

Restrictions for the use of products made with single-use plastics enter into force in Mexico City

On January 1, 2021, several provisions of the Mexico City Solid Waste Law entered into force ("**Solid Waste Law**"), amendments which were published in the Official Gazette of Mexico City on June 25, 2019, through which various restrictions are imposed to the sale, distribution and delivery of products made with single-use plastics in Mexico City.

As of January 1, 2021, the sale, distribution, and delivery of forks, knives, spoons, mixing sticks, plates, straws, cotton swabs, balloons and balloon sticks, cups and their lids, food transport trays, tampon applicators, made in whole or in part of plastics designed for disposal after a single use, except those made with compostable material is prohibited.

Therefore, the Solid Waste Law establishes that the restrictions will apply to any product manufactured from organic, fossil, and non-fossil polymers, including the following:

- Polyethylene terephthalate (PET)
- Polypropylene (PP)
- Low-density polyethylene (LDPE)
- High-density polyethylene (HDPE)
- Polystyrene (PS)
- Expanded polystyrene (PSE)
- Vinyl polychloride (PVC)
- Polycarbonate

Hence, the selling, distributing and/or delivering any of the products referred in the section XI BIS of article 25 of the Solid Waste Law, may continue as long as compostable materials are used.

In this regard, Mexico City Environmental Ministry ("**SEDEMA**") issued on December 1, 2020, the "*Criteria that compostable single-use plastic products must comply in Mexico City*" ("**Criteria**") which establishes the obligations to which individuals interested in selling, distributing and/or delivering any of the mentioned products made with compostable material are subject to.

It is important that any individual who is subject to the aforementioned restrictions or intends to sale, distribute or deliver products made with composable materials, implements the necessary mechanisms (legal, financial and commercial) to comply with the provisions established in the Solid Waste Law to avoid potential administrative sanctions by the SEDEMA.

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