

Single-Use Plastics Directive Call for Evidence Submission of Tobacco Europe

Introduction

Tobacco Europe recognises the adoption of the Single-Use Plastics Directive (SUPD) as a measure to address the impact of plastic waste in the environment, in particular the marine environment, as well as to promote the transition to a circular economy. The recent monitoring and outlook assessment of the European Environment Agency has highlighted that the “EU's extensive strategy and legislation on macro- and microplastic pollution, including the SUPD (Single-Use Plastics Directive), WFD (Waste Framework Directive), PPWD (Packaging and Packaging Waste Directive), and MSFD (Marine Strategy Framework Directive), are expected to reduce plastic waste, with the new Packaging and Packaging Waste Directive making a significant contribution”.¹

Specifically, “[h]armonised beach litter data reported under the MSFD between 2015 and 2021 indicate that concentrations of plastic litter declined by 29% along EU coastlines. Single-use plastics have decreased by 40%, fishery-related items saw a 20% reduction and plastic bags dropped by 20%. The data analysis suggests that the zero pollution target of a 50% reduction in plastic litter at sea could be achievable by 2030 if the current trend continued”.² We acknowledge that the EU Commission has also highlighted these findings in its mid-term review: “The JRC’s EU Coastline Macro Litter Trend report showed that the amount of marine macro litter on the EU coastline had dropped by 29% as a result of EU legislation”.

However, attribution, coverage and comparability limitations mean that these data should be interpreted with caution, particularly when assessing the impact of individual measures or drawing conclusions on the need for additional regulatory interventions.

Tobacco Europe considers the measures and instruments established under the SUPD as appropriate and fit for purpose at this stage to achieve the 2030 target on plastic pollution and, in the longer term, to support the management of single use plastic waste. In this context, we also agree with the Commission’s assessment that “[l]imited progress or lack of it, in some areas can be partly explained by the lag time between implementing new measures and seeing their effects, and by data limitations”.³

On this basis, amending the SUPD at this stage would be premature. The evaluation should focus on identifying ways to strengthen consistency, legal clarity and internal market functioning under the existing framework, through enhanced Commission guidance, implementation support and effective enforcement, rather than revisiting the Directive itself. Tobacco Europe’s views on improving implementation effectiveness and efficiency across Member States are as follows.

Implementation Timeline and Evidence Maturity

It is currently too early to draw firm conclusions on the effectiveness of the SUPD, particularly with regard to measures applicable to tobacco products with filters.

Several of the Directive’s key provisions have only recently entered into force. Product marking requirements became applicable in July 2021, while many Member States introduced Extended Producer Responsibility (EPR) schemes only from January 2023 onwards. In addition, the first Member

¹ European Environment Agency (2025): “[Zero pollution monitoring and outlook 2025](#)”, p. 11.

² European Environment Agency (2025): “[Zero pollution monitoring and outlook 2025](#)”, p. 93.

³ European Commission (2026): “[Mid-term review of the Zero Pollution Action Plan ‘Delivering clean air, ocean, freshwaters and soil’](#)”, p. 3.

State reports to the European Commission on tobacco-related measures were only due in June 2025 for data relating to 2023. As a result, there is still limited published data on the impact of the SUPD.

More broadly, it remains difficult to assess whether the Directive has already had a measurable impact, as a number of Member States have not yet fully implemented their secondary legislation.

Given these circumstances, the current framework should be maintained until a more comprehensive evidence base becomes available. Any evaluation should allow sufficient time for the full and consistent implementation of existing measures across Member States before considering possible revisions.

Consistency and Proportionality in EPR Implementation

While EPR schemes are a central component of the SUPD, their implementation across Member States currently remains fragmented. Addressing key practical challenges in the design and operation of these schemes will be important to ensure transparency, proportionality and consistent application across the EU:

Variation in national implementation practices

The implementation of SUP EPR schemes varies significantly across Member States resulting in divergent fee-calculation approaches, and reporting systems. To safeguard internal market functioning, priority should be given to consistent and effective enforcement of the existing Directive across Member States before introducing additional measures that could increase complexity and fragmentation.

Accordingly, clearer guidance by the European Commission is needed on key implementation aspects. This includes ensuring that EPR costs are established transparently between municipalities and producers, clarifying that necessary technical exchanges between authorities and producers are permissible under the SUPD and the WHO Framework Convention on Tobacco Control, and confirming that EPR fees should be calculated only on products lawfully placed on the market, excluding illicit or non-duty-paid volumes.

Assessment of cost-efficiency over time

Article 8(4) of the SUPD states that EPR costs imposed on producers must not exceed the costs of providing the relevant services in a “a cost-efficient way”.^{4,5} The Commission has also emphasized that waste management systems should deliver the required performance while keeping costs reasonable. So far, there is insufficient data to assess whether existing waste management systems and EPR fee structures are operating in a cost-efficient manner across Member States.

As more data becomes available, it will be important for the Commission and Member States to assess whether EPR fees reflect the actual, cost-efficient provision of waste management and litter clean-up services, in line with the principles set out in the SUPD.

Transparency and stakeholder involvement

The SUPD states that costs “shall be established in a transparent way between the actors concerned”. This implies that EPR fee calculation should be transparent and include structured stakeholder consultation to ensure fees are fair, proportionate and cost-efficient, in line with Article 8(4), supporting predictable, evidence-based methodologies. The involvement of producers of single-use plastic products in providing technical input to support authority-led methodology development is key to ensure that the EPR is in line with the principle of transparency, proportionality, and efficiency. This

⁴ The European Parliament and the Council of the European Union (2021): “[Directive \(EU\) 2019/904 of the European Parliament and of the council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment](#)”, in: *Official Journal of the European Union* L 155:1-19.

⁵ European Commission (2021): “[Study to support the development of implementing acts and guidance under the Directive on the reduction of the impact of certain plastic products on the environment. WP 6: final report on developing guidelines on litter clean-up costs](#)”.

collaborative approach supports transparency and a shared understanding of cost structures and helps to avoid disproportionate cost outcomes that could undermine investment certainty and innovation in sustainable alternatives. Such interactions are essential for effective, accountable and legally compliant implementation of the SUPD, and the absence of such interactions could risk undermining effective implementation of the SUPD.

Innovation Considerations under the SUPD

The SUPD introduces extended producer responsibility (EPR) schemes to support the transition to a circular economy by covering the costs of waste management, litter clean-up, and awareness-raising for single-use plastic products for “which no suitable and more sustainable alternatives are readily available” (Recital 21). Tobacco product filters containing plastic fall within this scope, and the Directive explicitly aims to “encourage innovation leading to the development of sustainable alternatives”(Recital 16).⁶ At present, and taking into account technical feasibility and scalability, such alternatives are not yet available at scale for certain product categories. EPR schemes therefore play a role in internalizing environmental costs while incentivizing continued investment in research and development.

For these incentives to function effectively, regulatory clarity and consistent implementation are important, particularly given the long timelines associated with innovation and consumer adoption. Diverging national interpretations that extend obligations beyond the Directive’s material scope can create uncertainty and disrupt the predictable framework required to enable innovation across the internal market.

Regarding the Call for Evidence reference to “options for binding measures to reduce filters,” we emphasize that, in the absence of technically, environmentally and economically viable alternatives for certain SUP products available at scale, it would be disproportionate to impose consumption reduction measures or market restrictions.

Premature binding interventions could undermine the innovation incentives deliberately established by the SUPD, and risk failing to address the root causes of littering behavior. Policy should instead prioritize evidence-based and practicable measures, including awareness-raising, effective enforcement of anti-littering rules, and proportionate EPR implementation, while enabling innovation to deliver viable alternatives over time, in line with the objectives of the SUPD and Recital 16.

Implementation should remain aligned with the SUPD’s objective of encouraging alternatives to plastic. Extending EPR obligations to non-plastic materials, or treating all single-use items identically regardless of material composition, would risk contradicting the SUPD’s underlying principle of promoting innovation and the development of sustainable alternatives. Ensuring that obligations remain aligned with the Directive’s current scope will help maintain regulatory predictability and avoid creating unintended barriers to ongoing investments in alternative filter materials. A stable and clearly defined framework is essential for companies to commit to long-term R&D and for innovative solutions to be developed, scaled and accepted by consumers.

Conclusion

The Single-Use Plastics Directive establishes an appropriate framework to address plastic pollution while promoting innovation and supporting the transition to a circular economy. At this stage, however, there is insufficient evidence to justify reopening or revising the Directive. Many Member States are

⁶ The European Parliament and the Council of the European Union (2021): “[Directive \(EU\) 2019/904 of the European Parliament and of the council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment](#)”, in: *Official Journal of the European Union* L 155:1-19: p. 5.

still in the process of fully implementing key provisions, and meaningful datasets on the effectiveness of these measures are only beginning to emerge.

The priority should therefore be given to ensuring consistent and effective implementation of the existing framework across Member States. In particular, clearer guidance from the European Commission would help address current implementation challenges, improve transparency and proportionality in EPR schemes, and reduce fragmentation within the internal market. At the same time, maintaining regulatory predictability is also essential to preserve incentives for innovation and the development of sustainable alternatives.

Allowing the existing framework sufficient time to take effect, while strengthening implementation, enforcement and evidence collection, will provide a more robust basis for any future evaluation and ensure that the Directive can achieve its environmental objectives in an effective and proportionate manner.