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Single-use plastics Directive : Big tobacco poisons (long-due) extended producer responsibility obligations across Europe, new report reveals

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Tobacco products with plastic filters and plastic filters were among the single-use plastic items that the EU Single-Use plastics Directive, adopted in 2019, addresses. One of the flagship measures the Directive introduced was the establishment of extended producer schemes for these products. In other words, the EU text made sure that tobacco companies will have to pay for (part of) the single-use plastic pollution generated by the cigarette filters they put on the market. A new report by the Rethink Plastic alliance, led by Surfrider Foundation Europe, reveals delays and problems and identifies room for improvement in the way EPR schemes on tobacco-related products are established in the different EU Member States, one year after they were due (January 5, 2023).

[Full report is to be found here](#)

The extended producer responsibility obligations introduced by the SUP Directive are important provisions that are applauded by the Rethink Plastic alliance and Surfrider Foundation Europe. For the first time across almost a continent, the tobacco industry will have to pay for (some of) the pollution costs it generates because of putting polluting single-use plastic items on the market at the expense of the environment. The adoption of these provisions also made more concrete the application of the polluter-pay principle, that despite being a cornerstone of the EU environmental policy, continues to be very poorly applied at EU level.

The new report by the Rethink Plastic alliance, led by Surfrider Foundation Europe, released today, aims to provide an update on the implementation status of the EPR

measures on tobacco products exactly one year after they were due. It also identifies shortcomings in the way the measure was first laid down in the Directive and transposed at national level, as well as in the way the EPR schemes were set, and explores potential ways forward through a concrete set of recommendations.

Among the many flaws and risks the new report reveals, are the following:

Little to no initiative nor increased ambition in the way the EU provisions were transposed and adapted

In most cases, Member States have transposed the Directive by copying and pasting the wording of the EU text without further specification or details, opting for a rather basic implementation of the Directive requirements and making many of the measures introduced de facto non-operational. Only a few countries have introduced further precisions or provisions which increase the potential of the Directive and its likely impacts. This is for example the case with which have set reduction targets. Other countries are also showing political leadership with calls for EU-wide bans on SUP filters and disposable e-cigarettes.

Significant delays in the implementation

Many Member States are late in implementing the EPR provisions laid down in the SUP Directive such as the Czech Republic, Cyprus, Estonia, Germany, Poland or Slovakia.

A partial consideration of the costs incurred

Very little initiative has been taken by Member States to incorporate other costs than the ones listed in the EU text. Unfortunately, the EU list does not incorporate all the costs tobacco induced nor reflects the environmental harms caused by the tobacco industry. These costs were a minimum list of costs that should be covered by operators, meaning other costs could be accounted for in the extended producer responsibility schemes to be implemented at national level. They appear very low in view of the huge revenue cigarette sales generate. This is even more striking when litter clean-up costs are examined. And it is unfortunate some Member States have used the delay experienced by the European Commission in releasing its guidelines for criteria on the cost of cleaning up litter, off the record to justify their own delay or low ambition in specifying further how they will calculate these costs.

No recognition of the specificities of the tobacco industry

Tobacco products and tobacco players are not like any other products and any other producers. Extra attention is needed from decision-makers to adapt the 'usual' EPR obligations to this specific sector and make sure the schemes set at national level comply with international rules. We believe national authorities must set EPR systems that exclude the producers of tobacco products with filters and filters and any tobacco sector player from the governance of the EPR scheme and from any decision or any activity conducted on behalf of the scheme, in compliance with international rules on tobacco control.

Awareness campaigns driven by the tobacco industry

Along this line, the report reveals confusion at best or arrangements made with the EU text at worst, in the EPR schemes set at national level between the financial responsibility and operational responsibility as regard awareness-raising. On the one hand, the SUPD lists awareness-raising costs among the costs to be covered by tobacco producers as part of the EPR schemes to be set. On the other hand, the SUPD stipulates that Member States shall take measures to inform consumers and to incentivise responsible consumer behaviour, in order to achieve a reduction in the littering of products covered by this Directive, including tobacco products with plastic filters and plastic filters. In practice, in many Member States, the responsibility for designing and launching campaigns was given to the Producer Responsibility Organisations. This presents the significant risk for the tobacco industry to portray itself as a corporate socially responsible actor despite clear international rules on the matter.

Making the most of the current EU text with opportunities ahead

The report calls Member States to make the most of what the current SUPD offers so that the tobacco industry pays and is finally held accountable for the products they put on the market and for the harms they cause to the planet and Humans alike.

It also identifies the review of the SUPD, expected by 2027 and the ongoing international negotiations as complementary opportunities to tackle the plastic pollution that tobacco products generate, with more ambition and impacts.

We remain at the disposal of journalists for any information or interview requests.

About Surfrider Foundation Europe

The NGO Surfrider Foundation is a group of positive activists who take concrete action on the ground every day to pass on a preserved ocean to future generations. Our mission: to make the voice of the ocean heard loud and clear! Our weapons? Raising awareness and mobilizing citizens, children and adults alike (thanks to 48 volunteer branches throughout Europe), using our scientific expertise to lobby and transform companies. Find out more about the association at <https://surfrider.eu/en> or via [this video](#)

About Rethink Plastic Alliance

Rethink Plastic is an alliance of leading European NGOs, with thousands of active groups, supporters and citizens in every EU Member State. We bring together policy and technical expertise from a variety of relevant fields, and work with European policy-makers to design and deliver policy solutions for a future that is free from plastic pollution. We are part of the global Break Free From Plastic movement, made up of 11,000 organizations and individual supporters from across the world who are demanding massive reductions in single-use plastics and to push for lasting solutions to the plastic pollution crisis.

About Break Free From Plastic

#BreakFreeFromPlastic is the global movement working to achieve a future free from plastic pollution. More than 12,000 organizations and individuals around the world have come together to demand reductions in single-use plastics and to advocate for lasting solutions to the plastic pollution crisis. BFFP members work together to bring about systemic change by tackling plastic pollution

across the whole value chain - from extraction to disposal - focusing on prevention rather than cure.
Find out more on <https://www.breakfreefromplastic.org/>

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