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Guide to India's Prohibition on the use of Single-Use Plastics and Best Practices for Management of Single-Use Plastics on Ships

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Background

A number of countries have announced prohibitions on the use of single-use plastics (SUP) on ships plying their territorial waters. India was the first country to announce the prohibition, followed by Kuwait.

India's Directorate General of Shipping (DGS) announced the prohibition on the use of SUP on both Indian-Flagged and foreign-Flagged ships in Indian waters via DGS Order No. 05 of 2019 on 16 October 2019. The move is focused on making India and Indian waters free from SUP. The DGS subsequently published a Notice on 21 November 2019 to announce the deferment of the prohibition following representations from the shipping industry seeking a revision of the implementation schedule to enable the industry to put in place the necessary logistical arrangements to comply with the policy.

The DGS has since provided clarifications on the definition of SUP and shared the methodology for the execution of its policy on prohibition on the use of SUP on ships in Indian waters, via Addendum No. 1 to DGS Order 5 of 2019, dated 8 January 2020.

Kuwait has also announced a prohibition on the use of SUP on both Kuwaiti-Flagged and foreign-Flagged ships in Kuwaiti waters with effect from 1 January 2020, via Circular No. 8 of 2019 issued by the Ministry of Communication.

Objective

This guidance has been developed to help Members comply with the prohibition on the use of SUP on board ships and to aid with identifying SUP, developing proper record keeping to track the use of SUP on board ships and identifying possible solutions and an action plan to reduce the amount of SUP on board ships.

A. Complying with India's prohibition on use of SUP

Definition of SUP

The DGS defined SUP as *"disposable plastics which are used only once and then thrown away by the user"*.

1. Items that will be prohibited:
 - a) Items that are completely made out of plastic
 - b) Non-biodegradable multi-layered packaging
2. Items excluded from prohibition:
 - a) All plastic items that are re-used on ships
 - b) Juice/ tetra packs with plastic lining or cap
 - c) Biodegradable plastic with a stamp, marking or certificate (or similar) from the manufacturer
 - d) Necessary items such as Personal Protective Equipment, medicines, medicinal equipment, life-saving and firefighting appliances and other statutory items used on such equipment, which are made up of SUP or contained in SUP

The prohibition is only applicable to items used on board ships and excludes cargo-related items and packaging

Crew and passenger personnel effects are currently excluded.

The DGS has clarified that reusable plastic items such as commercial size dispensers for fluids (eg. shampoo, cleaning products, etc.) are excluded from the prohibition, provided they are reused/ refilled on the ship itself and not discarded after a single use.

Comment

The DGS order does not generally affect all plastic items on board, only SUPs that are completely made from plastic. SUP, often referred to as disposable plastics, are commonly used for plastic packaging and include items intended to be used only once before they are thrown away or recycled. These include, among other items, grocery bags, food packaging, bottles, straws, containers, cups and cutlery.

The nature of petroleum-based disposable plastic makes it difficult to recycle and new virgin materials and chemicals need to be added to it to do so. Additionally, there are a limited number of items that recycled plastic can be used for.

Petroleum-based plastic is not biodegradable and usually goes into a landfill where it is buried or it gets into the water and finds its way into the ocean. Plastics do not biodegrade. Instead they slowly break down into smaller pieces of plastic called micro-plastics. During this breaking down process, toxic chemicals (additives that were used to shape and harden the plastic) are released, which make their way into food and water supplies.

Ship Execution Plan

To comply with the DGS requirements, all cargo ships are expected to prepare a ship-specific Ship Execution Plan (SEP) detailing the inventory of all SUP, that are not exempted by DGS, used on board the ship as on 31 January 2020. The inventory will be used to decide which SUP will be prohibited on the ship, based on the methodology detailed in the table below.

| Execution Methodology | Execution Schedule | |
|--|--------------------|---|
| | Indian Cargo Ships | Foreign Flag Cargo Ships at an Indian Port or place |
| Preparation of complete list of inventories | 31 January 2020 | |
| Identification, listing & prohibition of 50% of items detailed in the inventory list | 1 April 2020 | |
| Identification, listing & prohibition of 75% of items detailed in the inventory list | 1 July 2020 | |
| Identification, listing & prohibition of 90% of items detailed in the inventory list | 1 October 2020 | |
| <i>Note: Ships will be allowed to use the remaining 10% of SUP items in the inventory list that are not identified for prohibition.</i> | | |

The DGS states that the inventory, once prepared, should not be changed unless there is a need to correct the list.

Foreign ships visiting Indian ports, are not allowed to use prohibited items while at a place or port in India. However, these items are allowed to be on board provided they are stored at identified locations. They are to include in their SEP a methodology to prevent usage of the SUP during their stay at Indian ports. A deck and official log entry may be made by the Master identifying the SUP items on board the ship.

Indian-Flagged ships are not allowed to have such items on board. Each ship should have a ship-specific list of prohibited items.

A model schedule is provided in Appendix 1, together with a template for the SUP list provided in Appendix 2.

Comment

Ships are to list all SUP items that are not exempted by DGS, on board in an inventory, as on 31 January 2020. DGS officials will check the inventory as part of their inspection.

Ships should then further list 10% of the items from the inventory that the ship intends to continue using in an ongoing manner. These could include essential and/or critical SUP items that cannot be replaced easily.

Subsequently, ships should identify a list of 50%, 75% and 90% from the inventory that can be removed based on the timeline given by DGS. When drawing up the list of SUPs to be removed from the ship, consideration will need to be given to the ease of replacing the items with alternative products, as well as the time needed to replace the items.

Ships without SEP

Foreign cargo ships that fail to prepare the inventory will be prohibited from using SUP items listed in paragraph 19 of DGS Order No. 5 of 2019, based on the execution plan listed below.

| Prohibition of SUP for foreign ships not in possession of SEP as on 31 January 2020 | Execution Schedule |
|---|---|
| | Foreign Flag Cargo Ships at an Indian Port or place |
| 50% of items of SUP from the list provided in DGS Order No. 5 of 2019 | 1 April 2020 |
| 75% of items of SUP from the list provided in DGS Order No. 5 of 2019 | 1 July 2020 |
| 90% of items of SUP from the list provided in DGS Order No. 5 of 2019 | 1 October 2020 |

Enforcement approach

The enforcement approach to be undertaken by DGS is detailed in paragraph 20 of DGS Order No. 5 of 2019. DGS has stated that no detention of foreign ships will be enforced. If found necessary, a handwritten deficiency printed on PSC Form "B" may be issued and the deficiency is expected to be rectified prior to departure. The deficiency will not be uploaded onto the Indian Ocean Computerised Information System (IOCIS). IOCIS is the Indian Ocean MOU's system for deficiency reporting by Port State Control Officers.

Comment

Kuwait will also adopt the same enforcement approach as India. In Kuwait's case, the deficiency will not be uploaded onto the Riyadh MOU website.

Disposal of SUP items

Disposal of SUP items can be carried out at waste reception facilities provided at Indian ports, through the DGS' online Centralised Port Reception Facility portal, "Swachh Sagar". SUP items should be kept segregated and marked for disposal.

The Swachh Sagar website is accessible via the following link: <http://prf.irclass.net/anf>.

Comment

The circulars listed below outline the requirements for all ships (Masters/Officers or Shipping Companies/ Agents on behalf of ships) calling at Indian ports to log on to Swachh Sagar, preferably 24 hours prior to arrival, and complete the Advance Notification Form. This is required even if the ship does not require the port reception facility or is not visiting any Indian port.

- *DGS Circular No. 06 of 2018, dated 20 Nov 2018: "Utilization of Centralized Port Reception Facility Portal: Swachh Sagar"*
- *Addendum to Engineering Circular No. 06 of 2018, dated 24 June 2019: "Utilization of Centralized Port Reception Facility Portal: Swachh Sagar"*

Frequently Asked Questions

A list of Frequently Asked Questions related to India's prohibition on the use of SUP that was published by DGS on 14 January 2020, can be found in Annex 4.

Annexes

1. [DGS Order No. 5 of 2019, dated 16 October 2019: "Prohibition on use of Single Use Plastics"](#)
2. [Deferment Notice with regards to implementation of DGS Order No. 5 of 2019, dated 21 November 2011](#)
3. [Addendum No.1 to DGS Order No. 5 of 2019, dated 8 January 2020](#)
4. [Frequently Asked Questions issued by DGS on 14 Jan 2020](#)
5. [DGS Circular No. 06 of 2018, dated 20 Nov 2018: "Utilization of Centralized Port Reception Facility Portal: Swachh Sagar"](#)
6. [Addendum to Engineering Circular No. 06 of 2018, dated 24 June 2019: "Utilization of Centralized Port Reception Facility Portal: Swachh Sagar"](#)
7. [Kuwait's Ministry of Communications Circular No. 8/2019](#)

Please note that on electronic copies (available from the INTERTANKO website) the above Annexes are hyperlinks. Please contact the INTERTANKO Secretariat for further details.

B. Managing SUP on board

As more countries move to ban SUPs, a more general approach to replacing SUP with alternatives on ships should be considered.

Reducing SUP presence on board ships

To achieve this aim, consideration should be given to promoting the use of alternative packaging throughout the supply chain, including catering, and promoting the use of alternative drinking water sources to reduce dependency on plastic bottles.

The following practices will also help to reduce SUP:

- Procuring supplies that come in bulk packaging, considering factors such as adequate shelf- life. The packaging could be in the form of biodegradable materials.
- Procuring supplies that come in reusable or recyclable/biodegradable packaging and containers.
- Avoiding the use of disposable cups, utensils, dishes, towels and rags and other convenience items whenever possible.
- Avoiding supplies packaged in plastic, unless the packaging is reusable, recyclable or biodegradable.

A list of suggested items and possible solutions are provided in Appendix 3.

Items received in plastic packaging that are prohibited from being held on board should, where possible, be returned to the supplier at the point of receipt on board.

Record keeping

A deck and official log entry may be made by the Master identifying the SUP items on board the ship, together with a statement of the time and latitude/longitude when they were locked in identified storeroom(s) (precise location(s) on board) prior to entering territorial waters or port that prohibits the use of the SUP. To achieve this, the items could be locked with the keys being held by responsible officers. Alternatively, security seals may be applied and the seal numbers included in the log entry.

Secure storage

Where SUP are held on board, the methodology may include storing all SUP within a secure storage room/locker in order to prevent their use. This also applies to SUP intended to be landed to port reception facilities as garbage.

The secure storage room(s)/locker(s) shall be dedicated to the purpose of storing SUP and shall not be accessible to the ship's complement during the period within the territorial waters where the use of SUP are prohibited.

Comment

Ships may wish to consider designating a specified location/ room for storage of SUP in waters where use of SUP are prohibited. The identified location should allow for the location to be secured and sealed.

Appendix 1 – Execution Schedule

| Tasks | Phase 1 (deadline 31 Jan 2020) | Phase 2 (effective from 1 April 2020) | Phase 3 (effective from 1 July 2020) | Phase 4 (effective from 1 October 2020) |
|---|-----------------------------------|--|---|---|
| Draw up inventory with list of SUP. | | | | |
| Number of items on list: <u>(X)</u> | X | Not Applicable | Not Applicable | Not Applicable |
| Share of prohibited items | 100% | 50% | 75% | 90% |
| Number of items allowed | (X) | (X)-(X x 50%) | (X) – (X x 75%) | (X) – (X x 90%) |

Example

Assuming there are 30 items on the list, the schedule will be as follows

| Tasks | Phase 1 (deadline 31 Jan 2020) | Phase 2 (effective from 1 April 2020) | Phase 3 (effective from 1 July 2020) | Phase 4 (effective from 1 October 2020) |
|--|-----------------------------------|--|---|---|
| Draw up inventory with list of SUP. | | | | |
| Number of items on list: <u>30</u> | X | Not Applicable | Not Applicable | Not Applicable |
| Share of prohibited items | 100% | 50% | 75% | 90% |
| Number of items allowed | <u>30 (all)</u> | <u>15</u> | <u>7</u> | <u>3</u> |

Appendix 2 – Proposed template for Inventory List

| | | |
|--|------|---|
| Inventory of all SUP used on board (To be compiled on board for SUP, that are not exempted by DGS, used on 31 Jan 20) | | Execution Schedule – Foreign Flag ships whilst within Indian waters, port or place. |
| | | Cargo Ships |
| No. | Item | Prohibition or Segregation date |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |
| 11 | | |
| 12 | | |
| 13 | | |
| 14 | | |
| 15 | | |
| 16 | | |
| 17 | | |
| 18 | | |
| 19 | | |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |
| 29 | | |
| 30 | | |
| List of the 10% of the items which the ship intends to continue using in an ongoing manner. | | |
| 1 | | |
| 2 | | |
| 3 | | |

Appendix 3

a. List of SUP items that could be replaced easily

(Could be listed among the 50% of items on the inventory to be prohibited on board from 1 Apr 2020)

| Type of SUP | Detailed items (Note: each of the detailed items are to be considered as a single item on the inventory) | Recommended Solution | Suggested procurement and storage |
|--|--|---|--|
| Packaging materials for provision and food consumables | Rice and food provisions | Use non-plastic or biodegradable packaging | Specify procurement requirement in line with solution |
| Drinks | Plastic bottles for drinking (less than 10 litres in volume), disposable cups, beverages (milk, juices, soft drinks, etc.) | <p>To replace 1 litre plastic drinking bottles with 20 litres potable water containers. Encourage the use of reusable bottles that the crew could use to drink water. Crew could be issued with 1 litre flask</p> <p>In the longer term, ships could have more portable water points for crew to reduce the demand for bottled drinking water on ships</p> <p>Beverages to be procured in the form of renewable packages such as paper carton boxes, tetra packs, cans, glass bottles or other biodegradable containers</p> | <p>Specify procurement in line with the solution</p> <p>Prohibit use of SUP bottles on board ship</p> |
| Plastic bag | Garbage bags, grocery bags | Use paper bags, recyclable bags and/or biodegradable plastic bags | <p>Specify procurements in line with the solution</p> <p>Prohibit use of SUP bags. Items could be kept under lock and key at designated storage area</p> |
| Operational items | Plastic shoe covers | Use biodegradable covers | Specify procurement in line with the solution |
| Plastic cutlery and utensils | Plastic cups, plates, spoons, forks, knives, chopsticks, straws, stirrers, etc. | Use paper-based, biodegradable or reusable cutlery and utensils | To be prohibited |
| Household items | Plastic trays and containers, freezer bags, plastic cotton swabs | Use reusable items such as reusable storage containers/non-plastic items | Specify procurement in line with the solution |

b. List of SUP items that could take a while to be replaced

b. List of SUP items that could take a while to be replaced

(Could be listed among the 75% of items on the inventory to be prohibited on board from 1 Jul 2020)

| Type of SUP | Detailed items (Note: each of the detailed items are to be considered as a single item on the inventory) | Recommended Solution | Suggested procurement and storage |
|--|--|--|--|
| Packaging materials for provision and food consumables | Insulated food packaging | Unwrap all plastic packaging from stores at point of delivery and return to shore marked single-use plastic/for recycling | During procurement specify suppliers to use alternative packaging materials where possible |
| Operational items | Plastic protective packaging | Unwrap all plastic packaging from stores at point of delivery and return to shore marked single-use plastic/for recycling. | During procurement specify suppliers to use alternative packaging materials where possible |

c. List of SUP items that could take a longer period to be replaced

(Could be listed among the 90% of items on the inventory to be prohibited on board from 1 Oct 2020)

| Type of SUP | Detailed items (Note: each of the detailed items are to be considered as a single item on the inventory) | Recommended Solution | Suggested procurement and storage |
|-------------------|---|--------------------------------|---|
| Operational Items | Spare part packing, chemical drums, single-use overalls, Styrofoam-based products, bubble wrap for packaging of electronic items/spares | Use biodegradable alternatives | Specify procurement in line with the solution |

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