

Misleading Environmental Claims

Evidence for the Competition Markets Authority
December 2020

Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 58 organisations to use their strong joint voice for the protection of nature.

Executive Summary

As the Resources and Waste Working Group at Wildlife and Countryside Link (Link), we have a particular interest in the sustainable use of materials as part of a circular economy, minimising the impact of waste arising from resource use. There continues to be significant public interest in the impacts of plastic pollution, and this presents an opportunity for businesses to market their products in such a way that capitalises on the anti-plastic sentiment. In turn, this has led to a proliferation of ambiguous and unsubstantiated claims relating to the superior “sustainability” of products and especially packaging.

Without a significant turnaround in resource consumption trends and a shift towards circular and zero-waste economies, the twin ecological crises of climate breakdown and the biodiversity emergency cannot be addressed. This situation is not helped by the continued single-use packaging approach which dominates business models and the shift away from plastic into alternative materials is accompanied by a suite of other issues (unintended consequences). Whilst plastic pollution is a huge concern, we must acknowledge the environmental impacts of all materials. The impacts of all materials need to be factored into any claims; without this transparency, consumers are left confused by the choices presented to them.

In line with the waste hierarchy, the building blocks of a circular economy must be reduction then reuse, followed by recycling. Rather than substituting conventional fossil-fuel based plastics with alternative materials (including those that degrade), we urge the Government to focus on plastic prevention, reuse and refillable solutions.

Plastic alternatives and labelling are confusing citizens and businesses, with misleading and unsubstantiated claims about green credentials. There are grounds to fear that this could lead to an increase in incorrect disposal choices being made which could contaminate existing recycling streams, and potentially lead to an increase in incineration and littering.

The UK currently lacks clear guidance on the use of claims relating to materials which results in the marketing of products with misleading sustainability claims, in some cases due to businesses having access to insufficient information or due to misrepresentation in the business selling process. In our response, we seek to highlight some of the key areas where this is happening and call for the Government to tighten the regulations in relation to this.

It is increasingly important that both businesses and consumers can trust information related to products since the potential consequences of misinformation could lead to serious consequences.

Responses to CMA call for evidence questions

3. Which issues do you think the CMA should be focusing on, and why?

The following table provides suggestions for focus areas in relation to misleading environmental claims (not exhaustive):

FOCUS AREAS	WHY?
<p>Terminology such as:</p> <ul style="list-style-type: none"> - Bio-based - Bio-derived - Bio-sourced - Plant-based - From renewable sources - Biodegradable - Compostable - Degradable - Eco-degradable 	<ul style="list-style-type: none"> - Consumer confusion over terminology - Lack of guidelines for the information. required to support use of these terms e.g. sourcing credentials and how they should be disposed of at end of life. - Lack of clarity as to which standard(s) are most relevant to support these claims. - Lack of evidence to support common assumption from consumers that these options are more “sustainable”. - Encourage littering due to consumers believing products “biodegrade” in nature. - Exploitative marketing of products to consumers who want to purchase more “sustainable” goods without providing a complete picture of the product’s true sustainability vs. alternatives, nor providing information on end of life disposal routes e.g. a biodegradable coffee cup which has a PLA liner and is only industrially compostable. - Not calling out potential contamination issues if such items enter existing waste streams. - Switching to “sustainable” materials promotes further single-use approaches vs. adopting reusables where appropriate e.g. “biodegradable” coffee cups. - Use of these terms is proven to encourage littering as consumers believe items will “disappear” in nature¹.

¹ See Appendix A - Overall labelling

	<ul style="list-style-type: none"> - Terminology has been developed from a marketing perspective rather than primarily information transfer. This means terms are often given in isolation, leaving consumers with an incomplete picture of a product's true sustainability.
<p>Claims related to recycling, recyclability and recycled materials / content</p>	<ul style="list-style-type: none"> - Consumer confusion over terminology - Lack of evidence as to the source of recycled material i.e. post-consumer waste vs. pre-consumer internal production waste. - Not supported by use of an industry-recognised, evidence-based recycling logo e.g. OPRL scheme². - Lack of supporting evidence to demonstrate the product will actually be recycled within the current system and no legal requirement to provide this evidence.
<p>Plastic "alternatives" and materials switching</p>	<ul style="list-style-type: none"> - Brands and retailers are under pressure from consumers to move away from single-use plastics and this results in switching to alternative materials without taking account of the unintended consequences of doing so e.g. moving from plastic to paper bags which require four times as much energy to manufacture and therefore have a greater climate impact³. - No legal requirement to quantify a product's impact based on a common metric. - Absence of standardised approach to lifecycle assessments.
<p>Logos</p> <ul style="list-style-type: none"> - Plastic Free 	<ul style="list-style-type: none"> - Consumer confusion over terminology⁴. - Lack of independently determined criteria required for these claims.

² <https://www.oprl.org.uk/>

³ "Comparison or Environmental Impact of Plastic, Paper and Cloth Bags" <http://www.niassembly.gov.uk/assembly-business/committees/2011-2016/environment/environment/research-papers/research-papers-2011/comparison-of-environmental-impact-of-plastic-paper-and-cloth-bags/>

⁴ <https://treadingmyownpath.com/2018/04/12/plastic-free-aisle/>

<ul style="list-style-type: none"> - Working Towards Plastic Free - This Packaging is Plastic Free - Zero Plastic 	<ul style="list-style-type: none"> - Definition of “plastic free” is open to interpretation and is often applied to compostable plastics. This is despite the fact that PLA, one of the most common industrially compostable plastics, is classified along with ‘other’ plastics as plastic number 7, under the ASTM International Resin Identification Coding System (RIC) used to identify plastic resins. - Use of logo on other materials, calling out a “benefit” which is disingenuous e.g. plastic-free logo on paper-based packaging. - Absence of independent verification of these “certifications”⁵. - Use of marketing-created logos e.g., Zero Plastic Sellotape - confusing explanation of how to deal with each component at its end of life⁶.
<p>Use of generic terms such as:</p> <ul style="list-style-type: none"> - Sustainable - Eco-friendly - Green - Natural - Carbon neutral - Net zero emissions 	<ul style="list-style-type: none"> - Catch-all terms which currently do not require evidence to support their use. - Often only supported by focusing on a single aspect of the product being “sustainable” e.g. the product can be recycled or is derived from bio-based sources. - Absence of requirement to meet criteria to support use of these terms.
<p>Use of marine-friendly terms such as “Reef-safe” or “Dolphin-friendly”</p>	<ul style="list-style-type: none"> - Lack of regulations relating to the use of these terms e.g. products designed as alternatives to sunscreens containing oxybenzone or other similar chemicals are sometimes referred to as ‘reef safe’.⁷ ‘Reef safe’ or ‘ocean friendly’ are not regulated terms and there is concern that other UV-filters, aside from oxybenzone, such as nano-titanium dioxide, may also cause other

⁵ <https://aplasticplanet.com/trust-marks/>

⁶ <https://www.sainsburys.co.uk/gol-ui/product/new-355373-44/sellotape-zero-plastic>

⁷ "Review of environmental effects of oxybenzone and other" <https://www.sciencedirect.com/science/article/pii/S0190962218321893>. Accessed 2 Dec. 2020.

	<p>problems that have yet to be fully researched.⁸</p>
<p>Claims and call-outs relating to chemicals and additives</p>	<ul style="list-style-type: none"> - Marketing claims that mislead consumers by highlighting one chemical within a group of concern - e.g. consumers looking to avoid purchasing items containing PFAS (per and poly fluorinated alkyl substances) may reasonably assume this is encapsulated by the term PFOA-free. - Use of chemical claims to market products even when those products would never normally contain particular chemicals or additives. - Use of chemical terminology to imply additional environmental benefit when it is a legal requirement, e.g. BPA-free baby bottles. - Consumers given false sense of a products health and environmental credentials through the intentional use of complex and unexplained chemical terminology.
<p>Promoting the use of:</p> <ul style="list-style-type: none"> - Ocean plastics - Ocean-bound plastics 	<ul style="list-style-type: none"> - Lack of independent certification for these materials (self-certifying approach by industry⁹). - Lack of standards governing the use of these plastics. - Lack of transparency on the sourcing of these plastics. - Marketing campaigns call out this “benefit” therefore consumers reasonably assume entire products are made from such materials when there is often limited use across a range of products.
<p>Existing logos misinterpreted by consumers</p>	<ul style="list-style-type: none"> - Existing logos such as the Mobius Loop and the Green Dot are often misunderstood and therefore drive

⁸ "Hazardous Effects of Titanium Dioxide ... - Hindawi." <https://www.hindawi.com/journals/bca/2017/4101735/>. Accessed 2 Dec. 2020.

⁹ <https://www.nextwaveplastics.org/>

	incorrect behaviours when disposing of products ¹⁰ .
The promotion by brands of take back / bring back collection schemes for hard-to-recycle products and packaging	<ul style="list-style-type: none"> - Lack of transparency as to the volume of materials recovered through take-back schemes and how the recovered material is used. - Brands and retailers promote take-back schemes as part of their product offer, and pay for the “benefit” of claiming their product is “recyclable”.
Misleading advertising	<ul style="list-style-type: none"> - Distorting the definition of single-use e.g. Coca-Cola “Round in Circles” campaign¹¹.
Chemical recycling	<ul style="list-style-type: none"> - This is an emerging area which will require close scrutiny, especially regarding claims businesses may use to signal the inclusion of “virgin plastic” resulting from chemical recycling processes in their products. - Currently, there is a lack of transparency relating to chemical recycling and therefore potential for misrepresenting the sustainability credentials of these processes. - A new report, commissioned by CHEM Trust, concludes that “...these technologies in reality have major problems, including substantial energy use, a need for pre-sorted, good quality plastic input and concerns over hazardous chemicals.”¹²
Claims related to oxo-degradable additives	<ul style="list-style-type: none"> - These additives are marketed without full transparency about the impacts of the degradation process e.g. the creation of micro plastics. There is a lack of evidence on the degradation process in real world environments (vs. simulated lab testing).

¹⁰ <https://www.saveonenergy.com/uk/recycling-symbols/>

¹¹ <https://www.marketingweek.com/coca-cola-sustainability-marketing-campaign/>

¹² <https://chemtrust.org/wp-content/uploads/Chemical-Recycling-Eunomia.pdf>

Claims related to health and hygiene benefits of a product	<ul style="list-style-type: none">- Given the current global health crisis, it is imperative any claims relating to the health and hygiene benefits of a product are backed-up by evidence- For example, industry messaging on single-use packaging being more effective in protecting the public against the transmission of the Covid-19 virus (vs. reusable packaging), is not based on scientific evidence¹³
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4. Are there any particular sectors or behaviours (business or consumer) you think we should focus our attention on?

Despite the immediate threat of the Covid-19 pandemic, consumer awareness of sustainability-related issues continues to increase, with a recent report showing that 8 out of 10 consumers are making sustainability-based purchasing choices.¹⁴ Therefore, it is ever more critical that the information provided by brands and retailers to support this consumer shift towards more sustainable purchases is evidence-based and independently certified to avoid it being misleading.

The CMA's investigation into this issue must send a clear signal to businesses that unsupported environmental claims are not acceptable and both intentional and unintentional "greenwashing" will no longer be tolerated. It is critical that there is a level playing field and businesses do not use misleading and unsubstantiated claims to market their products.

Within the business sector, we would like to highlight the following areas for more in depth investigation relating to claims on materials, material sources, chemical usage and end-of-life options:

- B2B suppliers of product and packaging across all sectors.
- B2B food and drink packaging material suppliers.
- B2B product component and material suppliers.
- Consumer-facing FMCG, retail and food service brands and operators.
- Tobacco companies.
- B2B clothing and textiles suppliers.
- Consumer-facing brands and retailers (PFAS used for stain resistance).

We would call for support to be provided to small and medium size businesses who do not have the resources or expertise to interrogate the sustainability claims of products and services sold to them.

¹³ <https://www.greenpeace.org/africa/en/press/12112/covid-19-fuelling-the-resurgence-of-single-use-plastics/>

¹⁴ "How sustainability is fundamentally changing consumer preferences" - Cap Gemini - July 2020 <https://www.capgemini.com/gb-en/wp-content/uploads/sites/3/2020/07/Final-Web-Report-Sustainability-In-CPRD-1.pdf>

For maximum impact, we believe that product manufacturers are targeted to ensure claims can be substantiated and relevant standards have been met and all information is disclosed or available on request.

Additionally, under our current system, suppliers are only legally obligated to provide product chemical content where a chemical is listed as a 'Substance of Very High Concern' (SVHC) and in a quantity above a specified limit. Retailers, manufacturers and component assemblers currently only collect compliance certificates, meaning they lack the ability to update information and to pass this to end-of-life processors, as standards evolve and new chemicals are added to the list. This is a particular issue with regards to updates to chemical standards for long-life items such as furniture and mattresses. It also presents a barrier to safe resale or recycling of items that can no longer be guaranteed to meet current health and safety standards.

For example, DecaBDE has been a SVHC in the EU since 2012, but until 2019 could legally be added to furniture components produced outside the EU, to be sold within the UK. With no information available on whether or not items purchased prior to these restrictions contain DecaBDE, only that they were compliant with regulations at the time of component purchase, they cannot legally be resold or recycled in the UK under the restrictions set out in the Stockholm Convention. We must recognise the barrier that this lack of transparency presents to the circular economy, and put in place suitable incentives, or penalties to ensure full disclosure going forward.

For consumers who continue to seek out more sustainable products and services, the plethora of claims is confusing. The level at which they are informed on issues is not as detailed as those in the supply chain, therefore on-pack logos will be one of the ways in which they judge the sustainability credentials of a product.

As well as packaging, additional consumer touchpoints for sustainability information are marketing and advertising campaigns, information on company websites, social media and in-store point of sale materials. Misleading claims potentially exploit the inherent trust between brands, retailers and their consumers.

We call for improved, easily accessible and evidence-based guidance for consumers who are trying to do the right thing by buying products which have lower impacts. We also call for transparency in the information provided to consumers, with honest explanations about the full impacts of a product throughout the supply chain and its possible end of life outcomes.

6. Has your organisation done any of the following?

Undertaken any surveys/questionnaires to gather the views of consumers or businesses on environmental claims – yes.

7. Would you be willing to share any of the above with us?

Yes

8. Are there ongoing or planned initiatives, policies, campaigns or enforcement activities that we should be aware of and should take account of when scoping the focus of our project?

Policies

The Link Resources and Waste Group responded¹⁵ to BEIS' 2019 Call For Evidence on Standards For Bio-based, Biodegradable, And Compostable Plastics¹⁶. We are very keen to engage further on this topic and await the summary of responses.

We are also aware of recent MP questions¹⁷ challenging the inclusion of biodegradable and compostable plastics within the scope of the Plastic Packaging Tax. In our response to the consultations, we strongly supported their inclusion, and should it become apparent that this decision is at risk, we will oppose their exemption.

Ongoing projects

Fidra has an ongoing project encouraging greater awareness and action on PFAS¹⁸ (per- and poly-fluorinated alkyl substances) used in food packaging. PFAS are a group of highly persistent chemicals, many of which are known to have harmful health and environmental impacts. A key concern is the addition of PFAS, used to enable repellence to water and grease, to paper, board and compostable food packaging that are often marketed as “sustainable alternatives” to plastic. Compostable moulded fibre products, such as those replacing polystyrene for take-away food, have been found to contain particularly high levels of PFAS.

Fidra is currently engaging with retailers, encouraging a voluntary phase-out of these chemicals, and supporting suppliers trialling or selling PFAS-free alternatives that also meet criteria for recycling and composting.

Fidra is also calling for stricter UK policy that would prevent the use of PFAS in food packaging, ensuring we don't simply swap plastic for a more toxic and hidden chemical alternative.

9. Are there any examples of good practice that you would want to highlight?

The On-Pack Recycling Label¹⁹, a voluntary membership scheme, provides guidance for household recycling of consumer packaging and is based on the reality of what actually gets recycled within the UK. Their recent review of packaging formats and materials has resulted in a clear, binary guide to recycling, simply stating “Recycle” - which indicates that 75% or more of UK local authorities collect that type of packaging which is then effectively sorted, processed and sold as recyclate for use in new packaging or products - or “Don't recycle” indicating that fewer than 50% of UK local authorities collect that type of packaging and/or it is not effectively sorted, processed or sold as recyclate for use in new packaging or products.

The United Nations Environment Programme in collaboration with NGO Consumers International produced a global assessment of standards, labels and claims on plastic packaging called, ‘Can I recycle this?’ this year.²⁰ This report contains very useful guidance on good practice and several clear recommendations.

¹⁵ <https://www.wcl.org.uk/docs/Link%20response%20to%20BSI%20proposed%20PAS%209017%20standard%20FINAL.pdf>

¹⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819343/standards-biobased-biodegradable-compostable-plastics-cfe.pdf

¹⁷ <https://questions-statements.parliament.uk/written-questions/detail/2020-11-25/121835>

¹⁸ <https://www.fidra.org.uk/pfas/>

¹⁹ <https://www.oprl.org.uk/>

²⁰ <https://www.consumersinternational.org/media/352255/canirecyclethis-finalreport.pdf>

The Soil Association²¹ is noted for its holistic approach to sustainability, going beyond just food certification by including an accompanying packaging standard. This considers material source and manufacturing, transportation and end of life, and provides a clear and updatable list of chemicals to avoid.

The “Fine to Flush” standard²², launched in January 2019 and developed in conjunction with Water UK, is aimed at products such as wet wipes which are prone to causing blockages - “fatbergs” - in the sewerage system. It requires products to pass strict scientific tests in order to qualify for use of the logo on pack. However, this needs to work in tandem with regulation to ban the labelling of products as “Flushable” when they would not pass the stringent requirements of this standard and a legal requirement to use “Do not flush” warnings on products which are likely to cause blockages.

The Food Standards Agency mandatory nutrition labelling is a best practice example of easily understood information delivery to consumers which influences purchase decisions²³.

10. Has your organisation conducted, or are you aware of, any relevant research that you would be able to share with us?

Please refer to question 11 and Appendix A below.

11. Please let us know about any other issues you think might be relevant for our project:

We are particularly concerned by the following trends and factors within the UK’s current waste system:

Alternatives to plastic packaging

Alternatives to plastic and polystyrene food packaging that are described as ‘eco-friendly’ often include paper, card or moulded fibre products (e.g. begasse, ‘compostable’ clamshells). In order to maintain a suitably water or greaseproof material, the packaging is often treated with a chemical from the PFAS group (per and poly fluorinated alkyl substances).²⁴ PFAS are a group of over 4,000 chemically similar compounds, often nicknamed ‘forever chemicals’ because of their extreme persistence in the environment. These paper and board alternatives to plastic are often marketed as compostable or recyclable. However, composting represents a direct source of PFAS to the environment, and once there, they can persist for thousands of years, longer than much of the plastic they replace. Those PFAS with sufficient toxicology data are known to be both bio-accumulative and harmful to both wildlife and human health, linked to a wide range of problems including immune, liver, kidney and blood functions in marine mammals.²⁵

Another problem associated with food packaging is the use of bamboo in food and drinks and containers. The claimed biodegradability of these bamboo cups has been misleadingly advertised. Quite often, they are marketed as bamboo being biodegradable, however, a German consumer organisation, the Stiftung Warentest,²⁶ have stated that the resin used to make the cups (mainly

²¹ <https://www.soilassociation.org/certification/packaging-resources-for-organic-businesses/>

²² <https://www.water.org.uk/news-item/fine-to-flush-a-major-new-development-in-the-fight-against-fatbergs/>

²³ Food Standards Agency “Nutrition Labelling” <https://www.food.gov.uk/print/pdf/node/470>

²⁴ “Forever chemicals in the food aisle - PFAS.” <https://www.pfasfree.org.uk/wp-content/uploads/Forever-Chemicals-in-the-Food-Aisle-Fidra-2020-.pdf>. Accessed 2 Dec. 2020.

²⁵ “PFAS: The ‘forever chemicals’ you need to know | Marine” <https://www.mcsuk.org/clean-seas/pfas>. Accessed 2 Dec. 2020.

²⁶ “Bambusbecher im Test - Die meisten setzen hohe Mengen an” 23 Jul. 2019, <https://www.test.de/Bambusbecher-im-Test-Die-meisten-setzen-hohe-Mengen-an-Schadstoffen-frei-5496265-0/>. Accessed 2 Dec. 2020.

melamine) will render them unable to degrade in the environment or even in an industrial composter.²⁷ They are also not able to be recycled by ordinary means and therefore the only option for their disposal currently is incineration.²⁸

Eco-friendly cosmetics

Products designed as alternatives to sunscreens containing oxybenzone or other similar chemicals are sometimes referred to as 'reef safe'.²⁹ 'Reef safe' or 'ocean friendly' are not regulated terms and there is concern that other UV-filters, aside from oxybenzone, such as nano-titanium dioxide, may also cause other problems that have yet to be fully researched.³⁰

Biodegradable glitter

There is very limited research into the impacts of biodegradable glitter, but a study released in October 2020 by Green, D. S. et al looked at 3 different types of glitter (conventional PET, mica and cellulose based) and their impacts on a freshwater ecosystem.³¹ It was found that all 3 glitters including those dubbed as eco-friendly alternatives (mica and cellulose) caused impacts in aquatic ecosystems. All 3 types of glitter caused a decrease in the abundance of certain plants (duckweed) and the cellulose glitter was found to cause an increase in the abundance of a non-native snail which could ultimately disrupt the ecosystem balance. In the conclusion of this study, they state:

"Interestingly the biodegradable glitters used in this study elicited stronger effects than the non-biodegradable PET glitter overall"

Eco-friendly single use nappies

The UK throws away nearly 3,000,000,000 disposable nappies a year, costing local authorities over £60 million per annum for disposal, all of which will go through household waste streams which means either incineration or landfill where they can take more than 300 years to break down.³² In response, a number of single use nappies are now marketed as 'eco', 'sustainable' or 'biodegradable'. However, these terms can be confusing for the public. With the likely destination for a used nappy being incineration or landfill, it can be argued that the fact it biodegrades is largely irrelevant³³, however, the use of the term still requires scrutiny to understand any pre-preparation required and the actual real world conditions under which biodegradation could take place. Claims of eco and sustainability must also be tested as while timber and bamboo sources for material in nappies can be FSC certified toxic chemicals can still be used when extracting pulp and there may be no mention of this in the marketing literature.³⁴

²⁷ "Re-useable bamboo cups tested and" 24 Jul. 2019, <https://www.foodpackagingforum.org/news/re-useable-bamboo-cups-tested-and-criticized>. Accessed 2 Dec. 2020.

²⁸ "Re-useable bamboo cups tested and" 24 Jul. 2019, <https://www.foodpackagingforum.org/news/re-useable-bamboo-cups-tested-and-criticized>. Accessed 2 Dec. 2020.

²⁹ "Review of environmental effects of oxybenzone and other" <https://www.sciencedirect.com/science/article/pii/S0190962218321893>. Accessed 2 Dec. 2020.

³⁰ "Hazardous Effects of Titanium Dioxide ... - Hindawi." <https://www.hindawi.com/journals/bca/2017/4101735/>. Accessed 2 Dec. 2020.

³¹ "All that glitters is litter? Ecological impacts of conventional" <https://www.sciencedirect.com/science/article/pii/S0304389420320604>. Accessed 2 Dec. 2020.

³² <http://www.nappyalliance.co.uk/the-issue/>

³³ <https://bpiworld.org/page-190439>

³⁴ <https://cfda.com/resources/materials/detail/bamboo>

Wet wipes

Many wet wipes are labelled as 'biodegradable', 'compostable', 'natural', 'flushable' or other such similar claims. However, consumers are often confused by the meanings of these terms and are not always aware how they should be disposed of correctly, which can then lead to incorrect disposal down the toilet, causing environmental pollution and flooding. The Marine Conservation Society's (MCS) Beachwatch survey showed an alarming increase from 4.6 wet wipes per 100 metres on UK beaches a decade ago, to 17.7 in 2020. In August 2020, Welsh Water also reported that 25% of flooding due to system blockages was caused by wet wipes. Research commissioned by United Utilities, found that "one in five women (20%) said they had never been told how to dispose of sanitary items such as tampons and sanitary towels" and for baby or child wet wipes it was "almost a third (32%) of respondents"³⁵

In 2016, MCS commissioned a YouGov survey to ask members of the British public about their understanding of disposal issues associated with wet wipes³⁶. The data showed that 32% of respondents were not confident about which types of wet wipes are flushable and which ones aren't. Before taking the survey 42% were unaware that some wet wipes contain plastic fibres and do not disintegrate like toilet paper when flushed, 19% were unaware that flushing wet wipes down the toilet can contribute to blockages in sewage systems and 61% were unaware that wet wipes that are labelled as 'flushable' or 'dispersible' may not pass water industry standards.

Labelling of some wet wipes could be considered misleading. Some wet wipes, including toddler training wipes, toilet cleaning wipes and moist toilet tissue are increasingly being marketed as 'flushable'. Many of these wipes use the industry's own guidelines for flushability, established by EDANA. These guidelines are insufficient for UK sewers because it doesn't test the wipes for conditions realistically found in UK sewers and could lead to sewer blockages. This problem is made worse by people flushing wet wipes which were never designed to be flushed.

In 2019 the UK water industry published the water industry specification Fine to Flush (WIS 4-02-06) to provide clarity on what items can be safely labelled as flushable. To meet the standard, wipes must pass strict tests which prove they break down quickly and easily in the sewer system and must not contain any plastic fibres. If wet wipes pass these tests, they can feature the 'Fine to Flush' symbol on their packaging.

Action is urgently needed to ensure that all wipes (regardless of material) which do not meet the 'Fine to Flush' specification are labelled with, a 'Do Not Flush' label clearly on the front of the packaging, and this should be statutory, standardised and of a minimum size. Companies producing wet wipes, should pay for campaigns and fund public awareness activity around this issue.

More than 4 out of 5 British people (83%), questioned in another YouGov survey for MCS in 2017, said they supported the removal of the 'flushable' claim from all wet wipes if they do not meet water industry standards for what can be safely flushed.

Another example of misleading labelling is that baby wipes that are typically used to clean up faecal matter and are labelled as 'home compostable' or even 'biodegradable', could present a public health risk if they are home composted. Whilst there is no specific research on the use of

³⁵ "Journal of litter and environmental quality - Keep Britain Tidy." 1 Feb. 2019, https://www.keepbritaintidy.org/sites/default/files/resource/20132_Journal%20of%20Litter%20and%20Environmental%20Quality_Vol3-V6-ONLINE.pdf. Accessed 2 Dec. 2020.

³⁶ <http://wetwipesturnnasty.ohmy.ga/>

contaminated home compost, the Food Standards Agency recommendation relating to land which has been flooded (floodwater is known to contain faecal matter) is as follows: *“fruit or vegetables to be eaten raw and planted after flooding should not be harvested for at least six months after the floodwater has receded”*.³⁷ This is so that any harmful micro-organisms in the soil don’t contaminate produce to be eaten. Composting baby wipes may not pose comparative risks to flood water; however, it is noted by Recycle Now that soiled tissues should never be added to a home compost bin.³⁸ This also applies to wet wipes labelled as ‘biodegradable’, since a YouGov survey commissioned for MCS in 2018 showed that some consumers (30% of those surveyed) understand ‘biodegradable’ to mean that a product can be home composted (appendix A).

The terms ‘compostable’, or ‘biodegradable’ may also lead to disposal of wet wipes in the food caddy which typically does not go to a composting facility but to an anaerobic digester, which is not suitable for composting wet wipes.

Cigarettes

MCS are signatories on a statement to support a ban of plastic filters, and a review of other single use filters’ biodegradability and health implications³⁹. “Comparison of conventional plastic filters take 7.5-14 years to disappear, in the compost and on the soil surface respectively... cellulose filters take 2.3-13 years to disappear”⁴⁰. The latter are those which are typically labelled as biodegradable. We believe this is an area to watch with emerging cigarette filter material technology, such as Green Butts⁴¹, coming onto the market. Any claims must be substantiated with independently reviewed scientific data.

Overall labelling

As a result of increased awareness around the environmental impacts of single-use plastics, there has been a move towards marketing products which are perceived to be more sustainable and may be labelled as ‘compostable’, ‘biodegradable’, ‘bioplastic’, ‘flushable’ and oxodegradable/ oxobiodegradable. The contaminating impact of the additive in oxodegradable plastics on the recycling stream led to it being included in the EU’s Single Use Plastic Directive and prohibits it from being placed on the market as of 3rd July 2021. We would strongly recommend all governments of UK nations to follow suit and commit to the ban of oxodegradable plastics, as called for in an open letter signed by trade organisations and NGOs.⁴²

Labelling which contributes to the marketing of products as compostable, biodegradable and/or “bioplastic”, results in confusion to the consumer in terms of their environmental benefits and correct methods of disposal. In 2018, the Marine Conservation Society commissioned a YouGov survey to ask members of the British public about their understanding of the labels ‘bioplastic’, ‘biodegradable’ and ‘compostable’. The data showed that 60% of consumers understood that if the product was labelled as compostable, it meant that it could be composted at home. However, a

³⁷ "Food safety after a flood | Food Standards Agency." 9 Jan. 2018, <https://www.food.gov.uk/business-guidance/food-safety-after-a-flood>. Accessed 11 Dec. 2020.

³⁸ "Making compost | Recycle Now." <https://www.recyclenow.com/reduce-waste/composting/making-compost>. Accessed 2 Dec. 2020.

³⁹ <https://www.mcsuk.org/media/joint-statement-cigarettes.pdf>

⁴⁰ Joly & Coulis 2018 <https://www.sciencedirect.com/science/article/pii/S0956053X17308474>

⁴¹ <https://www.green-butts.com/>

⁴² "The Rt Hon George Eustice Secretary of State Department of ..." 1 Jun. 2020, <https://1ur6751k3lsj3droh41tcsra-wpengine.netdna-ssl.com/wp-content/uploads/2020/06/Oxo-ban-open-letter-to-George-Eustice.pdf>. Accessed 2 Dec. 2020.

large number of products (we would suggest the majority) are actually only certified for industrial composting and are not suitable for home composting.

Respondents appeared confused by the term 'bioplastic', attributing a wide range of properties upon hearing the term (see Appendix A for full results). Bioplastic or bio-material are not "protected terms" and the use of them is not guided by a standard definition. Further survey findings about the term bioplastic include:

- 31% of those surveyed associated the term bioplastic with 'biodegradable' (which is not always true).
- Only 22% of people selected the option 'it is made from natural/renewable sources'.
- Worryingly, almost 1 in 5 respondents selected an answer that would lead to incorrect disposal of a bioplastic product and also associated the term with a reduced environmental impact:
- 19% believed a bioplastic item could be commercially composted, although this is not always the case as these items can contaminate composting processes and output.
- 19% thought if it was littered it would cause less harm to the environment (studies have shown this is not the case).
- 18% believed that a bioplastic item would break down, causing no harm to the marine environment (also inaccurate).

The term 'biodegradable' also caused confusion; it does not mean that a material is 'compostable' or 'recyclable' and is meaningless to the consumer unless there is also information about the environment and timeframe in which biodegradation is expected to occur. Further findings about the term biodegradable include:

- Around a third of respondents selected an answer that could lead to incorrect disposal (41 % answered: it can be commercially composted, 30 % answered: It can be composted at home and 3 % answered: it can be safely flushed down my toilet).
- Worryingly, 39% of respondents thought that 'it would break down causing no harm to the marine environment'
- 38% of respondents thought 'if it was littered, it would cause less harm to the environment than a product not labelled as 'biodegradable''

Appendix A – Full survey results from YouGov surveys commissioned by the Marine Conservation Society

The Marine Conservation Society has commissioned a series of YouGov surveys to inform campaign work. The results presented here are a subset of the full surveys conducted. The figures have been weighted to be representative of all GB adults (aged 18+). No survey information may be published without the consent of YouGov Plc and the Marine Conservation Society.

2016 Survey - The survey sampled 2022 adults online, between 14th - 15th June 2016.

Before taking this survey, were you aware of each of the following? (Please select one option on each row):

1. Some wet wipes contain plastic fibres and do not disintegrate like toilet paper when flushed:

- Yes, I was: 58%
- No, I wasn't: 42%

2. Flushing wet wipes down the toilet can contribute to blockages in sewerage systems:

- Yes, I was: 81%
- No, I wasn't: 19%

3. Wet wipes that are labelled as 'flushable' or 'dispersible' may not pass water industry standards (i.e. do not break down in the sewerage system):

- Yes, I was: 39%
- No, I wasn't: 61%

2017 Survey - The survey sampled 2137 adults online, between 7th-8th August 2017.

To what extent would you support or oppose the following in the UK? Removal of the claim of 'flushable' from all wet wipes (e.g. moist toilet tissue, toilet cleaning wipes, toddler training wipes) if they do not meet water industry standards for what can be safely flushed down the toilet without causing blockages:

- Support: 83%
- Oppose: 3%

2018 Survey - The survey sampled 2081 adults online, between 18th - 19th October 2018.

For the following question please imagine you were given a product labelled as 'compostable' (e.g. cups, cutlery, bags etc.). Which, if any, of the following do you think would apply to this product? (Please select all that apply)

- It can be composted at home (i.e. composting which can be carried out by individuals in their own home/ garden): 60%
- It can be commercially composted (i.e. collected by local authorities for large-scale composting): 56%
- It breaks down faster in a landfill than a product not labelled as 'compostable': 49%
- It is biodegradable: 49%
- It is more sustainable for the environment than a product not labelled as 'compostable': 44%
- If it was littered, it would cause less harm to the environment than a product not labelled as 'compostable': 35%

- It would break down causing no harm to the marine environment: 34%
- It is made from natural/ renewable sources (e.g. cornstarch, vegetable fats and oils etc.): 34%
- Don't know: 10%
- None of these: 2%
- It can be safely flushed down my toilet: 2%
- There is no difference between a product labelled as 'compostable' and a product which doesn't have this label: 1%

For the following question please imagine you were given a product labelled as 'bioplastic' (e.g. a plastic bag, straw, nappy etc.). Which, if any, of the following do you think would apply to this product? (Please select all that apply)

- It is biodegradable: 31%
- It breaks down faster in landfill than a product not labelled as 'bioplastic': 30%
- It is more sustainable for the environment than a product not labelled as 'bioplastic': 28%
- It is made from natural/renewable sources (e.g. cornstarch, vegetable fats and oils etc.): 22%
- It can be commercially composted (i.e. collected by local authorities for large-scale composting): 19%
- If it was littered, it would cause less harm to the environment than a product not labelled 'bioplastic': 19%
- It would break down causing no harm to the marine environment: 18%
- It can be composted at home (i.e. Composting which can be carried out by individuals in their own home/garden): 11%
- There is no difference between a product labelled as 'bioplastic' and a product which doesn't have this label: 6%
- It can be safely flushed down my toilet: 2%
- None of these: 6%
- Don't know: 31%

For the following question please imagine you were given a product labelled as 'biodegradable' (e.g. cups, disposable cutlery, bags etc.). Which, if any, of the following do you think would apply to this product? (Please select all that apply)

- It would breakdown faster if put in a landfill than a product not labelled as 'biodegradable': 58%
- It is more sustainable for the environment than a product not labelled as 'biodegradable': 47%
- It can be commercially composted (i.e. collected by local authorities for large-scale composting): 41%
- It would break down causing no harm to the marine environment: 39%
- If it was littered, it was cause less harm to the environment than a product not labelled as 'biodegradable': 38%
- It can be composted at home (i.e. composting which can be carried out by individuals in their own home/ garden): 30%
- It is made from natural/ renewable sources (e.g. cornstarch, vegetable fats and oils etc.): 29%
- Don't know: 10%

- It can be safely flushed down my toilet: 3%
- None of these: 3%
- It is no different from a product not labelled as 'biodegradable': 1%

This response is supported by the following Link members:



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