



horizon
futures



INDIA 2024

Packaging Legislative Analysis

Contents

1. Overarching Packaging Requirements	2
2. Extended Producer Responsibility (EPR)	2
2.1 EPR Scheme Description	2
2.1.1. Obligated Companies.....	2
2.1.2. Plastic Waste Management Rules Amendment.....	3
2.2. Social and Solidarity Economy Cooperatives (Waste picker collectives)	3
3. Recycling Definition and Targets.....	3
4. Reuse Definition and Targets.....	4
5. Packaging Material and Volume Minimisation.....	4
6. Plastic Regulation	5
6.1. Single Use Plastics	5
6.2. Single Use Plastics- States and Union Territories.....	7
6.3. Single Use Plastics - Multi-layered Plastics	8
7. Other Regulations.....	9
7.1. The Indian Business Responsibility and Sustainability Report.....	9
7.2. Food Contact Materials	11
8. Deposit Return Scheme (DRS).....	14
9. End of Life Labelling (EOL)	14
9.1. Mandatory EOL Labelling.....	14
9.2. ECOMARK.....	14
9.3. Other Labelling	16
Appendix.....	17
Introducing aura.....	18
Our Management Team	20

6. Plastic Regulation

6.1. Single Use Plastics

An amendment to the Plastic Waste Management Rules (mentioned above) was enforced on 12th August 2021 prohibiting the manufacture, import, stocking, distribution, sale and use of the following single-use plastic items, including polystyrene and expanded polystyrene, from 1st July 2022¹:

- Ear buds with plastic sticks
- Plastic sticks for balloons
- Plastic flags
- Candy sticks
- Ice-cream stick
- Polystyrene (EPS) for decoration
- Plates
- Cups
- Glasses
- Cutlery such as forks, spoons, knives, straws, trays
- Wrapping or packing films around sweet boxes
- Invitation cards
- Cigarette packets
- Plastic or PVC banners less than 100 micron
- Stirrers

These items were chosen due to their low utility and high littering potential. However, there are exemptions from the ban if the products are made from compostable and/or biodegradable plastics. The compostable plastic materials must conform to the IS / ISO 17088:2021 standard. The biodegradable plastics must conform to the standard notified by the Bureau of Indian Standards and certified by the Central Pollution Control Board. Due to this exemption, many companies in India are now claiming products/packaging are made from biodegradable plastic. At present, the Indian Government does not provide certificates for biodegradable plastics, therefore such claims may be misleading consumers. Certificates are only awarded for compostable plastic manufacturers.

The Bureau of Indian Standards (BIS) has dismissed these claims as false, declaring that currently, no 100% biodegradable plastic exists in India.² The Indian Government has now set up the Central Consumer Protection Authority to manage and put a stop to misleading and false claims and advertisements. Statutory guidelines state that manufacturers/advertisers must be able to provide scientific evidence for the claims made while advertising products.

From 30th September 2021, the prohibited thickness/gauge of plastic bags was increased from 50 microns to 75 microns, and increased further to 120 microns from 31st December 2022 in a bid to encourage the reuse of plastic bags. Therefore, from 31st December 2022 the manufacture, import, stock holding, distribution, sale and use of plastic carry bags thinner than 120 microns are prohibited in India.

¹ <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2021/aug/doc202181311.pdf>

² <https://timesofindia.indiatimes.com/india/no-100-biodegradable-plastic-in-india-claims-misleading-bis/articleshow/99625595.cms?from=mdr>

The Law stipulates that any plastic packaging waste not covered under the phase out of identified single-use plastic items, shall be collected and managed in an environmentally sustainable way through the EPR Scheme. Fines will be imposed for using or littering the above banned products to the amount of Rs.500 for waste generators and Rs.5000 for institutional waste generators.³

On 6th July 2022, a further amendment to the Plastic Waste Management Rules came into force to incentivise the use of compostable and biodegradable alternatives to single-use plastic products and packaging. **This amendment was in response to the compostable plastics exemption, as mentioned above.**

Another amendment to the Plastic Waste Management Rules came into force on 30th October 2023, named the second amendment, addressing in further detail the management of plastic waste, in particular, the amendment focuses on biodegradable and compostable plastics and EPR.

Key amendments include:

- **EPR is now mandatory for Manufacturers and Importers of the following categories of plastic products. Their responsibilities will now include establishing a collection system for the plastic waste their products generate, registering at the EPR portal and submitting mandatory disclosures**
 - **Compostable and biodegradable plastics**
 - **Multi-layered plastic sachets or pouches**
- **EPR fees will be reviewed and adjusted every six months (or as required) by The Central Pollution Control Board (CPCB)**
- **A separate category of plastics has been created specifically for 'Biodegradable Plastic', addressing the issue of distinguishing between biodegradable and compostable plastics.**
- **The option to package products such as gutkha, pan masala, and tobacco in biodegradable plastic materials in order to minimise the use of virgin plastic.**
- **Usage of certain plastics has been limited. Compostable and biodegradable plastics are now only permitted for the manufacture of carry bags, sachets used for storing, packing, or selling gutkha, tobacco, and pan masala, as well as other commodities banned under specific rules.**

³ https://environment.delhi.gov.in/sites/default/files/inline-files/pwm_epr_1.pdf

⁴ [chrome-extension://efaidnbmnncipjccpglefindmkaj/https://moef.gov.in/wp-content/uploads/2023/11/GSR744\(E\)-Plastic-Waste-Management-\(Second-Amendment\)-Rules-2023.pdf](chrome-extension://efaidnbmnncipjccpglefindmkaj/https://moef.gov.in/wp-content/uploads/2023/11/GSR744(E)-Plastic-Waste-Management-(Second-Amendment)-Rules-2023.pdf)



aura

pioneering global change

- **Material thickness exemptions for carrier bags and sachets used for storing, packing or selling gutkha, tobacco and pan masala are in place. The exemption applies to both compostable and biodegradable plastics.**
- **Manufacturers of compostable and biodegradable plastic carrier bags and commodities must obtain a certificate from the Central Pollution Control Board prior to marketing or selling their products.**
- **New reporting requirements, effective from 1st April 2024, state that manufacturers of commodities made from biodegradable plastics will be required to report the quantity of such products introduced into the market and the quantity of pre-consumer waste generated.**
- **A Deposit Return Scheme has been introduced to enhance the EPR Scheme in India whereby producers, Brand Owners, and Manufacturers of Plastic products are permitted to operate a DRS to ensure the prevention of the mixing of plastic with solid waste. The plastic will be managed and collected by the producer.**
- **Carrier bags and other types of plastic packaging made from biodegradable plastic must bear the label "Biodegradable in [number of days] only in [designated environment such as land, landfill, water, etc]."**
- **The Bureau of Indian Standards (BIS) will assign separate color codes or markings for plastic packaging and commodities made from biodegradable and compostable plastics. This is to differentiate between the two materials and determine respective end-of-life treatment requirements.**
- **Manufacturers of plastic raw materials must now ensure instructions are printed on their packaging to prevent the production of items prohibited under the Plastic Waste Management Rules of 2016. This is to ensure that buyers don't engage in the manufacturing of banned items using these materials.**

Biodegradable plastics that are subject to testing and certification. Where sample testing has begun, prior to the laboratory being recognized and the report being compliant with the prescribed standards, applicants are permitted to continue production or usage of the biodegradable plastic material until a new test report is received from an accredited laboratory.

Appendix



Introducing aura

About Us

At the heart of our business is a sheer fascination with packaging and the impact it has on our world. Packaging's relationship with the environment is complex and we work with true ethical partners to educate, unite like-minded thinkers and share knowledge.

A global business, the reference point for packaging sustainability, utilising knowledge and data to provide the justification required to drive positive change.

Services

Our expertise falls into three categories designed to deliver a strategic programme focused on the sustainability goals of our clients. These services are supported by a multi-disciplinary team made up of packaging, sustainability, technology and retail experts committed to making a measurable difference every day.

Consulting – Pioneering Packaging Strategy

We are packaging sustainability pioneers committed to true partnerships, focused on the delivery of mutual goals.

Our breadth of packaging sustainability knowledge across substrates, design, technical packaging, legislation, and recyclability allows us to evolve strategies to make a measurable difference both now and in the future.

Our Consultants build road maps for global change, our Technical Engineers develop specifications to refine the impact of your packaging and our Supplier Success Managers are on hand to assist with client education, communications and engagement.

As a result, we will deliver a robust strategy compliant with your sustainability goals aligned to current and future legislation.





Technology – Managing Sustainability Everyday

We provide live data and control to deliver the accurate information you require to make real time decisions that impact your business and our planet.

e-halo is an unrivalled packaging sustainability platform combining state-of-the-art technology with consulting services, designed to manage the changing landscape of global packaging legislation, compliance, and sustainability commitments.

e-halo provides packaging component data at a granular level, making sustainable packaging part of everyday decision making.

e-halo manages compliance to evolving legislation and recyclability requirements with a comprehensive reporting suite allowing for real-time measurement against your business and sustainability targets.



Insights – Data Driven Decisions

We utilise knowledge and data to provide the justification required to drive positive change.

Data Management – We interact with digital information every day. We gather, check, manage and translate data into valuable insights that our clients can use to measure and motivate positive change.

Horizon Futures – We offer horizon scanning services for global packaging legislation across 54 countries and for this we are unique. We interpret legislation rather than just quoting a legal directive, to help you understand the current and future packaging landscape. We then consider how emerging trends might potentially affect current policy and practice, enabling our clients to take a longer-term strategic approach to packaging sustainability.

Our Management Team

- We are packaging sustainability pioneers committed to true partnership, which means to us a relationship focused on the delivery of the mutual goals of our business and that of our clients.
- Visionary
- Pioneering strategies which educate, unite and influence change
- Responsible
- Real-time data drives the changes needed to positively impact our planet
- Honest
- Decisions are informed, and our communications are authentic
- Collaborative
- Ethical Partnerships unify our mutual goals to create a vision fit for the future



Greg Lawson
Managing Director



Gillian Garside-Wight
Consulting Director



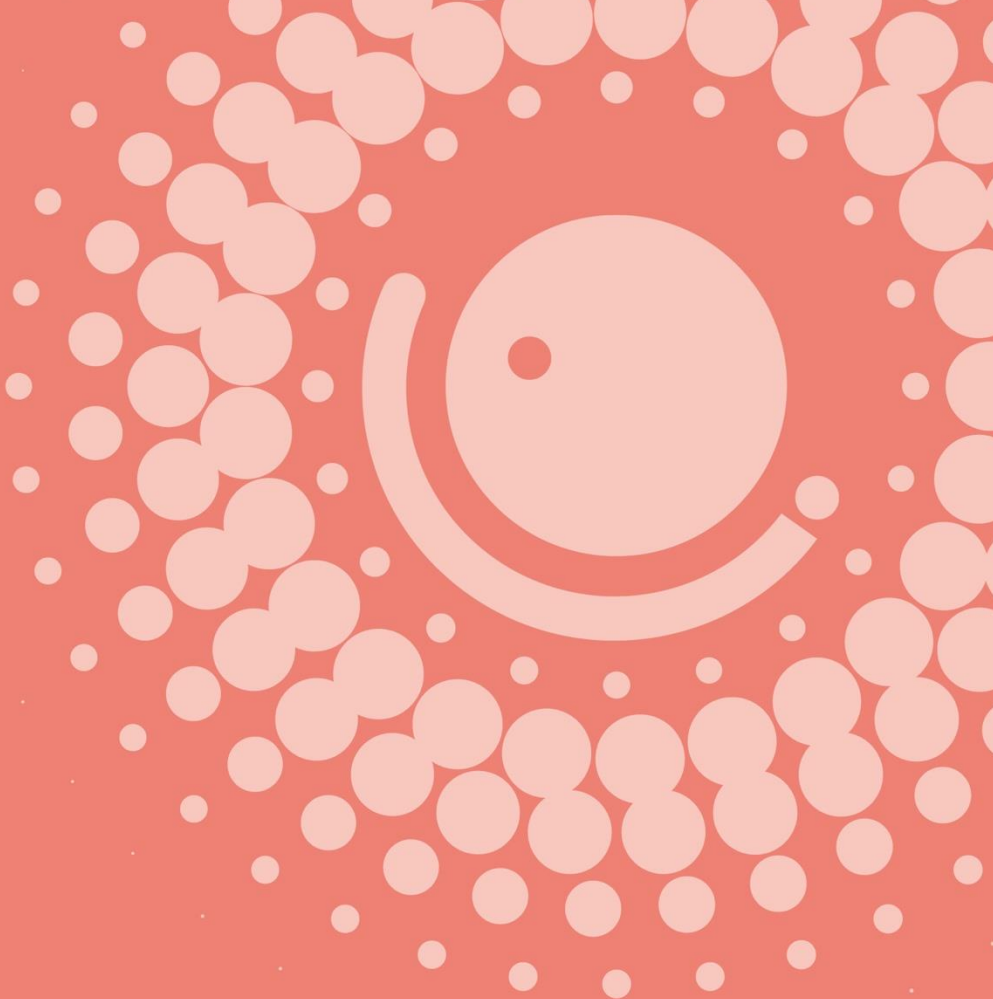
Harriet Young
Marketing Director



Sarah Kroon
Operations Director



Trevor Yong
Business Development Director



Thank you from Team Aura