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trading standards law explained

Single-use plastics

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Wales

The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023 prohibits the supply (or offering to supply) of:

- single-use plastic straws, cotton buds, plates, trays and bowls
  - (to end users)
- plastic drink stirrers, cutlery and balloon sticks, and expanded or foamed extruded polystyrene food or drink containers, including cups
  - (to both businesses and end users)

The Act also allows for the Welsh Government to add to or amend the list of single-use plastic products that are subject to the ban.

The Environmental Protection (Microbeads) (Wales) Regulations 2018 prohibit the manufacture and sale of rinse-off personal care products containing plastic microbeads.

There are some exemptions to these prohibitions.

Damage caused

Tackling plastic pollution and the negative impact it has on our climate, environment, nature, and health and well-being is a key priority for the Welsh Government.

The pieces of plastic used as microbeads are washed down the drain after use and cannot be filtered out by many wastewater treatment plants. Therefore, they easily enter and pollute waterways. Although microbeads only represent a small proportion of the plastic waste in the ocean, fish and other marine animals can eat them (because of their size), introducing potentially toxic substances into the food chain. According to a report by the Environmental Audit Committee, a single shower can flush as many as 100,000 microbeads, with this adding up to 86 tonnes per year from the UK alone.

The products covered by the legislation are amongst the most commonly found items on beaches throughout Europe. In a summary of its 2020 study, the Pew Charitable Trusts and SystemIQ stated that the "flow of plastic into the ocean is projected to nearly triple by 2040. Without considerable action to address plastic pollution, 50 kg of plastic will enter the ocean for every metre of shoreline."

Plastic cotton bud stems are consistently observed to constitute approximately 5-10% of marine debris surveyed in European seas. Fish and other marine animals can eat them (because of their size), introducing potentially toxic substances into the food chain. They also increase the risk to public health from contact on beaches and bathing waters. The Cotton Bud Project has demonstrated that manufacturers and retailers are able to trade in viable biodegradable alternative products; therefore, there is no known reason why other companies would be unable to follow this best practice.

Studies in Wales suggest that single-use plastic litter is also prevalent in our local environment. For example, the Welsh Government's compositional analysis of litter found plastic items in 40% (by item count) of the total sample analysed. Welsh beach and street cleanliness surveys have also confirmed the presence of many of the items found in research on the subject.

Campaigns to promote changes in behaviour have failed to stop the irresponsible disposal of these items. Cotton buds are commonly flushed down toilets, and sewage treatment works cannot prevent all of them from reaching the sea. When entering sewage systems, the plastic stems do not settle with organics; their buoyancy allows them to flow through plant equipment and their narrow diameter means they are not caught by all screens. Straws and drink stirrers are rarely recycled due to their size and the effort required to remove any food debris. Only 10% of plastic plates, cutlery, etc is recycled.

The Chief Medical Officer for Wales Annual Report for 2021-22, *Restoring our Health*, highlights that climate change is a pressing public health issue, which will increasingly dominate our lives because it adversely affects the most basic health requirements: clean air, safe water, sufficient food and adequate shelter. It affects the environment around us and can have a profound impact on our health and well-being. The report examines the need to prepare, mitigate and adapt for climate change in Wales. The people of Wales are central in making these changes by choosing to use alternatives such as paper straws, cups and plates, and wooden cutlery. Switching to these widely used alternative products, that offer little change for most in consumer experience, will lead to long-term environmental benefits, although there may be short-to-medium term disruption for retailers and consumers if suitable alternative products to those removed are not available at an affordable cost.

Products covered by the ban

The ban applies to single-use plastic products supplied to consumers in Wales, namely:

- cutlery
- plates
- stirrers
- drinking straws (this product has an exemption for health needs)
- plastic stemmed cotton buds
- balloon sticks
- expanded or foamed extruded polystyrene fast-food containers*
- expanded or foamed extruded polystyrene cups*
- microbeads, when they are used in a 'rinse-off personal care product' (see 'Definitions' below)

[*Other types of takeaway cups and food containers are not included in the ban, even if made of other plastic materials.]

Definitions

The Act defines 'plastic' as "a material consisting of a polymer, other than an adhesive, paint or ink, and includes a material consisting of a polymer that has other substances added to it". For the purposes of the Act, 'polymer' means "a polymer that can function as the main structural component of a product" and "does not include a natural polymer that has not been chemically modified".

While the primary focus of the ban pertains to traditional 'synthetic' plastics derived from crude oil, natural gas or coal, the Act extends its coverage to encompass other varieties of single-use plastics. These additional categories may include bio-based plastics, which serve as direct substitutes for their fossil-fuel counterparts due to their identical chemical composition and properties. Similarly, fossil-fuel-based compostable plastics, while touted as environmentally friendly alternatives, may pose challenges. This is because they often require specific conditions for proper decomposition, and their manufacturing processes may involve the use of toxic chemicals, potentially introducing contamination risks to the recycling stream and leading to the formation of microplastics.

A 'microbead' is defined in the Regulations as "any water-insoluble solid plastic particle of less than or equal to 5 mm in any dimension".

A 'rinse-off personal care product' is defined in the Regulations as "any substance, or mixture of substances, manufactured for the purpose of being applied to any relevant human body part in the course of any personal care treatment, by an application which entails at its completion the prompt and specific removal of the product (or any residue of the product) by washing or rinsing with water, rather than leaving it to wear off or wash off, or be absorbed or shed, in the course of time".

The microbeads ban only applies to those made of plastic. Please note that the Environmental Protection (Microbeads) (Wales) Regulations 2018 have a slightly different definition of 'plastic' to that given above. For the full definition, see regulation 2 (the link to the Regulations is given in 'Key legislation' below).

Identifying whether microbeads are contained in rinse-off personal care products

Although the ban covers plastic microbeads up to 5 mm in dimension, many are much smaller than this,

and it can be difficult to identify them and determine what compounds they contain.

Rinse-off personal care products containing microbeads have a granular appearance, and larger microbeads can be seen with the naked eye and felt by the texture of the product between the fingers. Smaller microbeads are more difficult to see and feel, and it is not usually possible to determine whether the microbeads are plastic or legally permitted soluble alternatives.

The ingredients list can be useful in identifying the presence of plastics such as polyethylene and polyethylene terephthalate, which are common ingredients of plastic microbeads. The product information file (PIF) for the cosmetic product must also contain information about the presence of microbeads. All cosmetic products must have a PIF, so distributors and retailers may request this information from the manufacturer.

Exemptions

There are several exceptions to the prohibitions to allow for situations where these items may be required due to disability or accessibility issues.

The following supplies of single-use plastic straws are permitted:

- from a registered pharmacy, but products must not be displayed or advertised in-store and are only to be sold to consumers who need them for health or disability reasons
- from a catering establishment (pubs, clubs, restaurants, canteens, etc) where supplied for immediate consumption of food or drink. They must only be supplied if requested and not made available for customers to help themselves. They cannot be offered either verbally or in writing, and should only be supplied if the establishment believes the consumer needs one for health or disability reasons (consumers do not have to provide any evidence or proof to be provided with a single-use plastic straw)
- for use as a medical device or for a medical purpose. This includes preventative medicine, medical diagnosis, research, treatment and care
- for use as packaging for a product - for example, certain medicines. This does not exempt drinking straws supplied with drinks cartons

Carrier bags

For information on plastic carrier bags, please see 'Single-use carrier bags'.

Single-use vapes

Single-use / disposable vapes were banned on 1 June 2025, due to their environmental impact. For more information on the ban, and on the types of vapes that can continue to be sold, please see 'Tobacco and vapes'.

Wet wipes

Wet wipes containing plastic will, with some exceptions, be banned in Wales from 18 December 2026. The Welsh Government has published guidance on the plastic wet wipes ban.

Further information

The Welsh Government has published guidance for businesses on the Environmental Protection (Single-use Plastic Products) (Wales) Act 2023.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: February 2026

Key legislation

- Environmental Protection (Microbeads) (Wales) Regulations 2018
- Environmental Protection (Single-use Plastic Products) (Wales) Act 2023
- Environmental Protection (Single-use Plastic Products) (Civil Sanctions) (Wales) Regulations 2023

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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