

Chapter 20:27
Environmental Management
(Plastic Packaging & Plastic Bottles)
Regulations, 2010

Statutory Instrument 98 of 2010

Amended by SI 84 of 2012

IT is hereby notified that the Minister of Environment and Natural Resources Management in terms of section 140 of the Environmental Management Act [Chapter 20:27], has made the following regulations:

Title

1 These regulations may be cited as the Environmental Management (**Plastic Packaging and Plastic Bottles**) Regulations, 2010.

Interpretation

2 In these regulations —

“**biodegradable plastic**” means any plastic capable of being decomposed in natural aerobic and anaerobic environments;

“**cling film**” means a thin plastic film that sticks to itself and that is customarily used for wrapping food;

“**commercial distribution**” in relation to plastic packaging means

- (a) the wholesale or retail selling of plastic packaging; or
- (b) the distribution (whether for consideration or not) of plastic carrier packaging to buyers of goods.

[para (b) amended by SI 84 of 2012 with effect from 11th May, 2012]

“**compulsory specification**” means the compulsory specification for plastic packaging as provided for in the *Schedule*;

“**responsible person**” in relation to plastic waste means

- (a) manufacturers of plastic packaging and plastic bottles; or
- (b) retailer of plastic packaging and plastic bottles; or
- (c) every local authority;

“**plastic**”, in relation to plastic packaging or plastic bottles, means any packaging or bottle made from any polymeric material;

“**plastic packaging**” means plastic barrier packaging, plastic carrier packaging and plastic bread packaging;

“**plastic barrier packaging** ” means plastic packaging used to seal goods to protect those goods from breakages or contamination with other goods or extraneous matter;

“plastic carrier packaging” means plastic packaging for the carriage of goods by a person that is manufactured with or without handles, or with or without gussets;

“plastic bread packaging” means plastic packaging and primarily for the packaging of bread;

“plastic waste” means discarded plastic packaging and plastic bottles.

Prohibition of certain plastics

[Substituted by SI 84 of 2012 with effect from 11th May, 2012]

3 (1) The manufacture for use within Zimbabwe, commercial distribution or importation of plastic packaging whether biodegradable or not, with a wall thickness of not less than **30 micrometers** is prohibited.

(2) The manufacture or importation of polystyrene for use or commercial distribution within Zimbabwe is prohibited.

(3) Any person who

(a) Uses polystyrene in packaging to protect goods from damage during transportation or storage;

(b) uses polystyrene in construction;

shall take responsibility for recycling any polystyrene packaging material they manufacture and sell.

(4) No ink shall be used for printing on plastic and plastic bottles unless the ink and the printing thereof complies with the compulsory specification as provided in the *Schedule*.

(5) Any plastic product found to be in contravention of sections *three(1)* and *three(2)* shall be recalled from the system.

Plastic waste prevention targets

4 (1) The Agency shall require from time to time, every responsible person to set plastic waste prevention targets and to notify the Agency of such targets.

(2) The plastic waste prevention targets shall provide for any of the following as may be appropriate

(a) the disposal of plastic waste by the responsible person in designated receptacles or sites; or

(b) the design of plastics containing few pollutants, are recyclable and durable when put to their intended use; or

(c) the use of biodegradable plastics; or

(d) the creation of the mode of distribution and return systems, that reduce residual plastic waste to a minimum

Consignment slips and markings

5 (1) The following information shall be provided, either in print on each plastic packaging, or in the form of a consignment slip included in every consignment, batch or packaging

- (a) the name of the manufacturer and the country of manufacture of the plastic packaging;
 - (b) the name of the person in Zimbabwe importing or distributing plastic packaging;
 - (c) the name of the country on which the plastic packaging is consigned, if it is not consigned from the country of manufacture.
- (2) All markings on the consignment slips (or plastic packaging) shall be in the English language.

Offences and Penalties

6 Any responsible person who contravenes section *three* shall be guilty of an offence and liable to fine not exceeding level fourteen, or to imprisonment for a period not exceeding one year or both such fine and imprisonment.

SCHEDULE (Sections 2 and 3)

COMPULSORY SPECIFICATION

The purpose of compulsory specification is to assist the implementation of the Plastic Packaging and Plastic Bottles Regulations in order to protect the environment. These specifications cover requirements for packaging that is made from thermo-plastic materials and covers plastic, and carrier packaging both domestically produced and imported for use within Zimbabwe. It also covers the thickness and printing requirements for these packaging.

The specifications do not cover **bread packaging**, which may have a thickness of **25** micrometers.

Requirements

1. (a) Plastic packaging, offered for the trade of commercial distribution as carrier packaging, shall be made from plastic film consisting of polypropylene.

(b) When the film of the plastic carrier packaging is measured in accordance with section *three*(1), no individual thickness measurement shall be **less than 30 micrometers**.

Printing requirements

2. (a) Ink used for printing on plastic carrier bags shall be classified as 1 of the following types

Type A: Ink that is a single resin based system, based on co-solvent polyamide

Type B: Ink that does not comply with the requirements for a type A

(b) when compliance with the requirements for a type A ink is claimed, the claimant shall supply and develop a form with the requirements for type 'A' with the consignment of batch bags.

(c) when dried ink is tested in accordance with test method 3(b), type A ink shall not exhibit any change of colour.

(d) For ink of type **A**- the mass percentage of dried solids of the printed ink, relative to the mass of an unprinted packaging, shall **not exceed 2.25 %**.

(e) For ink of type **B**- the mass percentage of dried solids of the printed ink, relative to the mass of an unprinted packaging, shall **not exceed 1.125 %**.

Test methods

3. (a) Measure the thickness of the plastic film using the method described in **SAZ-ISO4893**, and check the results for compliance.

(b) Type of ink (nitrocellulose spot test). If Type 'A' Ink is claimed, the claimant shall not exhibit any change of colour, the general principle is that a solution of diphenylamine in concentrated sulphuric acid is used to indicate the presence of nitrocellulose, the re-agent causes an almost instantaneous formation of a dark blue colour on contact with nitrocellulose.

CAUTION:

The substances used for this test are extremely dangerous. Gloves and safety glasses should be used throughout the preparation and use of this solution.

(i) PREPARATION OF TEST SOLUTION.

A. Carefully mix together the following ingredients in a conical flask whilst cooling the flask under running water

- 1) 0.5g diphenylamine (C₁₂ H₁₁ N);
- 2) 10,0 g water; and
- 3) 30,0 g concentrated sulphuric acid (98%).

CAUTION:

Add the acid slowly to the water.

- B. carefully add a further 60,0g of concentrated sulphuric acid, and mix gently.
- C. transfer the contents of the flash to a dark glass bottle, and label and date the bottle,

NOTE:

The solution should have a shelf life of approximately 1 month. The solution will initially be a yellow/ orange colour, and it should be discarded and prepared afresh if it shows any signs of discolouration (which would probably indicate a reaction with light, oxidation or contamination).

(ii) PROCEDURE

- A. Place 1 drop of the test solution on a sample of the dried ink to be tested.
- B. Check after 30 seconds for any colour change.

If the colour changes to the dark blue, it indicates the presence of nitrocellulose.

FEES

4. The plastic levy payable by manufacturers of plastics is as follows

- 1. Annual registration and monitoring fees
.....**US\$ 40**
- 2. Quarterly fee
.....**US\$ 100**

[Item 4 inserted by SI 84 of 2012 with effect from 11th May, 2012]

Chapter 20:27
Environmental Management
(Importation & Transit of Hazardous Substances & Waste) Regulations, 2009

Statutory Instrument 77 of 2009

IT is hereby notified that Minister of Environment and Natural Resources Management, in terms of section 140 of the Environmental Management Act [Chapter 20:27] has made the following regulations: —

Title

1 These regulations may be cited as the Environment Management (Importation & Transit of Hazardous Substances & Waste) Regulations 2009.

Application

2 These regulations shall apply to any hazardous substance and waste as defined in section 2 of the Act.

Interpretation

3 In these regulations—

"**aircraft**" means any airborne craft including helicopters, gliders, *etc*, whether or not internally propelled;

"**airport**" means an airport designated by the State in whose territory it is situated as an airport of entry or departure for international air traffic;

"**conveyance**" means the process of moving goods from one place to another;

"**foreign**" in relation to a goods vehicle, means registered outside Zimbabwe;

"**frontier post**" means—

(a) in the case of a train, the railway stations at the border posts;

(b) in the case of a road vehicle, the border posts provided for customs purposes;

"**hazardous substance**" means any substance, whether solid, liquid or gaseous, or any organism which is injurious to human health or the environment;

"**hazardous waste**" means waste which is poisonous corrosive, noxious, explosive, inflammable, toxic or harmful to the environment;

"**inspection**" means physical examination of a vessel or goods or buildings or facilities at an airport or frontier post;

"**Port Health Authority**" means the health team assigned by the Chief Health Officer to administer and enforce the port health regulations;

"**port of entry**" means any point of entry into Zimbabwe which is appointed as a port in terms of section 14 of the Customs and Excise Act [*Chapter 23:02*];

"**transit**" means travelling through one country in order to get to another country;

"**vessel**" means aircraft, train or road vehicle;

"**ZIMRA**" means the Zimbabwe Revenue Authority established by the Revenue Authority Act [Chapter 23:11].

Designation of ports of entry

4 (1) Every port of entry shall be a point of inspection for the conveyance of hazardous substances for the purposes of the Act.

(2) The following places are designated ports of entry for the purpose of these regulations—

(a) Harare, Bulawayo, Victoria Falls, Kariba, Hwange and Charles Prince airports;

(b) Beitbridge, Chirundu, Forbes, Nyamapanda, Plumtree, Kazungula, Kariba, Victoria Falls, Kanyemba, Mukumbura, Chikwarakwara frontier posts and any other frontier post that may be designated.

Levies

5 The amount of the levy to be levied by Port Health Authority and collected by ZIMRA shall be specified in the *First Schedule* and shall be payable on the entry of the vessel into Zimbabwe at the port of entry.

Persons authorized to inspect, levy and collect the environment levy

6 (1) Port Health Authority is hereby specified as the person authorized to inspect and levy all vehicles conveying hazardous substances and hazardous waste, on behalf of the Environment Management Agency, using the inspection report form specified in the *Second Schedule* and any other form that the Agency may develop at all ports of entry.

(2) ZIMRA is hereby specified as the person authorized to collect, for the benefit of the environment fund, levies on vehicles conveying hazardous substances and hazardous waste using the information on the completed inspection report form at all ports of entry, on behalf of the Environmental Management Agency.

(3) Notwithstanding the provisions in subsections (1) and (2), the Environmental Management Agency shall remain the overall authority to inspect and collect the environment levy for hazardous substances importation and conveyance, and shall, together with the authorized persons, carry out the said duties and inspect the work of the authorized persons.

Offences and penalties

7 (1) Any person who—

(a) contravenes these regulations;

(b) causes any **spillage** of hazardous substances or waste into the environment;

shall be guilty of an offence and liable to a fine not exceeding level fourteen, or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

(2) A court convicting a person of an offence under these regulations may order the person to do any one of the following—

(a) to take such remedial action, specified by the court on the advice of the Agency, as it may be necessary to restore the environment or works affected by the offence;

(b) to reimburse the Agency for any remedial action taken by it;

(c) to pay compensation for any damage caused by the offence to any person.

FIRST SCHEDULE (Section 5)

LEVIES

A. Transit levy for transporting hazardous substances or products per vessel per transit:

WEIGHT in Tonnes (T)	AMOUNT	CHARGED/	US \$
[Editor's Note - these triangle *grades of hazard are not defined in the body of this instrument See SI 10/2007 and 99/2008]	*Green	*Amber	*Red
Less or equal to 10 T	10	20	30
More than 10 T and up to 20 T	20	40	60
More than 20 T and up to 30 T	30	60	120
More than 30 T and up to 40 T	40	80	160
More than 40 T	50	100	200

B. Transit levy for transporters of hazardous waste per vessel per transit:

WEIGHT in Tonnes (T)	AMOUNT	CHARGED/	US \$
[Editor's Note - these triangle *grades of hazard are not defined in the body of this instrument See SI 10/2007 and 99/2008]	*Green	*Amber	*Red
Less or equal to 10 T	500	750	1000
More than 10 T and up to 20 T	1000	1500	2000
More than 20 T and up to 30 T	1500	2250	4000
More than 30 T and up to 40 T	2000	3000	5500
More than 40 T	2500	3750	7000

SECOND SCHEDULE (Section 6(1))

VEHICLE INSPECTION REPORT FORM.

Date:

Time:

Inspector's Name:

Section A: Details of vessel ownership and substance carried

Name and physical address of the transport company:

.....
.....
.....

Name and physical address of responsible person:

.....
.....
.....

Tel: Cell:

Name of Driver:

Tel/Cell:

Vehicle Registration Number(s):

Rigid: Horse. Trailer 1:

Trailer 2: Make:

Name of substance:

Active ingredient(s):

Hazard class: Net weight (Tonnes):

Amount due US\$:

Amount in words:

Section B: Vehicle check

		Yes	No	N/A
1.	The vessel has valid documents to prove its road worthiness, e.g. certificate of fitness			
2.	In the case of a bulk tanker, the tank is intact—no leaks			
3.	In the case of pre-packaged material, the packaging is intact			

4.	The hazard warning panels are in place			
5.	The hazard warning panels are correctly positioned			
6.	The hazard warning panels are correctly labeled			
7.	The Material Safety Datasheets (MSDS) are readily available for use if necessary			
8.	The. UN number for the identification of the substance is in place			
9.	The UN number on the vessel tallies with that in the MSDS or TREM card			
10.	Other comments			