expands scope of EPR to both pre-consumer and postconsumer plastic packaging waste.
- By 2024, requires plastic packaging producers to collect all of their waste and ensure a specific percentage is reused or recycled.
- Specifies recycling/reuse targets for rigid, flexible, and multi-layered plastics.

Notification to the Plastic Waste (Amendment) Rules, 2021¹

- Requires plastic bags to have a minimum thickness of 75 microns by Dec. 2022.
- Bans specified single-use plastic items by July 2022.
- Requires plastic waste not covered under the single-use plastic ban to be collected and managed by the producer, importer, or brand owner.
- Specifies annual quantities of waste that producers, importers, and brand owners will have to collect and manage until implementing a 100% collection requirement in 2024.²

INDIA - POLICY & ROADMAPS

Roadmap



The India Plastics Pact (IPP), launched in Sept. 2021

- Currently developing a national framework for a circular economy for plastics with aligned targets and associated reporting by the plastic businesses in India.

EPR IN INDIA

Status of EPR Legislation

Plastic Waste Management Rules, 2016 (amended by the Plastic Waste (Amendment) Rules, 2021) is the most comprehensive EPR legislation in India.

Forthcoming: Draft Uniform Framework for Extended Producer Responsibility, under Plastic Waste Management Rules, 2016 (Released Oct. 6, 2021, for public comments. Expected to be enacted in 2021, but is currently still receiving comments)

- Detailed plan for how EPR will work and be enforced in India.
- Mandates that by 2024 plastic packaging producers must collect all post-consumer waste packaging for recycling or reuse, while minimizing the amount that must go to landfill/cement kilns/waste-to-energy.¹

PROs & Others Involved

- There are a number of voluntary PROs in India. Exact number unknown as The Central Pollution Control Board discontinued mandatory registration.
- **NGOs:** Recycle India Foundation; World Institute of Sustainable Energy (WISE).
- **Government:** The Ministry of Environment, Forest and Climate Change; Central Pollution Control Board (CPCB).

Obligated Producers and Implicated Packaging

- Producers, importers, brand owners, e-commerce players, and plastic waste processors related to plastic packaging.
- Draft Uniform Framework for EPR has three categories for plastic packaging: 1) rigid plastic, 2) flexible plastic, and 3) multi-layered plastic. Rate of mandatory EPR intervention will increase every year for each category. By 2027, 80% of rigid plastic packaging must be recycled, while 60% of flexible and multi-layered plastic packaging must be recycled.¹

Key Market Challenges to Implementation²

- Undefined guidelines and regulations pertaining to the role of producers, importers, and brand owners.
- High volume of stakeholders in the system and inaccurate data and reporting have created further confusion and hindered uniform implementation across the country.
- Inadequate infrastructure and lack of at-source segregation.
- Draft EPR framework has been criticized for not taking into account the role of the informal sector.



TAKEAWAYS

- Policy plays a key role in developing economically sustainable recycling systems by addressing funding for infrastructure, consumer education and standards for performance.
- EPR for PPP is expanding globally and is a proven policy that supports the circular economy – especially when combined with other supporting policies.
- EPR for PPP in Asia is progressing rapidly but its development is very dynamic, especially during Covid-19. There is still significant work to do before these policies can be effectively implemented.
- EPR is effective at growing the supply of recyclable materials and creating economic incentives to improve packaging design.
- Implementation of EPR in markets without strong existing regulatory structures for recycling and related infrastructure requires substantial capacity building, monitoring and oversight.
- The role of RDF needs to be clarified in EPR schemes to ensure it does not undermine efforts to develop a circular economy in Asia.

THANK YOU

NEXT LEARNING SESSIONS:

Bioplastics and Alternative Materials
Advanced Recycling Technologies



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