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F. No. HSM-12/52/2023-HSM
Government of India
Ministry of Environment, Forest and Climate Change
(Hazardous Substances Management Division)

6th Floor, Jal Block
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Date: 24th March, 2023

OFFICE MEMORANDUM

Subject: Compostable plastics and biodegradable plastics under Plastic Waste Management Rules, 2016, as amended -reg.

1. The compostable plastics as well as biodegradable plastics are distinctly recognised under the Plastic Waste Management Rules, 2016. The plastic packaging as well as commodities made out of the two types have been treated differently under the rules. Manufacturers and sellers of commodities or packaging including carry bags, made from compostable plastics and biodegradable plastics have to be certified by Central Pollution Control Board (CPCB), before marketing and selling, as per Rule 4(h) of Plastic Waste Management Rules, 2016. The testing protocols to obtain certification, for the compostable and biodegradable plastics, are based on different BIS standards. No manufacturer or seller of commodities or plastic packaging, including carry bags made from compostable or biodegradable plastics, can place them in market and sell without prior certification by CPCB.

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Compostable plastic need a controlled industrial composting facility for composting. Compostable plastics cannot degrade in the ambient environment. The compostable plastic packaging and carry bags made out of it entail EPR obligations on PIBOs. Producers, Importers and Brand Owners of plastic sheet or like used for packaging as well as carry bags, made from compostable plastics, have to register on Centralized Online Extended-Producer Responsibility Portal on plastic packaging. As per rule 11 of Plastic Waste Management Rules, 2016, the manufacturer and sellers of carry bags, made from compostable plastics, are mandated to mention the certificate number issued by CPCB on carry bags.

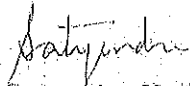
3. Biodegradable plastics have also been recognized under Plastic Waste Management (Second Amendment) Rules, 2022. As per the Plastic Waste Management Rules, biodegradable plastics are to degrade under ambient environment conditions without generation of toxic residue or microplastics. At present, there is no certified biodegradable

plastic in the country. As such, any claim on use of "biodegradable plastic" for selling banned single use plastic items (cutlery, glasses, cups, plates, stirrers etc.), in the absence of certification by CPCB, is in deviation of Plastic Waste Management Rules, and has to be dealt with in accordance with law. Biodegradable plastic packaging do not have EPR obligations under the PWM Rules.

4. Also, the use of any other category of plastics such as "Bio-compostable", "Oxo-degradable", "Oxo-biodegradable" or the like, is not recognized under Plastic Waste Management Rule, in a manner to mislead and circumvent the ban on identified single use plastics and hence, is not in accordance with the Rules. It has to be dealt with accordingly as these are not recognized and are not permissible under the Plastic Waste Management Rules, 2016.

5. It is requested to take necessary measures to ensure the compliance of Plastic Waste Management Rules, 2016 in respect of compostable plastics as well as biodegradable plastics and ensure that these are sold in the market as per the provisions under the rules. Also, the claim regarding compostable plastics as well as biodegradable plastic has to be based on certification by CPCB of the manufacturers of biodegradable plastics as well as compostable plastics. No other types of plastics viz. "Bio-compostable", "Oxo-degradable", "Oxo-biodegradable" or the like, are certified by CPCB.

This issues with the approval of the competent authority.


(Dr. Satyendra Kumar)

Director

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To,

1. ACS/PS (Environment Department), All States/UTs
2. Chairman,
Central Pollution Control Board
3. Chairperson,
State Pollution Control Board/Pollution Control Committee (as per list)

Copy for kind information:

1. PPS to Secretary (EF&CC)
2. PPS to AS (NPG)