

Law that regulates single-use plastics



February 13, 2022 / By [Diego Peña](#), [Felipe Massardo](#) and [Camila Fajardo](#)


On February 13, 2022, the first stage of Law No. 21,368 of 2021 (hereinafter, the "**Law**"), which regulates the delivery of single-use plastics and plastic bottles ([see here](#), version in Spanish only) entered into force. The purpose of the Law is to protect the environment and reduce waste generation by limiting the delivery of single-use products made entirely or partially of plastic.

The Law, which was published on August 13, 2021, provided for a deferred application of the new requirements. Thus, six months after its publication, the following limitations on the use of plastics came into force:

For establishments selling food - such as restaurants, cafeterias, or other similar facilities where prepared food is sold - the Law prohibits the delivery of single-use plastic straws, stirrer-sticks, cutlery, and chopsticks (Article 4, final paragraph). In addition, the Law prohibits the delivery of all types of single-use products (such as cups, glasses, cutlery, plates, etc.) made of expanded polystyrene, for consumption inside and outside such establishments. For supermarkets, with respect to the sale of beverages, the Law establishes that they will be obliged to offer beverages in returnable bottles and to receive them from consumers (Article 8, first paragraph). The regulation of the Law, to be issued by the Ministry of the Environment within 18 months from the publication of the Law (i.e. February 2023), will determine the percentage of returnable bottles that supermarkets must have for sale in their display cases. Note that the same obligation will apply to other beverage retailers (such as grocery stores and convenience stores, which sell beverages to the final consumer in disposable plastic bottles), in 18 months as of February 13, 2022.

The Municipalities are responsible for monitoring compliance with this Law, and any person may report non-compliance with the Law's obligations to these bodies.

Finally, fines for non-compliance with the Law range between 1 and 5 UTM (approx. US\$ 69and US\$ 352) for each single-use product delivered in violation of the above provisions. Supermarkets that do not offer returnable bottles in the sale of beverages will be fined with 1 to 20 UTM (approx. US\$ 69 to US\$ 1,369) for each day that they do not comply with this obligation.

	<div>Contacts For more information, please contact: Diego Peña Partner dpena@dlapiper.cl</div>
---	--

** This report provides general information on certain legal or commercial issues in Chile, and is not intended to analyze in detail the matters contained herein, nor is it intended to provide particular legal advice on such matters. The reader is advised to seek legal advice before making any decision regarding the matters contained in this report. This report may not be reproduced by any means or in any part without the prior consent of DLA Piper Chile.*