

The Director-General
Department of Environmental Affairs
Environment House, 473 Steve Biko Street
Arcadia, Pretoria

Attn: Mr. Anben Pillay

30 November 2017

PROPOSED REGULATIONS REGARDING CONTROL OF THE IMPORT OR EXPORT OF WASTE

1. We refer to Notice Number 1147, as published for comment by the Department of Environmental Affairs on 30 October 2017, in Government Gazette No. 41213. Below please find comments submitted by PETCO on behalf of its members and stakeholders in the PET recycling sectors in South Africa and Southern Africa.
2. PETCO, the PET Recycling Company of South Africa NPC, was incorporated in December 2004 with the objective of promoting the recycling of post-consumer PET products in South Africa, and the development of downstream markets for products manufactured from recycled PET. As at the end of 2016, the rate of diversion from landfill in the South African PET bottle sector was 55%, with a collection volume of over 90,000 tonnes of post-consumer PET material. Due to a number of local and international factors in the PET packaging sector, this recovery rate is expected to increase significantly in 2017.
3. Given the recessionary conditions experienced by the South African economy in Q2 2017, as well as the very low economic growth rate anticipated for the national economy in 2017, the PET recycling sector in the country is currently experiencing a shortage of high-quality post-consumer PET bottle feedstock. This has resulted in an increased interest on the part of PET recyclers in the importation of PET bottle feedstock.
4. At the same time, in the context of the development of a regional secondary resource economy, there exists an increasing awareness on the part of PETCO shareholder members, as well as other stakeholders, that in line with the principles of Extended Producer Responsibility, the South African PET bottle manufacturing sector will be increasingly required to take financial and/or physical responsibility for the recovery and recycling of post-consumer PET packaging products that are (wholly or partially) produced in South Africa for export, but that are consumed in other regions of Sub-Saharan Africa.
5. In line with this increasing awareness, PETCO is, along with its principal stakeholders, currently in the process of assisting in the establishment of similar Extended Producer Responsibility organisations and PET bottle collection networks in a number of African countries.

Non-Executive Directors: Brand Owners: Casper Durandt, Coca-Cola SEA (Chair); Asyia Sheik, Coca-Cola Africa; *Bottlers:* Tshidi Ramogase, CCBSA (Vice-Chair); Greg Morse, Peninsula Beverages. *Converters:* David Drew, Boxmore Packaging; Wessel Oelofse, Polyoak Packaging. *Collectors/Recyclers:* Chandru Wadhvani, Extrupet. *Retailers:* Tom McLaughlin, Woolworths; André Nel, Pick n Pay. *Raw Material Producer:* Daniel Schoeman, Hosaf.



6. In formulating its inputs into these draft regulations, PETCO has engaged in consultation with various role players that might be negatively impacted by the proposed regulations, most notably large collectors and recyclers of post-consumer PET material, but also various South African organisations engaged in promoting and supporting international trade.
7. Based upon these consultations, it appears that significant uncertainty exists regarding the applicability of the provisions of the *Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal* to the import and export of general or non-hazardous waste. As a result, it is the opinion of PETCO that the legal basis for extended regulatory control of the import and export of non-hazardous waste must be clearly established, in the context of both national legislation in South Africa, and of Multilateral Environmental Agreements (including the Basel Convention) to which South Africa is a signatory.
8. Furthermore, in the event that the legal basis for such extended regulatory control can be firmly established, it is the opinion of PETCO that any regulations aimed at governing the import and export of waste should be highly targeted in nature, and be narrowly defined to focus exclusively on general waste imported for the purposes of landfilling. In other words, the importation of waste intended to be utilised as feedstock in any recycling industry or operation in South Africa, should be specifically and explicitly excluded from the proposed regulations.

We trust that these inputs will prove to be of assistance to the Department. Should you have any queries regarding the points raised above, please feel free to contact PETCO directly.

Yours faithfully



Alistair Schorn
Business Development Manager

CC: Dr. Casper Durandt, Chairperson, PETCO Board of Directors
Cheri Scholtz, Chief Executive Officer, PETCO



Plastic bottles
are not trash.