

Single-use packaging in E-commerce

IESS.25.059

Case Summary Report

<p>What was the issue?</p>	<p>Environmental Standards Scotland (ESS) received a representation raising concerns in relation to the growth of e-commerce packaging waste.</p> <p>The representation asserted that current arrangements to regulate single use packaging waste are inadequate, and that local authorities and the environment are left to absorb the consequences of this.</p>
<p>What did ESS do?</p>	<p>ESS reviewed relevant legislationⁱ, noting that the current rules governing the system of single use packaging came into force only relatively recently.</p> <p>ESS also looked into how the rules are enforced in Scotlandⁱⁱ, noting that the Scottish Environmental Protection Agency (SEPA) is responsible for assessing whether producers, exporters, reprocessors and compliance schemes are meeting their regulatory requirements.</p> <p>ESS also noted that SEPA uses reported data to inform action, target non-compliance, and support national recycling targets. However, in order to ensure the quality of 'core data', it has issued a temporary Regulatory Position Statement (RPS) to the effect that any failure by a producer, compliance scheme or holding company to comply with certain regulatory packaging data collection and reporting requirements will not normally be treated by SEPA as a non-compliance for compliance assessment or enforcement purposes.</p>
<p>What was the outcome of this work?</p>	<p>Given that the current rules only came into force in January 2025, and the paucity of data in respect of the scheme, in ESS' view it is too early to take a view on whether or not the law is being implemented and working as intended. Accordingly, the case was closed. The issues raised within the representation can be revisited should concerns remain over the operation of the rules after they have had sufficient time to embed.</p>

ⁱ The UK regulations for packaging waste are:

Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 ('the 2024 Regulations') which aim to reduce packaging use and encourage recyclable materials. The 2024 Regulations impose requirements on producers of packaging who are established in the UK, such as the requirement to register with the appropriate agency, to collect and report data on the packaging they supply, and to assess its recyclability. The 2024 Regulations also require certain procedures to meet recycling obligations and to pay annual fees as a contribution to the net costs of local authorities providing a waste management service in relation to household packaging waste, and the costs of providing public information about disposal of packaging waste.

- Packaging (Essential Requirements) Regulations 1998 which require packaging to be minimised, recyclable, and free from certain hazardous substances.
- In Scotland, SEPA is the body responsible for monitoring and ensuring compliance with these regulations. SEPA assess whether producers and compliance schemes are meeting their obligations, including data reporting, registration, and financial contributions. Producers must register with SEPA and obtain PRNs (packaging waste recycling notes) and PERNs (packaging waste export recycling notes).

ⁱⁱ [Packaging waste | Beta | SEPA | Scottish Environment Protection Agency](#)