

Single-use plastic beverage cup lid

How to decide if this plastic product is banned

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EPA 1160/24: The Environment Protection Authority (EPA) has developed a series of guides to assist business, industry, and community in determining whether a product is prohibited under the Single-use and Other Plastic (Waste Avoidance) Act 2020. These documents serve as guidance tools, offering a structured pathway to help users assess the compliance status of various products.

Introduction

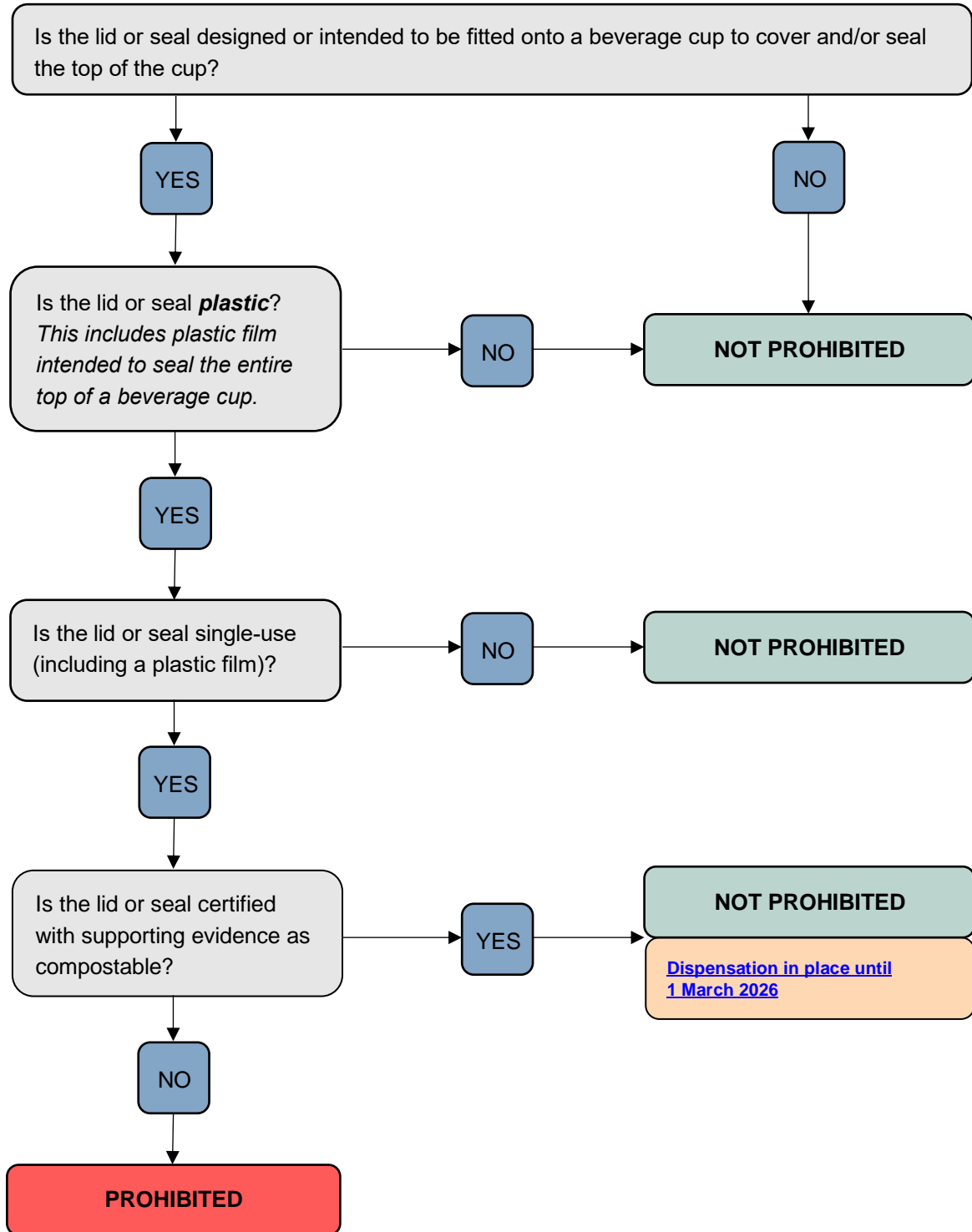
From 1 September 2024, the ban on single-use plastics will include plastic balloon sticks and ties, plastic food bag tags, plastic barrier bags and shopping bags, plastic confetti, prescribed food containers and lids, and single-use plastic beverage cups and lids.

In this guideline, users can follow the step-by-step questions provided on the next page to understand if a product falls under the prohibition. To navigate the document, users should follow the flow of questions and branches that lead to potential outcomes based on their specific product scenarios. However, it is important to note that the results derived from these documents are to assist people to understand if a particular product is prohibited. It is not to be considered as legal advice.

If you have further questions about if a product is prohibited, please contact the EPA at EPASUPteam@sa.gov.au.

If you would like information regarding reusable or compostable alternatives to plastic products, please visit the [Replace the Waste](#) website.

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Legislated definitions

Plastic means a material made from, or comprising, organic polymers, whether plant extracts or of fossil fuel origin. Note this definition includes ‘alternative’ plastics such as compostable and a specific exemption must be in the legislation if this alternative is permitted to be used for this item.

Plastic product means a product comprised, in whole or in part, of plastic.

Home compostable, in relation to a plastic product, means that the product complies with AS 5810-2010.

Industrially compostable, in relation to a plastic product, means that the product complies with AS 4736-2006.

Legislation

Single-use and Other Plastic Products (Waste Avoidance) Regulations 2021 under *Single-use and Other Plastic Products (Waste Avoidance) Act 2020*

3A Definition of prohibited plastic product (section 6(1)(h) of Act)—inclusions

Single-use plastic beverage cup lid means a single-use plastic lid designed or intended to be fitted onto a beverage cup and includes plastic film intended to seal the entire top of a beverage cup, but does not include a single-use plastic lid for a beverage cup if the lid is certified as compostable;

(2) For the purposes of these regulations, a plastic product is certified as compostable if—

(a) —

(i) the plastic product has been assessed and tested by an authorised certifier and the authorised certifier has issued a certificate verifying that the product complies with AS 4736-2006 or AS 5810-2010; and

(ii) the certificate's period of validity has not expired; or

(b) until the determination date—the plastic product is the subject of an application for its certification in accordance with AS 4736–2006 or AS 5810–2010 that is made to an authorised certifier before 1 March 2026, but has not been determined before that date (and, in the case of a plastic shopping bag or a plastic barrier bag, the labelling requirements in paragraph (f) of the definition of plastic shopping bag or paragraphs (c) and (d) of the definition of plastic barrier bag (as the case requires) do not apply until the determination date); or

(c) until 1 March 2026 (other than in the case of a plastic shopping bag or a plastic barrier bag)—the plastic product has, before that date—

(i) a current and valid certification in accordance with—

(A) ASTM D6400–23 (Standard Specification for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities); or

(B) EN 13432 (Packaging—Requirements for packaging recoverable through composting and biodegradation—Test scheme and evaluation criteria for the final acceptance of packaging); or

- (ii) a current and valid TUV OK compost INDUSTRIAL or TUV OK compost HOME certification.
- (3) For the purposes of subregulation (2), the determination date, in respect of a plastic product, is the date on which the application for the product's certification in accordance with AS 4736–2006 or AS 5810–2010 is determined, withdrawn or otherwise finalised.
- (4) For the purposes of the definition of authorised certifier, the Minister may, by notice in the Gazette—
 - (a) approve a person as an authorised certifier for the purposes of these regulations; or
 - (b) revoke an approval under paragraph (a).

Exemptions

Nil

Disclaimer

The criteria and approach in this document are provided for information and guidance only. It is not definitive, and is not legal or regulatory advice. The EPA reserves the right to use its discretion to determine whether an item is banned and to take regulatory action. You may wish to obtain your own advice if you are unsure whether your item is prohibited.

Further information

Legislation

[Online legislation](#) is freely available.

General information

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