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Prohibitions on the commercialization, distribution, and delivery of single-use plastics

On July 25, 2019, the Official Gazette of Mexico City published a decree adding and amending different provisions of the Solid Waste Law, with the main purpose of reducing the environmental damage caused by the use of plastic (“Decree”).

Under the Decree, the Ministry of Environment of Mexico City shall establish guidelines and standards that guarantee the reduction of the environmental repercussion associated with the manufacture, distribution, use, and destination of plastic, and promote their recycling and reuse.

The Decree also set forth a number of prohibitions on the commercialization, and distribution of single-use plastics, as well as different dates for their implementation, as follows:

1. The commercialization, distribution and hand over of plastic bags in points of purchase are prohibited unless they are compostable.

Plastic bags necessary for hygiene reasons or to prevent food waste are excluded, provided that there are no compostable alternatives.

This prohibition took effect as of 2020, according to the Decree.

2. The commercialization, distribution and hand over of the following products, where manufactured wholly or partly of plastics and designed for disposal after a single-use, are prohibited, except those which are compostable:

- Cups and lids
- Plates, forks, knives, and spoons
- Stirring sticks
- Straws, except those used for medical assistance
- Trays for transporting foods
- Cotton swab sticks
- Tampon applicators
- Balloons and balloon rods

This prohibition shall take effect as of January 1st, 2021.

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3. The commercialization, distribution and hand over of single-use coffee capsules made from plastic materials with low potential for use are prohibited.

This prohibition shall take effect as of January 1st, 2021.

4. The commercialization, distribution and hand over of products containing intentionally added microplastics are prohibited.

Microplastics, according to the definition provided in the Decree, are plastic fragments smaller than 5mm.

This prohibition shall take effect as of January 1st, 2021.

The Decree also provides that the Ministry of Education, Science, Technology and Innovation of Mexico City should implement, within 180 days after its publication, an assessment program for single-use plastic producers to carry out a technological conversion for the development of alternative compostable plastics.