

**Confirmed Minutes of the 248th Meeting
of the Advisory Council on the Environment (ACE)
on 6 September 2021 at 2:30 p.m.**

Present:

Mr Stanley WONG, SBS, JP (Chairman)

Prof Nora TAM, BBS, JP (Deputy Chairman)

Ms Sylvia CHAN, MH

Ms Ada FUNG, BBS

Ir Samantha KONG

Ms LAM Chung-yan

Prof LAU Chi-pang, BBS, JP

Prof Alexis LAU, JP

Ms Julia LAU

Dr Winnie LAW

Mr Andrew LEE

Prof Kenneth LEUNG, JP

Dr MA Kwan-ki

Ms Christina TANG

Mr Simon WONG, BBS, JP

Dr WONG Kwok-yan, MH

Prof WONG Sze-chun, BBS, JP

Dr Raymond YAU

Mr Owin FUNG, JP (Secretary)

Absent with Apologies:

Ms Carmen CHAN, BBS, JP

Dr Jeanne NG

Dr SUNG Yik-hei

In Attendance:

Mr Simon CHAN

Assistant Director (Conservation), Agriculture,
Fisheries and Conservation Department (AFCD)

Ms Maggie CHIN

Assistant Director of Planning / Technical Services
(Acting), Planning Department (PlanD)

Ms Fanny HUI

Chief Information Officer, Environmental Protection
Department (EPD)

Ms Becky LAM

Chief Executive Officer (CBD), EPD

Miss Sally SHEK
Miss Ingrid SUEN

Executive Officer (CBD) 1, EPD
Executive Officer (CBD) 2, EPD

In Attendance for Item 3:

Mr Raymond WU
Mr FONG Kin-wa

Deputy Director of Environmental Protection (2), EPD
Assistant Director (Waste Reduction and Recycling),
EPD

Ms Joanne YUNG

Principal Environmental Protection Officer (Waste
Reduction and Recycling), EPD

Action

The Chairman welcomed Members to the meeting and informed that apologies of absence had been received from Ms Carmen Chan, Dr Jeanne Ng and Dr Sung Yik-hei.

Item 1 : Confirmation of the draft minutes of the 247th meeting held on 6 June 2021 (Closed-door session)

2. The draft minutes of the last meeting were confirmed without any proposed amendments.

Item 2 : Matters arising (Closed-door session)

3. There were no matters arising from the minutes of the last meeting.

Item 3 : Public Consultation on the Scheme on Regulation of Disposable Plastic Tableware
(ACE Paper 15/2021)

4. The Chairman referred Members to *ACE Paper 15/2021* on the two-month public consultation launched by the Government on 9 July 2021 to consult the public on the Scheme on Regulation of Disposable Plastic Tableware (the Scheme) in order to reduce the use of disposable plastic tableware at source.

5. A Member declared that he was the Chief Executive Officer of LH Group and had interests in the food and beverage industry. The Chairman agreed that the Member could continue to participate in the meeting and the discussion of this item.

(The presentation team joined the meeting at this juncture.)

Presentation cum Question-and-Answer Session (Open session)

6. Mr Raymond Wu gave an opening remark and Mr Fong Kin-wa briefed Members on the background, considerations and the implementation details of the Scheme with the aid of a PowerPoint presentation.

Scope of Coverage

7. In reply to a Member's enquiry about the definition of the disposable plastic tableware, Mr Raymond Wu advised that it generally referred to plastic catering utensils that were made for short-term usage i.e. not designed to be re-used for the same purpose for multiple times. To avoid any loopholes, the Member and the Chairman remarked that the Government should be vigilant in defining disposable plastic tableware under the Scheme. Mr Wu assured that the definition of disposable plastic tableware would be clearly defined in the relevant regulation.

8. The Chairman enquired whether the excessive packaging for packaged food as well as the sale of disposable plastic tableware in retail stores would be regulated under the Scheme. While the Scheme focused on the prohibition of the provision of disposable plastic tableware by catering premises to customers, Mr Raymond Wu advised that the Council for Sustainable Development would very soon launch another public engagement exercise on the regulation of other types of single-use plastic products.

9. A Member went on to ask if the catering premises in food courts with seating or tables available in the adjacent area for customers were regulated as dine-in in the first stage of the Scheme. Mr Raymond Wu advised that it involved the ownership and management of the common dining areas concerned. He supplemented that the Government would explore the possibility of including catering operators in food courts in the first stage of the Scheme.

10. In response to a Member's suggestion to include pre-packaged food sold in supermarkets under the Scheme, Ms Joanne Yung explained that supermarkets or catering operators with Food Factory Licence, which packaged the food products on the spot, would be defined as catering premises providing takeaway services under the Scheme. Pre-packaged food products that were manufactured by food

manufacturers in factories outside catering premises would be excluded from the scope of the Scheme. The Government would however explore the regulation of other single-use plastics such as pre-packaged food products in a separate public consultation exercise to be launched by the Council for Sustainable Development shortly.

11. In response to a Member's suggestion to tackle the problem of waste plastic beverage containers, Mr Raymond Wu said that the Government had taken various initiatives to reduce waste from plastic beverage containers. For example, a public consultation exercise on the Producer Responsibility Scheme on Plastic Beverage Containers was completed and Reverse Vending Machine Pilot Scheme had been launched to encourage recycling of plastic beverage containers.

Implementation Timetable

12. In reply to a Member's enquiry on the earliest commencement date of the Scheme, Mr Raymond Wu clarified that the Government targeted at proceeding to legislative procedures in 2022 and commencing the implementation of the first phase of the Scheme in 2025.

13. While commending the regulation of disposable plastic tableware, five Members considered that the implementation timeframe of the Scheme should be expedited if possible. A Member was of the view that it was important to strike a balance between the interest of different stakeholders and the ultimate goal of achieving waste reduction at source. He considered that the timetable for the implementation of the Scheme should not be too aggressive. Mr Raymond Wu thanked the Member for his understanding and supplemented that the implementation timeframe was devised with reference to the regulatory approach in other economies and had taken into account the time needed to amend the relevant legislation and provide reasonable time for the catering sector to adjust the supply chain amid the pandemic.

14. Pointing out that disposable tableware was mainly used in catering takeaway services, a Member raised that it was too conservative to ban certain types of disposable plastic tableware for takeaway services in the second phase, which had an uncertain launch date. Another Member went on to suggest that the Government should provide a concrete timetable for the second phase. A Member added that the Government should devise a plan for the regulation of non-plastic

alternatives in the long run in anticipation of the surge in waste disposal arising from non-plastic tableware alternatives.

15. Mr Raymond Wu explained that there was a lack of proven non-plastic alternatives for certain types of tableware, in particular food containers and cups that could hold hot soup or drinks. In view of the maturity of the market for alternatives, the launch date of the second phase would need to be reviewed and confirmed. Nonetheless, Mr Wu was optimistic that with the advancement in technologies and the rising global demand, economical alternatives suitable for use in the local context would be available in the market in the future.

16. To speed up the implementation process, a Member suggested banning the provision of disposable plastic tableware for customers to take away the leftovers from dine-in services and for food stalls in country parks as well as other public recreational and sports facilities in the first phase of the Scheme. A Member suggested and another Member concurred that the regulation of disposable expanded polystyrene (EPS) tableware should be advanced given its detrimental impact on the environment. Mr Raymond Wu thanked for their suggestions and would take them into consideration where appropriate.

17. A Member suggested that the regulation of disposable plastic tableware for large-scale catering operators should be implemented prior to 2025 as they should have more financial resources and social responsibility on environmental protection. He also suggested that the regulation under the second phase should be advanced to 2025 as well. The Chairman opined that the implementation schedule for all catering operators should be the same to ensure fairness and encourage market competition.

18. Considering that 2025 was an opportune time to commence the Scheme, Mr Raymond Wu replied that it would be more desirable to implement a regulation scheme with simple and clear messages.

19. A Member remarked that the Government should take the lead to ban the use of disposable plastic tableware in catering premises under the Government as early as possible. Mr Raymond Wu advised that the Government had banned the use of plastic straws and polyfoam food containers in catering premises at Government venues since 2019. It was expected that around 90% of these premises would cease the provision of disposable plastic tableware by the end of

2021.

Non-plastic Disposable Tableware Alternatives

20. With a view to achieving waste reduction at source, the Chairman and two Members considered that the use of all types of disposable tableware including non-plastic alternatives should be discouraged and prohibited for dine-in services. Mr Raymond Wu highlighted that disposable plastic tableware was detrimental to the marine ecosystem when accidentally entered the sea. The plastic particle might enter into human food chain and threaten human health. As such, priority was accorded to the regulation of disposable plastic tableware. In view of the maturity of the market for alternatives at the moment, a progressive approach would be adopted to regulate different types of disposable tableware.

21. Two Members were concerned about the potential abuse in the use of non-plastic disposable tableware alternatives and suggested that the Government should set up a certification scheme or appropriate regulation for the alternatives. Another Member added that the Government should provide information to the public on the available options of non-plastic alternatives as early as possible to prepare for the regulation. Mr Raymond Wu advised that a set of standards or suitable alternatives for tableware to be regulated under the Scheme would be devised shortly. However, given the broad diversity of non-plastic alternatives in the market, a certification scheme for non-plastic alternatives might be too complex and cause confusion for members of the public and the catering industry to follow.

Reusable Tableware

22. A Member opined that only reusable tableware should be allowed for dine-in services given most of the catering premises should be equipped with tableware washing facilities. To encourage the use of reusable tableware for takeaway, another Member suggested that the Government might consider providing central collection and cleaning services for reusable tableware such that catering operators could provide reusable tableware for takeaway and members of the public could return the used tableware to catering operators. A Member shared her experience of coffee shops sharing reusable coffee cups and suggested that the Government might draw experiences from them in promoting and encouraging the use of reusable tableware for takeaway services. While it was important to strive for waste reduction, Mr Raymond Wu highlighted the

importance of balancing the interest of different stakeholders as well the needs of certain members of the public for takeaway. He said that the Government would draw references from local and overseas experiences in devising policies and measures where appropriate.

Degradable Products

23. A Member suggested that the Government should educate the public on the limitations and environmental concern of degradable products to avoid misconceptions. Mr Raymond Wu agreed and advised that the limitations and concerns of degradable products had been set out in the public consultation document.

Financial Incentives

24. In view of the current limitations of non-plastic alternatives for certain types of tableware such as food containers and cups, a Member shared the experience of his company in facilitating coffee shops to provide reusable coffee cups to customers and suggested that the Government should consider to provide financial incentives for the development of smart solutions to encourage the use of reusable tableware by rebate to customers for using reusable tableware. The Chairman agreed that the provision of rebate could promote and encourage the use of reusable tableware. Another Member suggested that imposing levy for non-plastic disposable tableware would provide a strong disincentive for members of the public to switch to reusable tableware. A Member further suggested providing subsidy to catering trades for procuring reusable tableware and tableware washing facilities. Mr Raymond Wu advised that EPD would be pleased to examine the feasibility of their suggestions.

Statistics on Waste Disposal

25. A Member enquired about the forecast in the reduction of waste plastics upon the implementation of the first phase of the Scheme. Another Member concurred with the Member that the Government should collate baseline statistics of discarded plastic tableware from dine-in services and takeaway services to facilitate the evaluation of the effectiveness of the Scheme. Mr Raymond Wu advised that as gathered from waste survey at waste facilities, around 160 tonnes of plastic tableware and 40 tonnes of EPS tableware were disposed of at landfill each

day in 2019 in which the majority was disposable plastic tableware, however the source of the discarded tableware was unavailable. The Member further suggested that the Government should explore the possibility of establishing the relevant baseline statistics.

Other Waste Reduction Initiatives

26. While two Members were supportive of the Scheme in general, they suggested that the Government should devise a holistic plan to achieve overall waste reduction through reducing, reusing and recycling. For example, there should be regulation for other EPS products apart from the catering industry. The Chairman suggested and a Member concurred that the Government should step up the efforts of waste reduction initiatives, especially through education and promotion before the implementation of the Scheme. Another Member further suggested that the Government should leverage on the success of the community recycling network for the promotion of waste reduction at source as well as the recycling of disposable plastic tableware. A Member added that the Government should devise a plan for regulating other types of waste plastics such as packaging of parcels or plastic container for household products.

27. Mr Raymond Wu assured that the Government would spare no efforts in implementing multi-pronged waste reduction and recycling initiatives which had been set out in the Waste Blueprint for Hong Kong 2035 with a view to achieving overall waste reduction. He highlighted some key initiatives such as the implementation of municipal solid waste charging, public consultation exercise on producer responsibility scheme on plastic beverage containers and the control of single-use plastics. Mr Fong Kin-wa supplemented that various promotional campaigns such as "Plastic-Free Takeaway, Use Reusable Tableware" and "Plastic-free" School Lunch Pilot Scheme had been launched to encourage the use of reusable food containers and tableware.

Conclusion

28. The Chairman thanked the representatives of EPD for their presentation and detailed explanations, and summarised the views made by Members and concluded that Members were in general supportive of the Scheme which targeted to reduce the use of disposable plastic tableware at source.

Internal Discussion Session (Closed-door session)

Implementation Timetable

29. In order to shorten the timeframe for the Scheme, a Member suggested that the Government should consider banning all types of disposable tableware for dine-in services in the first phase of the Scheme. While explaining that there were relatively few catering premises providing disposable plastic tableware for dine-in services, Mr Raymond Wu thanked the Member for her suggestion and would take it into consideration.

Non-plastic Disposable Tableware Alternatives

30. Pointing out that there might be environmental concern arising from the use of non-plastic alternatives, a Member suggested and another Member concurred that priority should be accorded to the use of reusable tableware. The two Members further suggested that imposing levy on non-plastic alternatives or providing rebate for reusable tableware would encourage members of the public to practise waste reduction at source. Mr Raymond Wu replied that in view of the detrimental effect of plastic to the marine ecosystem, the priority was to regulate the use of disposable plastic tableware. He supplemented that the Government would continue to review and formulate policies with a view to achieving waste reduction at source.

31. A Member suggested that the Government should set up certification scheme or benchmark for different types of non-plastic disposable tableware with a view to providing more comprehensive information to facilitate the public to better understand the different choices available in the market. Mr Raymond Wu replied that given the broad range of non-plastic alternatives in the market, a certification scheme for non-plastic alternatives might be too complex for implementation and for members of the public to follow.

Cost Implication

32. In reply to the enquiry of a Member about the cost differences between disposable plastic tableware and non-plastic alternatives, Mr Raymond Wu shared that there could be a few percent cost increase for a take-away meal should the EPS food container and plastic cutlery be replaced with plastic food container and

non-plastic cutlery respectively.

Conclusion

33. The Chairman concluded the discussion and invited EPD to consider taking on board the views and suggestions made by Members during the discussion.

(The presentation team left the meeting at this juncture.)

Item 4 : Any other business (Closed-door session)

34. There was no other business for discussion at the meeting.

Item 5 : Date of next meeting (Closed-door session)

35. The next ACE meeting was scheduled for 11 October 2021 (Monday). Members would be advised on the agenda in due course.

**ACE Secretariat
October 2021**