



# Public Consultation Submissions & Responses

## Guidelines for catering establishments on different alternatives to food containers and cups for beverages

July 2025

Environment & Resources Authority



## CONSULTATION FEEDBACK

Ref No.	Name of Stakeholder / Date	Comments Received	Response / Remarks
1	Aaron Gusman 19/06/2025	<p>I would like to propose that single-use plastics are prohibited outright.</p> <p>The reasons are simple:</p> <p>A) Viable environmentally-sustainable alternatives exist as clearly pointed out in the guidelines themselves</p> <p>B) Attributing a fee for persistent use of single-use plastics by the catering establishments will mean that it will not be the catering establishment that will pay the price but the consumer. Here is why: When you examine market prices across the country, we already know that for the same kind of food item in the market, ranging from sushi to burgers, there are already many different price ranges. For example a burger can be 10 EUR and another burger can be 16 EUR and demand is healthy and alive in both cases. This means that consumers are already willing to pay 6 EUR more for one burger than for another in the same market and that the 6 EUR difference does not have a material effect on demand. If the establishment with the cheaper burger of EUR10 raises the price from EUR10 to EUR10.50, there will be zero-change to the demand of that burger as people are already willing to pay up to EUR16 for a burger regardless of the container in which it is delivered. What this means therefore is status-quo. All those establishments selling their burgers for EUR15.50 or less will not see any change in demand if the price goes up by a hypothetical EUR0.50 as a charge for the single-use plastic and the bottom-line revenues/profits of the establishments will remain totally unchanged. Only if the fee for single-use plastics is exaggerated will establishments truly be forced to choose alternatives and will the people of Malta</p>	<p>Comment noted.</p> <p>The consultation focused on the guidelines intended to support catering establishments in implementing and contributing to existing legislation. These laws, including the provision about charging a fee, were subject to public consultation prior to their enactment. The legislative measures in question are outlined in Section 1.2 of this guidance document and in Regulation 4 of S.L. 549.149.</p> <p>Regarding the outright ban of all single-use plastic (SUP) products, including SUP food containers and beverage cups, it is important to highlight that such a measure may be challenging to implement for all products. This is due to a combination of factors, including the limited availability and affordability of suitable alternatives and potential disruptions to both businesses and consumers.</p> <p>It is worth noting that Malta already prohibits a number of SUP products from being placed on the market, especially those identified in the SUP Directive (EU) 2019/904 as being among the most commonly found on beaches across the Union.</p>

		take their own containers to take-aways. The ultimate risk is that the poorest of the society will continue to become poorer and more isolated. Might as well ban single-use plastics outright given that there are other sustainable alternatives. The higher demand for reusable materials (or single-use non plastic materials) will ultimately lower their cost price and hopefully become level to the price of single-use plastics.	
2	Ing. Nicholas Zarb  Natural Edge  24/06/2025	On behalf of the company Natural Edge, I am writing this message. We are a material research company based in Malta specializing in the development of sustainable and eco-friendly materials as alternatives to plastic packaging. I wish to inform you on the following:  First, we are very pleased that proper action is being taken about the issue of SUP.	Comment noted, thanks.
		Secondly, in the guidelines, you recommended a number of alternatives which are questionable, namely: Bagasse, yes it is natural but the coating used to make it grease resistant is PFAS currently under review to be banned in the EU 2026.	Thank you for your comment. Please note that materials intended for food contact, including coatings such as PFAS, do not fall under the ERA's remit or monitoring responsibilities. Nevertheless, your concern will be forwarded to the relevant competent authority, who are responsible to approve such materials for placement on the market, for their consideration.
		Additionally, aluminium foil, which will most likely be contaminated with food, will not be recyclable as stated in the draft.	In line with the <a href="#">national waste separation guide</a> , aluminium products are accepted in the Mixed Recyclables bag (the grey/ green bag). It is essential that these are thoroughly rinsed prior to disposal, to help prevent odours and

			significantly improve recycling process efficiency.
		<p>We would also like to inform you that we offer alternative solutions as that is the foundation of our company.</p> <p>Paper straws which are currently used are not that great- they absorb water and still use fossil-fuel based glues. We supply single use wheat drinking straws and reusable straws made from cellulose and fully compostable materials. Eco-friendly cutlery made from these materials is also available.</p> <p>We can indeed supply an alternative material to plastic take away food containers and without any PFAS like bagasse. Our alternative is made from alginate and is 100% natural and safe, while also being grease and water resistant.</p>	Thank you for your comment. Further exploration of materials referred to in your comments will be made.
		<p>Ice cream food trucks are amongst the biggest sources of SUP waste in summer. We can indeed supply natural and eco-friendly ice-cream trays/cups.</p> <p>Glue used in paper straws or in any other SUP alternative item should also be environmentally safe. We also supply a hot melt glue which is home-compostable yet very sturdy, so this can be an option to local manufacturers.</p> <p>Just for your information, and to highlight that there are local options available.</p>	Above comment applies.
3	<p>Beth Fiteni</p> <p>Friends of the Earth Malta</p> <p>01/07/2025</p>	<p>Friends of the Earth Malta welcomes the publication of these draft guidelines, which represent a crucial step in supporting the transition away from single-use plastics (SUPs) within the catering sector. We particularly commend the proposed ban on SUPs for dine-in consumption and the mandatory charge for takeaway containers as important tools for reducing plastic waste. These measures send a strong and necessary signal about the importance of transitioning away from disposables in everyday commercial activities.</p>	Thank you for the comment.

		<p>To ensure that these guidelines are effectively implemented and understood by all relevant stakeholders, we strongly recommend that they be proactively communicated to all affected catering establishments. This should be done through all possible means of communications in order to ensure wide reach. We also encourage the authorities to issue a public media campaign, and to organise webinars or information sessions where businesses can ask questions and receive guidance directly. Including examples of appropriate signage in both Maltese and English would be especially useful to help businesses comply uniformly with the display requirements.</p>	<p>Comment noted. Please note that communication with stakeholders has already been initiated and is being pursued.</p>
		<p>Friends of the Earth Malta believes that robust enforcement is crucial to the success of these guidelines. Therefore for purposes of clarity, instead of only referring to the penalties in the Environmental Protection Act as a separate document, fines or other consequences of noncompliance should be repeated here in the Guidelines document as well, within the text or as a footnote as a minimum:</p> <p>As stated in L.N. 237 of 2022 ENVIRONMENT PROTECTION ACT (CAP. 549) Single-Use Plastic Framework Regulations, 2022:</p> <p>“Any person who commits an offence against these regulations shall, on conviction, be liable: (a) on a first conviction, to a fine (multa) not exceeding two thousand and three hundred and thirty euro (€2,330); (b) on a second conviction or subsequent convictions, to a fine (multa) not exceeding four thousand and six hundred and sixty euro (€4,660)...”</p>	<p>Kindly note that section 1.4 of the guidance document refers to penalties outlined in S.L. 549.149. For further details, you may wish to consult the specific provisions detailed in the referenced regulations.</p>
		<p>Beyond including penalties, we strongly recommend that the government allocate sufficient resources for regular inspections of catering establishments. These inspections should begin as soon as the guidelines come into effect and continue at regular intervals. To ensure transparency and encourage compliance, we propose the development of a public-facing platform where violations can be logged and accessed by the public. This would serve both as a</p>	<p>Comment Noted.</p> <p>The Authority will take your suggested approach into consideration.</p>

		<p>deterrent and as a tool for accountability. Such a platform could also allow members of the public to report suspected violations.</p>	
		<p>We are pleased to see the guidelines encouraging businesses to promote reusable containers and incentivise customers who bring their own. Friends of the Earth Malta fully supports the use of customer incentives such as discounts or loyalty rewards for those who adopt reusable habits. Encouraging a culture of reuse through these positive measures will be critical to reducing reliance on disposables. Clear communication of such incentives through in-store signage will be equally important. We are aware of at least one business operating in Europe that offers deposit return machines through which one can return their reusable cup, plate/bowl, and utensils after use at events, and receive their deposit back in the form of a coin. We are happy to help provide information on this if requested.</p>	<p>Thank you for your comment.</p> <p>The Authority appreciates Friends of the Earth Malta's endorsement. Clear communication can play a key role in this effort. Through these guidelines, catering establishments are encouraged to inform their customers and actively promote their sustainable practices. In parallel, ERA will continue its efforts to raise public awareness and support the transition towards more sustainable consumption habits.</p>
		<p>Although in-patient hospital services are currently exempt from the proposed guidelines, Friends of the Earth Malta encourages policymakers to explore future inclusion of this sector, given its substantial use of disposables. There are numerous sustainable alternatives that hospitals can adopt, including reusable tableware such as stainless steel cutlery and ceramic dishes, reusable beverage and food containers for both patients and staff, and a shift toward Single-Use Non-Plastic (SUNP) options like compostable items. Recyclable packaging, edible films, and certain bioplastics (where properly managed) may also be considered. Beyond materials, hospitals can reduce plastic waste through sustainable procurement policies, improved waste management systems, and awareness-raising initiatives that promote the environmental and health benefits of reducing single-use plastics.</p>	<p>Comment noted. This consultation focused on the guidelines intended to support catering establishments in implementing and contributing to already existing legislation, rather than introducing new regulations.</p>
		<p>In conclusion, we believe these guidelines offer a promising and practical approach to reducing plastic waste in Malta's food sector. If paired with clear communication, effective enforcement, and strong</p>	<p>Thank you. Your comment has been noted.</p>

		support for reusable systems, this initiative has the potential to significantly shift both industry practices and consumer behaviour. Friends of the Earth Malta is happy to contribute to outreach efforts and remains available to support the implementation of these important measures.	
4	Justine Previ  Earth Systems Association  11/07/2025	We commend ERA's efforts to further eliminate single-use plastics and promote a circular economy, and we hope that our observations and recommendations will support the development of clear, practical, and sustainable guidelines for Malta's catering sector. ERA's attempt to further eliminate single-use plastics and promote sustainable alternatives in Malta's catering business has been commended by the Earth Systems Association (ESA). We acknowledge the significance of this strategy as Malta continues to conform with EU directives and move to a circular economy. In order to improve the guidelines and make sure they are realistic, fair, and environmentally sound, ESA makes the following observations and suggestions.	Thank you. Your comment has been noted.
		<p>Increasing Implementation Support</p> <p>Note: The requirements are thorough, but putting them into practice can be costly and logistically difficult, especially for small and medium-sized catering businesses.</p> <p>Recommendation: We highly advise that the ERA and MEEC implement monetary or practical incentives, such as:</p> <ul style="list-style-type: none"> <li>• Grants or subsidies for first-time purchases of reusable systems or equipment (like dishwashers or storage).</li> <li>• Tax breaks for buying packaging that has been certified sustainable.</li> <li>• Public procurement favours companies that comply.</li> </ul>	<p>Thank you for your comment. The concerns raised regarding the potential financial and logistical challenges faced by small and medium-sized catering establishments are duly noted and appreciated.</p> <p>Your recommendations on introducing financial or practical support measures will be conveyed to the relevant entities for their consideration in the development of future support frameworks.</p>

		<p>Justification: The shift runs the danger of disproportionately burdening smaller companies in the absence of institutional assistance, which would jeopardise long-term adoption and equity.</p>	
		<p>2. Enforcing and Facilitating Event Reuse Systems</p> <p>Note: Reuse systems are encouraged by the existing rules, but their usage for transient events (such as festivals or festas) is not required.</p> <p>Recommendation: In addition to offering centralised reusable cup/container services (such as deposit-return systems) akin to the Freiburg or Ghent models, we suggest making reuse systems required for major public gatherings.</p> <p>Justification: Concentrated waste is produced during events, and centralised reuse methods have been shown to cut waste and encourage public behaviour change.</p>	<p>Comment noted.</p> <p>This consultation focused on guidelines which intent to support catering establishments in implementing and contributing to already existing legislation. Concerning your suggestion, please note that as outlined in Section 3 of the guidelines, systems for reuse are encouraged as a sustainable way to reuse alternatives to single-use plastics. However, their implementation is not mandatory under current regulations. Catering establishments, or in the context of your query-event organisers, may choose to adopt such systems based on their financial resources, operational capacity, and customer demand.</p>

		<p>3. Making Waste Stream Disposal and Compatibility Clear</p> <p>Note: Although some materials (such as lined cardboard and PLA) are marketed as sustainable, they are incompatible with Malta's present composting and waste separation systems.</p> <p>Recommendation: The guidelines should specify exactly which materials:</p> <ul style="list-style-type: none"> <li>• Are recyclable or compostable.</li> <li>• Demand commercial composting, which Malta might not have.</li> <li>• Should be avoided because of false promises about its biodegradability (e.g. PLA).</li> </ul> <p>The final guidelines should include a streamlined materials classification table that is in line with Malta's waste streams.</p>	<p>Comment noted.</p> <p>Please note that the information presented in the guidelines is aligned with the current <a href="#">national waste separation guide</a>, which reflects the waste treatment facilities and infrastructure presently available. The Authority has opted not to include specific disposal instructions within the document, as the handling of certain waste streams may be influenced by future developments, changes in infrastructure, or updated waste management practices.</p> <p>Including such details within the guidelines could therefore risk rendering the information outdated. For this reason, users are directed to refer to the <a href="#">national waste separation guide</a>, which is maintained and updated as needed, and accessible via the WasteServ Malta website.</p>
		<p>4. Improving the Needs for Consumer Communication</p> <p>Note: Although businesses are required by the rules to "inform customers", the communication standards and procedures are not clearly specified.</p> <p>Recommendation:</p>	<p>Thank you. Your recommendation has been noted and will be taken into consideration.</p>

		<p>We suggest implementing the following minimal communication standards:</p> <ul style="list-style-type: none"> <li>• At the point of sale, bilingual posters about reuse alternatives and costs are displayed.</li> <li>• Clear price differences between single-use and reusable containers.</li> <li>• Requirements for staff training on how to communicate cleanliness and container acceptance guidelines.</li> </ul> <p>Justification: To change customer behaviour and prevent misunderstandings or resistance, clear, consistent messaging is crucial.</p>	
		<p>5. Promoting Local Supply Chains and Innovation</p> <p>Note: Because of long-distance transportation, the rules mostly rely on imported commodities (such as palm leaf and bagasse), which may have unstated environmental implications.</p> <p>Recommendation: ERA should:</p> <ul style="list-style-type: none"> <li>• Encourage local research and development of novel, environmentally friendly packaging derived from regional or Mediterranean biomass.</li> <li>• Work together with SMEs and academic institutions to create domestic substitutes for single-use plastics.</li> </ul>	<p>Thank you for your comment.</p> <p>The Authority, in collaboration with the Ministry for the Environment, Energy and Public Cleanliness (MEEC), is committed to work closely with the relevant sectors to support sustainable practices. ERA also promotes existing funding schemes that can be leveraged by stakeholders to invest in their operations, including financial support for research and development initiatives.</p> <p>Nonetheless, we will forward this suggestion to the relevant governmental entities for their consideration in the formulation of any other future support frameworks, including collaboration opportunities with SMEs and academic institutions.</p>

		<p>6. Mechanism for Monitoring and Evaluation</p> <p>Note: No mention of a future monitoring or compliance system is included in the draft guidelines.</p> <p>Recommendation: Make arrangements for:</p> <ul style="list-style-type: none"> <li>• An ongoing evaluation of the materials used, the adoption of reuse systems, and the environmental results (e.g., every two years).</li> <li>• The creation of performance metrics, such as a percentage decrease in SUP usage.</li> <li>• Possible future phasing out of SUNP materials, once reuse systems are more widely adopted.</li> </ul>	<p>Thank you for your comment.</p> <p>The monitoring and evaluation of the SUP situation on the ground is already being undertaken by the Authority, in line with the obligations set out in the SUPs Regulation. Accordingly, the scope of this consultation was focused on the guidelines aimed at supporting catering establishments in the implementation of, and contribution to, existing legislation.</p>
		<p>7. Education and Uniform Certification</p> <p>Note: Good hygiene procedures and employee compliance are critical to the successful deployment of reuse systems.</p> <p>Recommendation: It is advised that food handlers using reuse systems (such as BYOC procedures, sanitisation techniques, and tare weight handling) participate in a nationwide training and certification programme.</p>	<p>Comment noted.</p> <p>Your recommendation will be passed on to the relevant authorities who have such a remit, for their consideration.</p>
		<p>Conclusion</p> <p>With the proposed enhancements, the Earth Systems Association believes Malta has the potential to become a leading example of sustainable food service in the Mediterranean region. We fully support the objectives and structure of the draft guidelines, and would welcome the opportunity to contribute further through</p>	<p>Thank you for the support.</p>

		participation in working groups or pilot initiatives supporting this transition.	
5	Clint Falzon  Premier Restaurants Malta Ltd  23/07/2025	I'm writing on behalf of Premier Restaurants Malta Ltd, the operator of McDonald's in Malta, to share our views on the draft guidelines for alternatives to food containers and beverage cups. Over the past months, we've engaged in discussions with the Circular Economy team around the BYOC initiative. We've shared our plans and reaffirmed our commitment to aligning with upcoming legislation and finding sustainable solutions. Aligned with McDonald's Corporation's EU business unit, we're also closely involved in ongoing studies and pilot programs being trialed in other European markets to support the transition to reusable packaging.	Comment noted.  The Authority looks forward to acquire more information about the outcomes of the ongoing studies and pilot initiatives, and to understanding how McDonald's Malta will contribute to the transition towards more sustainable solutions.
		We would like to share some insights from these initiatives that are relevant to the guidelines published. Initial results from a pilot in Germany shows that only around 50% of the reusable containers put on the restaurant floor are being returned. This is a concern - not just because of the consumable cost to businesses, but also due to the recurring expense of replacing missing or damaged items.	Thank you for your comment.  We acknowledge that such measures may present financial and operational challenges, particularly in light of issues such as low return rates and recurring replacement costs, as well as hygiene concerns.
		There are also complications around the hygiene and food safety when reusables are returned, especially in relation to the responsibility for ensuring containers are clean and safe to use in BYOC setups. From an operational perspective, it's important to consider that our business model is designed to operate through various channels: in-store, takeaway, drive-thru, and delivery. Any proposed system must be practical across all these dining formats, otherwise it could create inconsistency, confusion and increase risk significantly.	It is our hope that ongoing studies and pilot programmes will help identify effective management strategies to address these concerns and support a smoother transition towards the adoption of systems for reuse. To note that as per current legislation, such systems are not mandatory to implement. The guidelines is only encouraging establishments to consider such systems.

		<p>While we are ready and willing to do our part, any mandates must be practical and scalable across the entire food service sector. It is critical that the proposed system is not solely intended for implementation with large operators in mind who may have more resources to adapt, but that it is also realistically implementable by smaller establishments, ensuring fairness and inclusivity across the sector. We appreciate the opportunity to contribute to this important dialogue and remain open to further collaboration to ensure that the final guidelines are both effective and inclusive.</p>	<p>Comment noted.</p> <p>The Authority notes your concerns and would like to clarify that, while the proposed systems for reuse are not mandatory to set up under current legislation, they are encouraged for all establishments, regardless of size. Ensuring inclusivity and fairness across the sector is a key consideration in the development and promotion of these guidelines.</p> <p>ERA remains available to provide guidance and support to any establishment, or group of establishments, interested in implementing such systems. Our aim is to help ensure a smooth and sustainable transition that aligns with national legislation and is practical for operators of all scales.</p>
6	<p>Julia Aquilina The Malta Chamber 25/07/2025</p>	<p>Introduction</p> <p>The Malta Chamber of Commerce, Enterprise and Industry supports sustainability alongside competitiveness, stressing that economic viability is essential for industry to adopt greener practices. Environmental policies should be practical, proportionate, and minimally disruptive to businesses.</p> <p>We appreciate the Environment and Resources Authority's (ERA) effort in drafting guidance to help catering establishments reduce single-use plastic (SUP) use and provide alternatives. However, the document currently:</p>	<p>Thank you for your detailed and constructive feedback.</p> <p>The guidelines are intended to serve as non-binding guiding principles, aimed at assisting catering establishments in aligning their practices with existing legislation concerning consumption reduction measures on SUP food containers and Cups for Beverages. Legislation which has been publicly consulted before enactment and publication. They are neither</p>

		<ol style="list-style-type: none"> <li>1. Lacks clear, practical guidance,</li> <li>2. Is ambiguous in legal definitions and scope,</li> <li>3. Does not clearly differentiate dine-in versus takeaway,</li> <li>4. Places unrealistic expectations solely on businesses without government or public support.</li> </ol> <p>The Malta Chamber is putting forward eleven recommendations that aim to create an effective, balanced approach to reducing single-use plastics while maintaining operational feasibility and encouraging widespread adoption across the industry.</p> <ol style="list-style-type: none"> <li>1. Structural Deficiencies and Lack of Practical Utility</li> </ol> <p>The document omits several fundamental elements that are critical to its effectiveness. It lacks implementation timelines, information on the implications of non-compliance, version control, and a change log to indicate when and how guidance has been amended. Expecting businesses to refer back to legislation in order to interpret a guidance document contradicts the very purpose of having such a document in the first place. If this tool is to serve the sector, it must consolidate all relevant information in a single, comprehensive and accessible format that leaves no room for ambiguity. It is essential that a clear distinction is made between legal obligations and non-binding recommendations, ideally via summary tables or visual aids that demarcate mandatory requirements from best practices.</p> <p>To provide clarity, The Malta Chamber recommends that the Authority incorporates a legally backed implementation roadmap, showing when various provisions will take effect, aligned with regulatory enforcement. Include a change history section for future versions. Use colour-coded summary tables to distinguish clearly:</p> <ul style="list-style-type: none"> <li>• Legal obligations currently in force</li> <li>• Legal obligations pending implementation</li> </ul>	<p>intended to impose new legal obligations, nor to override or replace the law.</p> <p>Concerning practicality, clarity &amp; implementation:</p> <p>The Authority fully agrees that any transition must be realistic and appropriately supported. However, it is to be noted that S.L. 549.149 came into force in September 2022, with Regulation 4(6): where practically feasible and 4(7) applied as from 1 January 2023, allowing enough time for the relevant stakeholders to adapt. The other two measures are not yet in force, which provides enough time to adapt. The industry will be informed once such provisions enter into force.</p> <p>At this stage, these guidelines are structured to offer businesses practical recommendations in their application. Where implementation is not feasible (in the case of Regulation 4(6)), the legislation itself recognises this limitation, and compliance should reflect what is practically achievable in the specific context of each business.</p> <p>We also take note of the Chamber’s suggestion to improve clarity by:</p>
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		<ul style="list-style-type: none"> <li>• Non-binding recommendations</li> </ul> <p>This would improve business understanding and compliance confidence.</p> <p>2. Narrow Scope and Fragmented Approach</p> <p>The scope of the guidance is also unacceptably narrow. The document spans 27 pages yet only addresses food containers and beverage cups, ignoring a wide range of SUP products regularly used in the catering industry. This fragmented approach is inefficient and creates confusion, as businesses will be required to consult multiple separate documents.</p> <p>The Malta Chamber strongly urges that a consolidated, comprehensive document be issued that integrates all catering-related SUP products, aligning obligations across multiple legislative instruments (e.g. food safety, waste, packaging). Ensure that businesses have a single reference point.</p> <p>Annexes can provide product-specific guidance (e.g. straws, lids), but the core text should address the full regulatory picture.</p> <p>3. Unjustified Financial Burden on Businesses</p> <p>Moreover, the suggestion that businesses should incentivise consumers to use reusable items raises serious concerns. It is unreasonable to expect businesses to bear additional costs for the promotion and supply of alternative systems, particularly in the absence of any form of government support. Unless targeted financial assistance, such as subsidies or tax incentives, is introduced, it is impractical and unjust to place further burdens on businesses that are already facing significant cost.</p>	<ul style="list-style-type: none"> <li>• Clearly distinguishing between legal obligations and voluntary actions;</li> <li>• Including change logs in future versions;</li> <li>• Adding visual aids and summary tables.</li> </ul> <p>These are valuable recommendations and will be carefully considered in the final version of the guidance document.</p> <p>Concerning scope and consolidation:</p> <p>We acknowledge the concern regarding the narrow scope of the document. These guidelines were intentionally limited to SUP food containers and beverage cups, which are directly addressed by Regulation 4 of S.L. 549.149. Other SUP items are covered under separate legislation.</p> <p>Concerning support for business:</p> <p>We fully recognise that smaller businesses may face greater challenges in adapting to sustainable practices. The Authority continues to promote the use of existing funding</p>
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		<p>The Malta Chamber believes that the introduction of green transition schemes specifically for catering establishments, covering:</p> <ul style="list-style-type: none"> <li>• Capital expenditure grants for dishwashing equipment and storage infrastructure</li> <li>• Tax credits for purchases of compliant packaging</li> <li>• Matching funds for Bring Your Own Container incentive schemes (e.g. discounts, loyalty cards)</li> </ul> <p>These could be co-financed through Circular Economy Malta or EU structural funds.</p>	<p>opportunities issued by Malta Enterprise, a number of which support green initiatives. Nevertheless, your suggestion will be conveyed to the relevant ministries and entities, for their consideration in the development of future support frameworks.</p> <p>With regards to material classifications:</p> <p>As indicated in the guidance, materials such as PLA, or items with plastic linings or coatings, fall within the scope of SUP regulations and should be avoided. The inclusion of structured tables that clearly distinguish between SUP, SUNP, and reusable products, along with their legal and environmental profiles, would enhance clarity, and will be carefully considered in the final version of the guidance document.</p> <p>Concerning Reusable alternatives:</p> <p>The guidance document does not intend to discourage reusable alternatives, but rather, it presents a balanced view to help establishments make informed choices. Improvement to section 2 will be considered to make it more user friendly.</p> <p>Concerning PFAS and hazardous materials:</p>
		<p>4. Ambiguity Around Materials and Legal Status</p> <p>The guidance document introduces significant uncertainty in its treatment of certain materials, particularly with respect to naturally occurring plastic polymers and coated paper or cardboard products. Terms such as “acceptable” and “may be considered acceptable” are used without clear definitions or legal context. This creates confusion for businesses seeking to comply with regulatory requirements, particularly as the document fails to explicitly confirm whether such materials fall within or outside the scope of the Single-Use Plastics Regulations.</p> <p>For example, naturally occurring polymers are mentioned in passing, yet there is no dedicated explanation of their legal status or implications for use in catering settings. If these materials are not considered SUPs under Maltese law, this should be clearly and unambiguously stated, referencing the relevant legal provisions. Similarly, the phrase “may be considered acceptable” in relation to water-based coatings on cardboard introduces an unnecessary level of ambiguity. A guidance document should provide definitive information, not further uncertainty.</p>	

		<p>Moreover, materials such as porcelain, ceramic, silicone, and earthenware are also listed without adequate discussion of their environmental credentials, suitability, or relevant standards. The lack of supporting information undermines the guidance’s usefulness and risks misleading operators.</p> <p>To improve clarity, The Malta Chamber recommends the inclusion of a structured table that clearly distinguishes between single-use plastic (SUP) and single-use non-plastic (SUNP) products, specifying their classification, environmental impact, and legal treatment. The current format is text-heavy and fragmented, making it difficult to navigate. A visual format would significantly enhance readability and allow businesses to quickly identify compliant alternatives.</p> <p>5. Misrepresentation of Reusable Products</p> <p>Furthermore, the document’s repeated reference to the carbon and energy intensity of reusable alternatives is misleading. While reusable items may initially have a higher production footprint, they are designed to be used multiple times. It is emissions per use — not per unit — that determines sustainability. The guidance should explicitly state that reusable alternatives become more environmentally favourable after a certain number of uses, and that such trade-offs must be assessed through lifecycle analysis.</p> <p>The Malta Chamber is in favour of introducing a lifecycle assessment (LCA) perspective within the guidance. Provide indicative figures on the reuse threshold (e.g. polypropylene container becomes environmentally favourable after 15 uses). Consider adding a simple chart comparing LCA results of SUP, SUNP, and reusable options across typical use cycles.</p> <p>6. Omission of Harmful Materials Warning</p> <p>With regards to harmful materials, the guidance fails to adequately warn against the use of food-contact materials lined with per- and</p>	<p>The concern regarding PFAS is also acknowledged. This falls outside ERA’s remit, however your concern will be forwarded to the relevant competent authority for their advice and further consideration.</p> <p>With regards to public awareness &amp; consumer responsibility:</p> <p>In order to assist businesses in this transition, the Authority will pursue further public awareness campaigns. These help drive behavioural change and promote consumer responsibility in the shift away from SUP food containers and cups for beverages.</p> <p>It is worth noting that awareness campaigns on other SUP products have been ongoing and will continue to be carried out through various channels and activities.</p> <p>Concerning your points of liability, training, BYOC incentives &amp; monitoring: The primary objective of this document is to provide guidance rather than introduce new legal obligations. Many of the criteria included are derived from existing national guidelines and legislative frameworks, with the aim of promoting harmonisation across relevant practices.</p>
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		<p>polyfluoroalkyl substances (PFAS). These substances are known to persist in the environment, accumulate in the human body, and are linked to serious health risks including cancer and reproductive harm. Their continued use runs counter to the very goals this guidance is meant to achieve.</p> <p>The Malta Chamber strongly recommends that the guidance document clearly advises against the use of PFAS-lined products.</p> <p>7. Public Awareness and Consumer Responsibility</p> <p>Public awareness is a necessary component of this transition, but responsibility cannot rest solely with businesses. Establishments already face resistance from customers unfamiliar with or opposed to changes in service delivery, such as reusable systems or surcharges for SUPs. National-level awareness campaigns are essential to ensure that consumers understand the reasons behind the transition and the shared responsibilities involved. Without public buy-in, catering establishments will face avoidable tensions and operational inefficiencies.</p> <p>The Malta Chamber recommends that a public campaign accompany the publication of this guidance document.</p> <p>8. Hygiene and Liability Concerns with (BYOC)</p> <p>While the guidance describes how to inspect containers, it does not provide clarity on liability in cases of foodborne illness. Businesses need legal backing that outlines when responsibility transfers to the consumer (e.g. if a customer brings an unclean or unsafe container that is accepted in good faith).</p> <p>The Malta Chamber believes that a clear liability framework would be opportune to define:</p>	<p>Furthermore, the Authority has sought input from the relevant competent authorities to ensure that the guidance aligns with current standards.</p> <p>That said, the concerns raised are all acknowledged. These will be communicated to the appropriate entities for further consideration in the development of future support measures and regulatory refinements.</p> <p>In conclusion, the Authority notes that the guidelines are intended to serve as a practical reference framework to support industry efforts in reducing the consumption of SUP food containers and cups for beverages.</p> <p>The Authority remains committed to continued engagement and collaboration with the business community to ensure a sustainable, fair, and practical transition in line with Malta’s circular economy goals.</p>
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		<p>9. Labour and Staff Training Pressures</p> <p>The guidelines place increased responsibility on food handlers without recognising the added complexity. Training seasonal or part-time staff in BYOC acceptance, inspection, and hygiene protocols may not be realistic without external support.</p> <p>The Malta Chamber recommends that funds are allocated and rolled out to provide a national training programme (possibly online) for:</p> <ul style="list-style-type: none"> <li>• BYOC handling and inspection</li> <li>• Safe cleaning and storage of reusables</li> <li>• Communicating changes to customers</li> </ul> <p>Offer a certification scheme or update food handling licence categories to reflect the new skillsets.</p>	
		<p>10. BYOC Incentives: A Fairness Challenge</p> <p>Recommending incentives (e.g. discounts, free add-ons) without supporting mechanisms creates competitive disadvantage. Some operators may absorb these costs to retain customers, while others may lose business.</p> <p>The Malta Chamber believes that the development of a points-based national loyalty scheme for eco-friendly consumer behaviour, redeemable at participating businesses could be an idea to encourage public participation.</p>	
		<p>11. Absence of Phased Transition and Monitoring Plan</p>	

		<p>The absence of a phased timeline or review mechanism creates uncertainty. Abrupt enforcement could penalise unprepared businesses, while lack of feedback loops risks poor policy calibration. The Malta Chamber recommends that this plan is implementation is phased including to include a pilot phase and grace period.</p>	
		<p>Conclusion</p> <p>The Malta Chamber fully supports the national move to a circular economy but stresses the need for consistent, practical policies aligned with economic conditions. We urge authorities to work collaboratively and transparently with businesses when refining these guidelines. The Malta Chamber is ready to assist and looks forward to ongoing dialogue with ERA to create effective, viable, and workable regulations.</p> <p>Our commitment extends beyond simple endorsement; we believe that achieving a true circular economy necessitates robust cooperation between government authorities, regulatory agencies, and the business community. By fostering open communication channels and active engagement with stakeholders, we can collectively develop solutions that are both environmentally sound and economically feasible. The Malta Chamber remains dedicated to providing expertise, sharing best practices, and supporting initiatives that drive positive change.</p> <p>The measures proposed signify a continuation, as Malta achieves its circular economy goals while safeguarding economic growth and competitiveness.</p>	