Guidelines for Catering Establishments on Different Alternatives to Single-Use Plastic (SUP) Food Containers and Cups for Beverages

DRAFT

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Definitions

The following provides an explanation of several recurring concepts from these guidelines:

Bagasse

Bagasse is a type of material derived from the byproduct of sugar cane processing. Bagasse is commonly used as a sustainable alternative to plastic in the production of disposable food containers and tableware due to its biodegradable properties.

Catering establishment

Catering establishment means any building, premises or other establishment, including kiosks, howsoever described, purveying for reward food and, or, beverages including wines and spirits, for consumption, excluding nightclubs and discotheques.

Circular Economy

A sustainable economic system that decouples economic activity from the consumption of finite resources, and is underpinned by a transition to renewable energy and resources. A Circular Economy is based on three principles: the elimination of waste and pollution, circulating products and materials at their highest value and regenerating nature.

Cup for beverage

Receptacle typically round, usually bowl-shaped drinking vessels with or without a cover or a lid, sold empty or containing beverages.

Food container

Receptacle, such as boxes, with or without a cover, used to contain food that does not require any further preparation, which is intended for immediate consumption either on-the-spot or take-away, and that is typically consumed from the receptacle. Excluding plates and packets and wrappers containing food.[1]

PLA (Polylactic Acid)

PLA is a type of bioplastic derived from renewable resources like corn starch or sugarcane. It is compostable under industrial conditions but does not biodegrade naturally in the environment. Under the EU Single-Use Plastics Directive, PLA is considered a type of single-use plastic. Materials made wholly or partly from PLA must bear the European marking indicating that they contain plastic when used for beverage cups. However, this marking is not mandatory for food containers.

Reusable containers

Reusable packaging is intended and designed to make a minimum number of circulations during its lifespan, to be refilled or reused for an identical purpose to that for which it was designed. This can be done by using products available on the market with which the packaging can be refilled. Reusable packaging only becomes packaging waste when it is no longer reused.

[1] Plates, packets, wrappers, plastic bags and pre-packaged ready-to-eat food (e.g. yogurts) are not to be considered as food containers within the scope of these Guidelines.

System for reuse

System designed for multiple circulations of reusable food containers and/or cups for beverages which are owned by a company or the group of companies who participate within such system. More information on systems for reuse can be found in Section 3.

Single-Use Non-Plastic (SUNP) Products

Disposable products made from materials other than plastic, such as cardboard. While they are designed for one-time use, these materials are generally more sustainable and have a lower environmental impact compared to traditional plastics.

Single-Use Plastic (SUP) Product

A SUP product is a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived.[2]

[2] Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment

Abbreviations

BYOC	Bring Your Own Container
CE	Circular Economy
EC	European Commission
EU	European Union
LCA	Life Cycle Assessment
PLA	Polylactic Acid
PP	Polypropylene
S.L.	Subsidiary Legislation
SUP	Single-Use Plastic
SUPD	Single Use Plastic Directive
SUNP	Single-Use Non-Plastic

1. Introduction

The use of single-use plastic (SUP) products presents significant environmental challenges. SUP products, are defined as items made wholly or partly from plastic that are not conceived, designed or placed on the market to be used multiple times within their lifespan, contributing to a linear economy based on the take-make-waste model. This approach conflicts with the principles of a circular economy and results in high levels of litter and low rates of recovery and recycling.

As an island nation, Malta is particularly vulnerable to the impacts of plastic pollution. The health of its marine environment is crucial for the country's economy, wellbeing, and natural heritage. The implementation of the Single-Use Plastic Framework Regulations (S.L. 549.149) is a crucial step in addressing this issue, promoting sustainable practices, and ensuring a healthier future for both the local ecosystem and the global community.

1.1 Purpose of Guidelines

These guidelines are designed to help businesses transition smoothly to more sustainable practices, including the adoption of systems for reusable products and non-plastic disposables. By following these guidelines, businesses can ensure regulatory compliance, contribute to environmental sustainability, and potentially benefit from cost savings and enhanced customer satisfaction.

1.2 Overview of Legislation

Scope of the Single-Use Plastics Directive (SUPD)

The Single-Use Plastics Directive (SUPD) 2019/904 is a key EU initiative aimed at reducing marine litter and environmental pollution caused by SUP products. The directive targets the top ten single-use plastic items most commonly found on European beaches, as well as abandoned fishing gear and oxo-degradable plastics. Key articles relevant to catering establishments that are the subject of these guidelines include article 4 on consumption reduction, requiring Member States to take measures to achieve a significant reduction in the consumption of single-use plastic products, including food containers and cups for beverage.

Single-Use Plastic Framework Regulations (S.L. 549.149)

In Malta, the implementation of the SUPD is supported by a number of local regulations, one of which is S.L. 549.149. This legislation introduces measures tailored to Malta's context to further reduce the consumption of certain single-use plastic products, particularly single-use food containers and cups for beverages. Key provisions that catering establishments must comply with include:

- **Provision of Reusable Alternatives:** Catering establishments must offer reusable alternatives to single-use plastic food containers and cups for beverages at the point of sale. Customers should be properly informed about these alternatives.
- **Incentives for Reusable Alternative** Establishments are required to offer incentives to customers who bring their own reusable containers for take-away consumption of food or

beverages. Establishments shall properly inform customers of such incentives. A non-exhaustive list of potential financial incentives includes discounts on meals and beverages, loyalty programs that culminate in a prize or free consumption, add-on offered such as extra sides or larger portions or special offers or promotions exclusive to customers using reusable containers.

- **Charging for Single-Use Plastics:** The obligation to charge customers and a specific fee for these single-use plastic items will be determined by the relevant authorities. Please refer to the latest version of these guidelines and regulations issued by the governing bodies to ensure compliance with any mandatory charges that may be implemented. Nevertheless, at this stage, you may charge your customers for these single-use plastic items at your own discretion.[3]
- **Prohibition for On-Site Consumption[4]:** The obligation to prohibit the provision of single-use plastic food containers and cups for beverages, filled or empty for onsite consumption in all catering establishments, including restaurants, cafeterias, bars, snack bars, lidos, and canteens within schools, universities, hospitals, and government buildings, will be determined by the relevant authorities.

1.3 Scope of Application

Target Audience

These guidelines apply to a wide range of businesses and entities involved in the preparation and sale of food and beverages on-site. Specifically affected are catering establishments such as restaurants, cafes, bars, snack bars, takeaways, lidos, canteens and bakeries. Additionally, these guidelines encompass retail food outlets, university and hospital canteens, food trucks, food and drink stalls at open events (such as festas and music festivals) and delis at supermarkets. These establishments are required to adopt sustainable practices to reduce the use and consumption of single-use plastic products and promote the use of systems for reuse and alternatives. While systems for reuse are encouraged, they are not mandatory to set up under local regulations.

[3] At the time of the publication of these guidelines, the obligations outlined in Regulation 4 of S.L. 549.149 are not yet in force.

[4] In line with Regulation 4(8) of S.L.549.149, such prohibition does not apply if there are lawful safety measures already in place.

Target Material

These guidelines cover various types of materials used in food and beverage containers. These include:

- **Single-Use Plastics (SUP):** These are plastic products designed to be used once and then discarded. Regulation 4 of S.L.549.149 specifically target food containers and cups for beverages.

  Other SUP items such as plastic plates, cutlery, straws, cotton-bud sticks, beverage stirrers, and lightweight carrier bags are being dealt with in other regulations and are not covered in these guidelines. Additionally, it is important to note that food containers and cups for beverages made of expanded polystyrene (jablo) are prohibited.
- **Single-Use Non-Plastics (SUNP):** These materials serve as alternatives to traditional plastics and include items made from materials that do not contain plastic components, an example is cardboard. While they are designed for one-time use, their environmental impact is generally lower than that of conventional plastics, as determined by Life Cycle Assessment (LCA). However, these guidelines, in line with S.L.549.149, still encourage moving away from these in favour of reusable alternatives to further reduce waste and environmental impact.

  One is to note that food containers or cups for beverages with plastic lining or coatings are classified as single-use plastic products.
- **Reusable Options:** These involve durable items that can be cleaned and reused multiple times, such as metal, glass, and long-lasting plastic containers specifically designed for extended use. The EU Single-Use Plastic Directive strongly encourages the use of these reusable alternatives to minimise environmental impact and promote sustainability.

1.4 Legal compliance

Failure to comply with the provisions of these regulations constitutes an offence. S.L. 549.149 outlines the penalties applicable for such non-compliance.

2. Substitute Materials to Use instead of Single-Use Plastic

This chapter provides examples of substitutes for SUP products. The examples of alternatives are tailored to the Maltese situation, ensuring they are relevant and applicable to local businesses. Both alternatives available for take-away food and on-site eating options are presented.

2.1 Criteria to select the best alternatives

When selecting the best alternatives to single-use plastics, several critical factors must be considered to ensure that the chosen materials meet both regulatory requirements and practical business needs.

Environmental impact

The overall environmental footprint of alternative materials is a primary consideration. Materials that have a lower carbon footprint and can be easily reused, recycled or composted are preferable.

Safety and hygiene

Ensuring the safety and hygiene of the materials is paramount. The selected alternatives must meet health and safety standards and be easy to clean and sanitize. For reusable materials, consider how the items will be cleaned and maintained to prevent contamination and ensure food safety. Containers being used for foodstuff should be food grade as stipulated by EC 1935/2006.

Cost effectiveness

Cost is a significant factor in the selection process. It is essential to ensure that the products in reusable packaging are price-accessible compared to single-use alternatives. If reusable items are more expensive, either in the cost of the item or the deposit required to use the system, they may exclude customers who cannot afford to participate. Balancing initial costs with long-term savings and potential financial incentives can help mitigate this issue.

Weight and dimension

Using materials that are both lightweight and suitable for food contact is essential in the food service industry. Lightweight materials help reduce transportation costs and are more convenient for customers to carry. Additionally, considering the dimensions of the containers is important to ensure they are practical for storage and appropriate for the food portions served.

Availability in the market

In Malta, the availability of alternative materials is a crucial consideration. Due to the small market and limited import options, it is important to select materials that are readily available and sustainable in the long term. Ensuring that the chosen alternatives can be consistently sourced will support a stable and reliable transition to sustainable practices.

2.2 Overview of the SUP alternatives

The alternatives to single-use plastics can be broadly categorized into Single-Use Non-Plastic (SUNP) materials and reusable materials. Each category offers unique benefits and can be selected based on specific business needs and operational requirements.

Single-Use Non-Plastic (SUNP) Materials

These materials are designed for one-time use but are made from more sustainable sources compared to traditional plastics.

In this section, the most suitable SUNP materials available in the Maltese market are presented; in the future, other materials such as palm leaf and bamboo may also become available, or new materials will be developed.

Cardboard:

- **Uses:** Non-coated cardboard is generally best used for dry foods (e.g. Pizza box). It is less suitable for any form of oily foods, as it absorbs moisture. To enhance moisture resistance for both food containers and cups for beverages, a non-plastic lining is recommended.[5]
- **Environmental Impact:** Biodegradable and compostable, with a relatively low carbon footprint.
- **Safety and Hygiene:** Food grade cardboard is safe for food contact and can withstand moderate levels of moisture.
- **Cost Effectiveness:** Generally affordable, but costs can vary depending on the quality and type of lining.
- **Availability:** Readily available in the Maltese market.
- **Waste disposal stream:** Refer to national waste separation guidance.[6]

[5] Note that adding plastic linings or coatings will classify the food container or cup for beverages as a single-use plastic product.

[6] https://www.wsm.com.mt/en/waste-separation-guide

Aluminium:

- **Uses:** Aluminium offers excellent durability and moisture resistance but it is not suitable for all food types or microwave use and it is not typically used for cups for beverage.
- **Environmental Impact:** Aluminium is highly recyclable, however its high carbon footprint and resource-intensive production pose environmental concerns.
- **Safety and Hygiene:** Excellent barrier properties, safe for food contact, and heat-resistant.
- **Cost Effectiveness:** It has a relatively high price compared to other alternatives.
- **Availability:** Widely available in Malta and commonly used in the food service industry.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[7]

Bagasse

Bagasse is a biodegradable and renewable by-product of sugarcane processing.

- **Uses:** Suitable for a wide variety of dry and wet food and beverages, as well as a range of temperatures.
- **Environmental Impact:** Bagasse has a low carbon footprint compared to other materials and is made from renewable resources.
- **Safety and Hygiene:** Good moisture barrier and heat resistant, however not fully airtight.
- **Cost Effectiveness:** It has a relatively higher price compared to cardboard.
- **Availability:** Available in Malta and currently used in the food service industry.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[8]

Palm Leaf

- **Uses:** Palm leaf offers a unique, sturdy option for dry and semi-dry foods but has limitations in terms of temperature and closure. It is not suitable for beverages.
- **Environmental Impact:** Palm leaf is highly sustainable and eco-friendly. It has a low carbon footprint in terms of material sourcing but high transport emissions due to importation mainly from India.
- **Safety and Hygiene:** Palm leaf provides a sturdy and unique texture, offering a good moisture barrier to some extent. However, it is not suitable for very hot foods.
- **Cost Effectiveness:** On average, palm leaf is more expensive than cardboard and bagasse due to higher transport costs.
- **Availability:** There is limited but growing availability with products imported from India.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[9]

Please be aware that on the market, certain materials, known as bioplastics, are promoted as bio-based, biodegradable, and compostable. An example of this is PLA (Polylactic Acid), derived from renewable resources such as corn starch. These plastics are subject to the SUP Directive and national regulations because they do not biodegrade within a reasonable

[7] https://www.wsm.com.mt/en/waste-separation-guide
[8] https://www.wsm.com.mt/en/waste-separation-guide
[9] https://www.wsm.com.mt/en/waste-separation-guide

timeframe under normal environmental conditions. Additionally, these plastics are compostable only under industrial conditions, which makes them unsuitable for disposal through Malta's regular organic waste stream at present. Please also note that cardboard containers with non-cardboard liners such as plastic PLA, do not degrade adequately. These materials are considered as single-use plastics products and would be subject to the SUP fee.

Naturally-occurring plastic polymers that have not been chemically modified, such as lyocell, viscose, and cellulose, are considered acceptable. In addition, water-based matrix coatings that are an integral part of the cardboard itself may also be considered acceptable.

Reusable Materials

These materials are designed for repeated use, reducing the overall environmental impact by minimizing waste generation. These materials can be proposed for take-away and for on-site eating. The most popular materials currently available are the following:

Stainless Steel:

- **Uses:** Exceptionally versatile material, it is suitable for a wide range of food and beverage types and temperatures, considered highly hygienic material.
- **Environmental Impact:** While the material itself is not renewable, its durability and ease of recycling make it a more sustainable option.
- **Safety and Hygiene:** Non-reactive, corrosion-resistant, it can be thoroughly sanitized.
- **Cost Effectiveness:** Higher initial cost but cost-effective over time due to longevity.
- **Availability:** Widely available in Malta with several brands available in the market.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[10]

Glass

- **Description:** Glass provides a premium and eco-friendly alternative for food and beverage containers but its weight and potential breakability could be drawbacks.
- **Uses:** Suitable for both hot and cold foods and beverage.
- **Environmental Impact:** Glass is fully recyclable and long-lasting. However, it is energy-intensive to produce, resulting in a significant carbon footprint if not reused sufficiently.
- **Safety and Hygiene:** Safe for food contact and easy to clean and sterilise.
- **Cost Effectiveness:** Higher upfront cost but very durable and cost-effective over time.
- **Availability:** Highly available in Malta, with different options and price points.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[11]

Plastic (Polypropylene (PP))

- **Uses:** Suitable for both hot and cold food and beverages.
- **Environmental Impact:** Fully recyclable and long-lasting, though energy-intensive to produce, which has a significant carbon footprint if not reused enough times. The reuse

[10] https://www.wsm.com.mt/en/waste-separation-guide
[11] https://www.wsm.com.mt/en/waste-separation-guide

of PP containers offsets the environmental cost associated with its production and disposal.

- **Safety and Hygiene:** PP is safe for food contact and does not retain odours or flavours. It is resistant to chemicals and can be sanitised easily.
- **Cost Effectiveness:** PP containers have a lower upfront cost compared to other reusable materials and are highly cost-effective over time due to their durability.
- **Availability:** Widely available and commonly used in Malta, making it a practical and accessible choice for reusable food and beverage containers.
- **Waste disposal stream:** Kindly refer to national waste separation guidance.[12]

Other materials are available, such as porcelain, ceramic, silicone, and earthenware. These durable materials are resistant to high temperatures and are ideal for both food and beverage containers. They are primarily used for on-site eating, offering a high-quality feel and the ability to be reused numerous times.

[12] https://www.wsm.com.mt/en/waste-separation-guide

3. Systems for reuse

While systems for reuse are encouraged as a sustainable way to reuse alternatives to single-use plastics, they are not mandatory to set up under current regulations. Catering establishments can decide whether to implement such systems based on their financial situation, operational capacity, and customer demand.

This section provides guidance for businesses interested in adopting such systems for reuse. Setting up such system can offer long-term environmental and economic benefits, and this section outlines the key considerations to help owners make an informed choice.

3.1 How systems for reuse work

Systems for reuse are designed to replace single-use disposable items with durable, long-lasting alternatives that can be used multiple times. This approach significantly reduces waste and minimises environmental impact. For catering establishments, implementing a system for reuse involves adopting items that can be cleaned, sanitised, and reused repeatedly instead of being discarded after a single use. This will not only help in reducing waste but also promotes sustainability and long-term cost savings.

The concept of systems for reuse revolves around the idea of a circular economy, where products and materials are kept in use for as long as possible. By rethinking the lifecycle of everyday items, systems for reuse encourage the reduction of waste, the conservation of resources, and the minimisation of environmental pollution. This shift not only benefits the environment but also aligns with growing consumer preferences for sustainable practices. Implementing such systems in catering establishments involves several key components and processes, each contributing to a more sustainable and cost-effective operation.

3.2 The Benefits of using systems for reuse

Embracing reusable food and beverage containers can reduce waste, save money and attract eco-conscious customers, and ensure regulatory compliance.

3.3 Business Models for systems for reuse

This section provides insights into three (3) different models that can be considered when integrating a system for reuse to a business operation.

By understanding and evaluating these models, catering establishments can choose the approach that best fits their operational needs and sustainability goals. Whether opting for a self-organising system, collaborating with other businesses, or partnering with an external vendor, each model offers unique benefits and challenges that must be carefully considered.

Self-Organising System

In a self-organising system, the catering establishment takes full responsibility for managing the reusable items. This model involves the purchasing of reusable food containers and cups for beverage and setting up an internal system for their collection, cleaning, and redistribution.

Key Components:

- **Initial Investment:** Purchase of durable, reusable food and beverage containers.
- **Infrastructure:** Set up adequate storage for clean and used items, and invest in dishwashing equipment.
- **Staff Training:** Ensure staff are trained in the proper handling, cleaning, and sanitisation of reusable items.
- **Customer Engagement:** Educate customers on the reusable system and encourage their participation through incentives such as discounts or loyalty programs.

Advantages:

- Full control over the process and quality assurance.
- Potential for long-term cost savings.
- Direct engagement with customers enhances brand loyalty.

Challenges:

- Higher initial setup costs.
- Requires significant logistical management and coordination.

Collaboration with Other Businesses

Collaboration with other businesses involves partnering with neighbouring establishments to create a shared system for reusable items. This can reduce costs and logistical burdens by distributing responsibilities and resources among multiple businesses.

Key Components:

- **Shared Resources:** Pool resources to purchase reusable items and share cleaning and storage facilities.
- **Coordination:** Establish a cooperative agreement outlining roles, responsibilities, and cost-sharing mechanisms.
- **Centralised Collection Points:** Set up common collection points for customers to return reusable items, making it convenient and encouraging participation.

Advantages:

- Reduced individual costs through shared investment.
- Strengthened community ties and cooperative marketing opportunities.
- More efficient use of resources.

Challenges:

- Requires effective coordination and communication between businesses.
- Potential for discrepancies in managing and maintaining standards.

Partner with an External Vendor

Partnering with an external vendor involves outsourcing the management of reusable items to a specialised service provider. The vendor supplies the reusable items, handles collection, cleaning, and redistribution, allowing the catering establishment to focus on core operations.

Key Components:

- **Vendor Selection:** Choose a vendor capable of managing reusable systems.
- **Service Agreement:** Establish a clear contract outlining the scope of services, costs, and performance standards.
- **Integration:** Work closely with the vendor to integrate their system into the business's daily operations seamlessly.

Advantages:

- Minimal disruption to existing operations.
- Professional management ensures high standards of hygiene and efficiency.
- Flexibility to scale services up or down based on demand.

Challenges:

- Ongoing service fees may be higher than self-managed systems.
- Dependence on the vendor's reliability and performance

3.4 Setting up a System for reuse

This chapter covers the essential steps to ensure a smooth transition to sustainable practices, including initial setup, displaying information, staff training, communication strategy, and other critical considerations.

Initial Setup

1. Determine the types and quantities of reusable food containers and beverage cups required for the operations. Consider the volume of customers, the types of food and beverages served and the space available for storing the items.
2. Invest in high-quality, durable reusable items that are suitable for food contact and easy to clean. Consider materials introduced in chapter 2, like stainless steel, glass, polypropylene (PP) for their durability and safety.
3. Set up the necessary infrastructure for cleaning, sanitizing, and storing reusable items. This may include dishwashing equipment, storage racks, and designated areas for clean and used items.

Displaying Information

Signage

Place clear and informative signs throughout your establishment, including at entry points, ordering counters, and dining areas. These signs should explain the benefits of reue systems and how customers can participate.

If you offer reusable containers for sale, it is essential that the pricing is clearly visible to consumers. In deciding the pricing for reusable items, prioritise fairness and transparency.

Menus and Promotional Material

Include information about the reusable system on menus, social media, website and promotional and marketing material. This can remind customers of their options and reinforce the importance of sustainable practices.

Staff Training

Well-trained staff are essential to the success of the introduction and operations of a reusable system. They should be knowledgeable about the new procedures and capable of effectively communicating them to customers.

Training should include the following elements:

Hygiene Standards

Proper hygiene practices are crucial in preventing contamination and ensuring the safe handling of reusable containers.

Inspection on containers

Establish a transparent procedure for visually examining containers to verify their compliance with cleanliness standards. Do not accept containers with issues, for instance cracks or chips, stains, strong odours, corrosion, non-food-grade materials, visible mould.

Training in terms of filling

Provide detailed training on the proper procedures for filling reusable containers to ensure consistency and safety. More details on this step is provided in chapter 4 of these guidelines.

4. Criteria to Accept Reusable Containers from Customers

This section is meant to provide step by step criteria on how to accept reusable containers from customers. These are based on the Bring Your Own Container (BYOC) initiative.[13] These steps can be personalized based on the operations of your establishment.

4.1 Receiving the container

Preparing and receiving the container

- Start by washing hands and putting gloves before handling the material.
- Customers place their reusable container on a 'hygiene tray' intended specifically for this purpose.

Inspection of container

Visual inspection of the materials

- Acceptable materials include plastic, glass, and metal containers. Containers should be durable, clean, and in good condition.
- Containers being used for foodstuff should be food grade as stipulated by EC 1935/2006 regarding Foodstuff.

Visual inspection of cleanliness

- Before filling, carry out a visual inspection for physical cleanliness, with no foreign extraneous matter visible.
- Lids are to be removed by the customer before filling.
- In the case of visible contamination, acceptance must be refused, or new, uncontaminated reusable containers must be provided for takeaway.
- Only suitable food-grade containers with smooth, easy-to-clean surfaces may be used.
- Do not accept containers with cracks or chips, stains, strong odours, warped or misshapen, corrosion, non-food-grade materials, visible mould, or mildew.

Visual inspection of the size

- Containers should have a suitable size for the intended product to avoid spillage or overfilling.
- Large containers may be subject to staff approval to ensure they can be safely accommodated.
- If the container looks too small, explain that you will be serving him/her less quantity due to the small size of the container. If he/she is agreeable, proceed to accept.
- It is recommended to display the standard serving size measurements on your menus or at point-of-sale.

[13] https://www.cemalta.gov.mt/byoc/

Acceptance of the container

- Verbally verify with the customer that their container is sanitary for use and
- Proceed to accept the container upon the customer's agreement.

Case of Declining Customer's Container

Container Evaluation

- If a customer presents a container that you believe poses any physical contamination risk or is unsuitable for reuse, kindly decline to accept it.
- Unsuitable for reuse: Do not accept containers with cracks or chips, stains, strong odours, warped or misshapen, corrosion, non-food-grade materials, visible mould or mildew.

Polite Explanation

- Politely explain to the customer the reasons why their container is deemed unsuitable. This may include visible contamination, lack of proper sealing, or other factors compromising food safety standards.

Educate on Suitable Containers

- Advise the customer on the types of containers that are acceptable.
- Emphasize the importance of containers designed for reuse, cleanliness, and those meeting safety standards.

Encourage Future Participation

- Encourage the customer to bring containers more suitable containers.
- Express appreciation for their commitment to sustainability.

4.2 Food filling operations

Reception of containers on dedicated tray

- If accepted, the reusable container is then filled on the same hygiene tray.
    - **ATTENTION BOX** - Filling may only be carried out by trained personnel, where food handlers must have a Category B food handling document.

Move containers to filling area

- To prevent customers' reusable containers from entering the immediate hygiene area (area where perishable food is processed or stored), always use a separate counter area.
    - **ATTENTION BOX** - In the separate area: Prevent direct contact with machine parts as well as other storage locations.

Filling up

- Take appropriate measures to prevent cross-contamination form utensils used to serve Foodstuff meeting customer containers.
- Use decanting vessels and/or cup holders and serving utensils.
- the establishment should clearly communicate how tare weights and standard serving size measurements are integrated into pricing structures. I.e. for smaller containers there should be a certain portion etc.

- **ATTENTION BOX** - To uphold precision in tare weight and beverage standard serving size measurements deductions, it is recommended to implement robust measures at the checkout. These measures should guarantee the accurate deduction of tare weights and quantities dispensed, thereby promoting fairness and reliability in your pricing practices. This enhances the overall experience for customers, contributing to a sense of trust and encouraging responsible consumption practices.

- Return the filled container to the customer, on the dedicated tray

4.3 After the Container is Returned to the Customer

Clean and Disinfect Regularly

- Clean or disinfect areas where containers are filled, coffee machines, other equipment, or self-service bar at regular intervals (cleaning and disinfection plan) and as required.

Wash Hands

- Maintain personal hygiene. Washing hands is mandatory after filling customer-supplied reusable containers and after handling payments.
- Gloves must be changed if worn while refilling customers' containers, they should be replaced especially after handling payments.

5. F.A.Q.

5.1 To whom do the guidelines apply?

These guidelines are intended for all catering establishments in Malta offering food prepared on location and sold to customers, including restaurants, cafes, bars, food delivery services, university and hospital canteens, food trucks, and event organisers.

5.2 What Does This Mean for My Business?

S.L. 549.149, is transposing the Single-Use Plastic Directive [Directive (EU) 2019/904] addressing key environmental issues related to single-use plastics. Such regulations are targeting the reduction of single-use plastic food containers and cups for beverages within the catering industry in Malta. Here's what you need to know:

For Dine-in

No SUP food containers and cups for beverages for consumption on site: If you run a catering establishments in Malta offering food prepared on location and sold to customers, you cannot serve food and drinks to customers consuming on-site in single-use plastic containers and cups. Alternatively, food and drinks may be provided in reusable cups and containers.[14]

For Take-away

Charges for SUP: Single-use plastic food containers and cups for beverages, whether filled at the point of sale or provided empty, cannot be given to customers free of charge. The establishment has to inform the customer regarding the charging of a fee for these items and the charge needs to be itemised on fiscal receipts.[15]

Reusable Alternatives: Catering establishments shall provide an adequate number of reusable alternatives to SUP food containers and cups for beverages at the point of sale as long as practically feasible.

Incentives for Reusables: You need to provide adequate incentives for customers who bring their own reusable food containers and cups for beverage. This could be in the form of discounts or other benefits.

Informing Customers: It is your responsibility to inform customers about 1) the charge for SUP food containers and cups for beverages if provided at the premise for takeaway consumption;[16] 2) the availability of reusable alternatives and 3) the incentives you offer for anyone who brings their own container for food or beverage.

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[14] At the time of the publication of these guidelines, the obligations outlined have not yet come into effect.
[15] At the time of the publication of these guidelines, the obligations outlined have not yet come into effect.
[16] At the time of the publication of these guidelines, the obligations outlined have not yet come into effect.

5.3 What Types of Materials Are Out There?

Single-Use Plastics (SUP): These are plastic products designed to be used once and then discarded, contributing significantly to environmental pollution.

Single-Use Non-Plastic (SUNP) Materials: These are alternatives to traditional plastics, made from materials such as cardboard, aluminium or plant-based bioplastics (e.g. bagasse). These materials are designed for one-time use. One is to note that food containers or cups for beverages with a plastic lining or coating are classified as **single-use plastic products**.

Reusable materials: Durable items that can be cleaned and reused multiple times, including metal, glassware, and robust plastic containers. While they require an initial investment, they offer long-term cost savings and substantial environmental benefits.

5.4 Do the Rules Also Apply to Bioplastics?

Yes, the rules for single-use plastics also apply to food containers and cups for beverages made of bioplastics, such as PLA. Bioplastics are plastic material that can derive from plants or other organic matters, however chemically modified, and often used as an inner layer for cardboard materials. These materials should be avoided due to the length of time such material requires to disintegrate. These are considered just as harmful to the environment as other types of plastic, thus they are charged as single use plastic material.

5.5 Do I Have to Charge My Customers?

The obligation to charge customers and a specific fee for these single-use plastic items will be determined by the relevant authorities. Please refer to the latest version of these guidelines and regulations issued by the governing bodies to ensure compliance with any mandatory charges that may be implemented.[17]

Nevertheless, at this stage, you may charge your customers for these single-use plastic items at your own discretion.

5.6 Do I have to charge my customers for takeaway containers?

If the containers are made from SUP material, they should not be provided free of charge, and you are required to charge customers for these items. However, if the containers are made from SUNP material, they should be provided free of charge. There is no requirement to charge customers for SUNP items.

5.7 How Do I Inform the Customers?

You must inform your customers about their options regarding reusable alternatives and the associated incentives. This can be done through various methods, such as displaying posters

[17] At the time of the publication of these guidelines, the obligations outlined have not yet come into effect.

in both English and Maltese, ensuring your customers are aware of these sustainable practices is crucial for compliance and fostering environmentally friendly behaviour.

5.8 Are There any Exceptions?

These guidelines only apply to catering establishments as indicated in **Q.4.1**. Nonetheless, it is to be noted that these guidelines do not apply for services offered to in-patients at hospitals and care homes.

Furthermore, it should be noted that expanded-polystyrene (jablo) or oxo-degradable food containers (as defined in these guidelines) and cups for beverages are banned from being placed on the market in Malta since 1st January 2021, and therefore can no longer be distributed.

6. Contact information

Should the establishments need to contact the regulatory body for support, guidance, or inquiries, please contact [**Details to be included in the final version**].

7. References

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