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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 Scotland

The Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021 implement a ban on most single-use plastics that are not covered by previous legislation.

The Environmental Protection (Cotton Buds) (Scotland) Regulations 2019 prohibit the supply (or offering to supply) of plastic cotton buds.

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

The Scottish Government introduced the ban on single-use plastic products with the intended effect of reducing the volume and impact of plastic pollution, thus reducing the harm caused to the environment.

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 and feature in the 10 most commonly found items in Marine Conservation Society beach surveys in Scotland. 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.

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 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 Scottish Government believes that by restricting the market through these regulations, it will encourage the use of less harmful alternatives such as paper and cardboard products, which are readily available.

Products covered by the ban

The bans apply to the following single-use plastic items:

- cotton buds
- cutlery (forks, knives, spoons, chopsticks)
- plates
- straws
- beverage stirrers
- balloon sticks
- food containers made of expanded polystyrene
- cups and other beverage containers made of expanded polystyrene, including their covers and lids
- microbeads, when they are used in a 'rinse-off personal care product' (see 'Definitions' below)

Definitions

The definitions below come from the 2019 and 2021 regulations.

'Plastic' is defined as "a material consisting of a polymer ... to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified".

A 'single use' product is defined as one that "is not conceived, designed or placed on the market to" be reused for the same purpose multiple times "within its life span".

A 'plastic-stemmed cotton bud' is defined as "a rod of plastic which has cotton wrapped around both ends".

'Single-use plastic cutlery' is cutlery made wholly or partly from plastic and used for eating or serving food, including forks, knives, spoons, chopsticks and other similar utensils. These must not be supplied in any circumstances; there are no exceptions.

'Single-use plastic plates' are those made wholly or partly from plastic. These must not be supplied in any circumstances; there are no exceptions.

'Single-use plastic straws' are those that are made wholly or partly from plastic. Neither are designed nor intended to be re-used. These products must not be supplied to end-users except in certain circumstances as outlined in 'Exemptions' below. This does not prohibit supply to businesses. Some drinking straws made from paper do contain small amounts of plastic in the adhesive lining, and these are still permitted. Drinking straws supplied with drinks cartons are also covered by the legislation.

'Single-use plastic beverage stirrers' are those made wholly or partly from plastic and used for stirring drinks. These must not be supplied in any circumstances; there are no exceptions.

'Single-use plastic balloon sticks' are sticks, including their mechanisms, that are designed and intended to be attached to and support balloons, and are wholly or partly made from plastic. These must not be supplied in any circumstances; there are no exceptions.

'Single-use expanded polystyrene beverage containers, cups and food containers' are those made wholly or partly of expanded polystyrene. These must not be supplied in any circumstances; there are no exceptions.

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) (Scotland) 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 single-use plastic straws 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
- 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 available for customers to help themselves; they cannot be offered either verbally or in writing
- for use as a medical device or for a medical purpose. This includes preventative medicine, medical diagnosis, research, and care and treatment
- for use as packaging for a product - for example, certain medicines. This does not exempt drinking straws supplied with drinks cartons
- for use in care homes, prisons, schools and early years provision, but alternatives should be sought where possible

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 Scotland from August 2027. The Scottish Government has published guidance on the plastic wet wipes ban.

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) (Scotland) Regulations 2018
- Environmental Protection (Cotton Buds) (Scotland) Regulations 2019
- Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021

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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