

## Legal Alert: New Law limiting the generation of disposable products and plastic bottles



16 August, 2021 / By [Felipe Bahamondez](#) and [Roberta Andreani](#).

On August 13, 2021 was enacted Law No. N° 21.368, which seeks to protect the environment and reduce the generation of waste by

- (i) restricting the delivery of single-use products in food establishments,
- (ii) encouraging reuse and
- (iii) certifying single-use plastics, and
- (iv) through regulating disposable plastic bottles.

### **Single-use products:**

Single-use products are defined as cups, mugs, bowls, cutlery, chopsticks, pots, mixers, staws, plates, cups, boxes or containers of prepared food, trays, sachets and non-bottle lids, as long as they are **not reusable**.

The **law prohibits the delivery of such products for in-store consumption**, regardless of the material they are made of.

In the case of **consumption outside the establishment**, the delivery of disposable products is allowed as long as they are made of recoverable materials other than plastic, or certified plastic, the latter being understood as that composed totally or partially of materials produced from renewable and compostable resources.

### **Disposable plastic bottles:**

With regard to disposable plastic bottles, the law establishes that they must be composed of a percentage of plastic that has been collected and recycled within the country. The law also establishes the obligation to offer beverages in returnable bottles and to receive the same type of bottles from consumers.

### **Come into force, Enforcement and Regulations:**

The law came into force with its publication on the Official Gazette in [indicar fecha], without prejudice to special rules regarding some of the provisions contained therein. The enforcement of compliance with the law is entrusted to the **Municipalities**, expressly stating that any person may denounce non-compliance with the obligations regulated in it.

Finally, the Ministry of the Environment must issue the **regulations** referred to in the law within 18 months of its publication. These regulations will specify, among other matters, those related to the certification of plastics.

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