

BELIZE:

**ENVIRONMENTAL PROTECTION (POLLUTION FROM
PLASTICS) REGULATIONS, 2020**

ARRANGEMENT OF REGULATIONS

PART I

Preliminary

1. Citation.
2. Interpretation.

PART II

Importation of restricted products

3. Permit to import a restricted product.
4. Permit application.
5. Grant of a permit to import a restricted product.
6. Conformity assessment for biodegradability.
7. Form of permit to import a restricted product.
8. Conditions of permit.
9. Transferability and renewability of permit.
10. Register of restricted products.
11. Cancellation or refusal of a permit.
12. Importation of restricted product without a permit.

Environmental Protection

13. Customs Department to deal with restricted products imported without a permit.

PART III

Manufacture of a restricted product

14. Licence to manufacture a restricted product.
15. Licence application.
16. Grant of licence to manufacture a restricted product.
17. Form of licence to manufacture a restricted product.
18. Conditions of licence.
19. Cancellation or refusal to grant a licence.
20. Procedure on refusal or cancellation of a licence.
21. Renewal of licence to manufacture a restricted product.
22. Manufacture of a restricted product without a licence.
23. Failure to report.

PART IV

Prohibited products

24. Importation of prohibited products.
25. Manufacture of prohibited products.
26. Sale of prohibited products.
27. Possession of prohibited products.

Environmental Protection

- 28. Exemption during national emergencies.
- 29. Permit to import raw materials of prohibited products.
- 30. Licence to manufacture prohibited products using imported raw materials.
- 31. Conditions for permits or licences under regulation 29 or 30.

PART V

Miscellaneous

- 32. Electronic applications.
- 33. Transitional.
- 34. Commencement.

BELIZE:**STATUTORY INSTRUMENT****No. 8 of 2020**

REGULATIONS made by the Minister responsible for the environment in exercise of the powers conferred upon him by sections 6, 7, 21 and 44 of the Environmental Protection Act, Chapter 328 of the Substantive Laws of Belize, Revised Edition 2011, and all other powers thereunto him enabling.

(Gazetted 15th January, 2020)

PART I***Preliminary***

1. These Regulations may be cited as the

Citation.

**ENVIRONMENTAL PROTECTION (POLLUTION
FROM PLASTICS) REGULATIONS, 2020.**

2. In these Regulations—

Interpretation

“Belize Bureau of Standards” means the Bureau of Standards established under section 3 of the Standards Act;

“barrier bags and plastics” means any plastic that is an integral part of the packaging in which goods are sealed for sale and are used for packaging unpacked perishable foods;

“bio-based” means the amount of bio-based carbon in the material or product as a percent of the weight (mass) of the total organic carbon in the product;

“bio-based plastic” means plastics that are biodegradable by nature and produced from natural origins;

“biodegradability” means the ability of a substance to be broken down into simpler substances by living things especially by microorganism;

“biodegradable or biodegrade” means material—

- (a) capable of undergoing decomposition into carbon dioxide, methane, water, inorganic compounds, or biomass in which the predominant mechanism is the enzymatic action of microorganism, that can be measured by standardized tests, in a specified period of time, reflecting available disposal condition;
- (b) capable of being broken down chemically by living organisms into non-toxic substances, within a specified period of time; or
- (c) that can be decomposed into non-toxic substances by the action of naturally occurring microorganisms, within a specified period of time;

“biodegradable plastic” means—

- (a) plastics that can be degraded by living organisms or microorganisms into water, methane and inorganic compounds or non-toxic residue, within a specified period of time; or
- (b) a degradable plastic in which degradation results from the action of naturally occurring microorganisms such as bacteria, fungi and algae, within a specified period of time;

“certification” means third-party attestation that products, processes, systems or persons conform to established standards;

“commercially biodegradable plastic” means any plastic that has a minimum bio-based content that is greater than fifty percent, and capable of biodegrading within three hundred and sixty-five days into an innocuous product by the action of living organisms as part of an approved disposal process;

“compostable plastic” means any plastic that undergoes degradation by undergoing biological decomposition in a compost site, such that the plastic is not distinguishable or leaves no toxic residue and breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials;

“compostable” means material that—

- (a) is biodegradable; and
- (b) is capable of undergoing biological decomposition in a composite site, such that the material is not distinguishable or leave toxic residue and breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials;

“conformity assessment” means demonstration that specified requirements relating to a product, process, system, person or body are fulfilled, typically conducted through quality assessment services such as sampling, inspections, testing, calibration or certification;

“degradable” means material that—

- (a) with respect to specific environmental conditions, undergoes degradation to a specific extent within a given time measured by a specific standard test method; and
- (b) is broken down by bacterial (biodegradable), thermal (oxidative), or ultraviolet (photodegradable) action;

Cap. 328.

“Department” means the Department of the Environment established under section 3 of the Act;

“environmentally degradable plastic” means a plastic that is designed to undergo a significant change in its chemical structure under one or more combined environmental conditions, resulting in a loss of some properties that may vary as measured by standard test methods appropriate to the plastic and the application in a period of time that determines its classification;

“independent testing laboratory” means any laboratory recognized under the international accreditation framework recognized and registered by the Belize Bureau of Standards;

“international accreditation framework” includes—

- (a) the International Laboratory Accreditation Cooperation; and
- (b) the International Accreditation Forum;

“national standards” means standards made by the Belize Bureau of Standards;

“plastic” means a material that—

- (a) contains as an essential ingredient one or more organic polymeric substances of large molecular weight;

(b) is solid in its finished state; and

(c) at some stage in its manufacture or processing into finished articles, can be shaped by flow;

“prohibited product” means any single-use plastic product specified in Schedule II;

Schedule II.

“restricted product” means any single-use plastic product specified in Schedule I;

Schedule I.

“single-use plastic product” means plastic products that are designed or intended for one time use before disposed or recycled; and

“third-party certification” means an assurance given by an independent testing laboratory, that a product, service or system meets the requirement of established standards.

PART II

Importation of restricted products

3. A person shall apply to the Department for a permit to import a restricted product as specified in Schedule I.

Permit to
import a
restricted
product.

4.—(1) An application for a permit to import a restricted product shall—

Permit
application.
Schedule III.

(a) be in the form set out in Schedule III; and

(b) be accompanied by a non-refundable fee of twenty-five dollars.

(2) If the restricted product being imported is biodegradable, compostable or degradable, the application, as set out in Schedule III, shall include, where applicable—

- (a) product certification and safety data sheet; or
- (b) third-party certification showing that the product has undergone a conformity assessment at an independent testing laboratory.

Grant of a permit to import a restricted product.

5.-(1) The Chief Environmental Officer may grant a permit to import a restricted product if satisfied that the—

- (a) restricted product is not a single-use plastic product listed in Schedule II;
- (b) product is intended for use as a barrier bag and plastic, intended for medical purposes or pharmaceutical purposes, if the restricted product is listed in Schedule II;
- (c) applicant has paid the non-refundable fee under regulation 4 (1)(b);
- (d) permit application is complete and accurate;
- (e) information about the product to be imported is accurate; and
- (f) applicant provides any other information or documentation as may be required by the Chief Environmental Officer.

(2) If the restricted product is made of material that is biodegradable, compostable or degradable, the Chief Environmental Officer shall grant a permit if the requirements under sub-regulation (1) are satisfied, and if—

- (a) the restricted product meets—
 - (i) national standards; or

- (ii) acceptable third-party certification from an independent testing laboratory; and
- (b) the restricted product—
 - (i) is classified as a commercially biodegradable plastic, and labelled as bio-based plastic, or biodegradable plastics, or compostable plastic, or environmentally degradable plastic; or
 - (ii) has undergone a conformity assessment in accordance with regulation 6.

6.—(1) The Department may require that a conformity assessment for determination of the biodegradability of a restricted product is conducted at a testing facility approved by the Department, if—

Conformity
assessment for
biodegradability.

- (a) the restricted product is classified as commercially biodegradable plastic;
- (b) it is the first time importation of the restricted product;
- (c) the product does not have an accepted third-party certification or the certification is older than five years; or
- (d) the Department deems it necessary to ensure that the product complies with national standards and is a commercially biodegradable plastic that is made of material that is biodegradable, or compostable, or degradable.

(2) Notwithstanding sub-regulation (1), the Department may randomly conduct conformity assessments to determine the biodegradability and bio-based content of the restricted product.

(3) The importer or manufacturer of a restricted product shall bear the cost of conducting any conformity assessment to determine biodegradability and bio-based content under sub-regulation (1) and (2).

Form of permit to import a restricted product.
Schedule IV.

7. A permit to import a restricted product shall be—

- (a) in the form set out in Schedule IV;
- (b) for one time importation; and
- (c) valid for one hundred and eighty days.

Conditions of permit.

8. The Department may impose such conditions on a permit to import a restricted product as the Chief Environmental Officer considers appropriate.

Transferability and renewability of permit.

9. A permit granted for the importation of a restricted product shall not be —

- (a) transferrable; or
- (b) renewable.

Register of restricted products.

10. The Department shall keep a register of all restricted products that—

- (a) have successfully completed a conformity assessment;
- (b) have an acceptable third-party certification;
- (c) complies with national standards;
- (d) have been imported as a barrier bag or plastic, or imported for medical purposes or pharmaceutical purposes;

- (e) have been imported through a permit under regulation 5;
- (f) have been manufactured through a licence under regulation 15.

11. The Chief Environmental Officer may cancel or refuse to grant a permit for the importation of a restricted product if satisfied that—

Cancellation
or refusal of a
permit.

- (a) the restricted product intended to be imported is listed in Schedule II;
- (b) the restricted product intended to be imported is listed in Schedule II and is not intended for use for medical purposes, pharmaceutical purposes, or as a barrier bag or plastic;
- (c) the information provided in the application is false or misleading;
- (d) the importer has breached a condition of the permit;
- (e) the imported product fails to meet the criteria for a commercially biodegradable plastic;
- (f) the imported product fails to meet national standards; or
- (g) the imported product is determined to be unsafe or detrimental to human health or the environment.

12.—(1) Any person that imports a restricted product specified in Schedule I without a permit commits an offence and is liable on summary conviction to a fine, whichever is greater, that is—

Importation
of restricted
product
without a
permit.

- (a) not less than ten thousand dollars but not exceeding twenty thousand dollars; or
- (b) three times the assessed value of the imported restricted product, but not exceeding twenty thousand dollars.

(2) Notwithstanding anything in these Regulations, a person may, at a border crossing or an international airport, enter into the country on his person a maximum of ten single-use plastic products, described in Schedule II, without being subject to prosecution or confiscation.

(3) If a person enters at a border crossing or an international airport with more than ten single-use plastic products described in Schedule II, the products will be confiscated upon entry.

Customs
Department to
deal with
restricted
products
imported
without a
permit.

CAP. 49.

Confiscation
and return of
restricted
product.
Schedule V.

Cap 328.

13.—(1) The Customs Department, in coordination with the Department, shall deal with any restricted product imported without a permit in accordance with the provisions of the Customs Regulation Act.

(2) Where the Department shall deal with any restricted product imported without a permit, the Department shall confiscate the restricted product and issue a Notice of Return prescribed in Schedule V.

(3) The importer of any product confiscated under sub-regulation (2) shall return the restricted product to the place of origin within 30 days of the date of issue of the notice and shall pay the costs for the return.

(4) Where the Department pays for the return of a restricted product to the place of origin, the cost so incurred

shall constitute a civil debt upon the importer and shall be recoverable as such.

PART III

Manufacture of restricted products

14.—(1) A person shall apply to the Department for a licence to manufacture a restricted product.

**Licence to
manufacture a
restricted
product.**

(2) Where a person has more than one manufacturing facility, that person shall apply for a licence to manufacture a restricted product for each facility.

15. An application for a licence to manufacture a restricted product shall—

**Licence
application.**

- (a) be accompanied by a non-refundable fee of five hundred dollars;
- (b) be in the form set out in Schedule VI; and
- (c) if the restricted product being manufactured is made of material that is biodegradable, compostable or degradable, the application shall include, if applicable—
 - (i) product certification and safety data sheet; or
 - (ii) third-party certification showing that the product has undergone a conformity assessment at an independent testing laboratory; or
 - (iii) documentation to show that the product meets the criteria to be labelled as bio-based plastic, biodegradable plastics,

Schedule IV.

compostable plastic or environmentally degradable plastic.

Grant of licence to manufacture a restricted product.

16. The Chief Environmental Officer may grant a licence to manufacture a restricted product if—

- (a) the applicant has paid the non-refundable fee under regulation 15(a);
- (b) if the restricted product intended to be manufactured is listed in Schedule II and the product is intended for use for medical purposes or pharmaceutical purposes or as a barrier bag or plastic;
- (c) the licence application is complete and accurate;
- (d) the applicant has environmental clearance through the signing of an environmental compliance plan-;
- (e) for renewal applications, the applicant is in compliance with its environmental clearance and environmental compliance plan;
- (f) the applicant is current with importation and manufacturing reporting requirements; or
- (g) the applicant provides any other information or documentation as may be required by the Chief Environmental Officer.

Form of licence to manufacture a restricted product.

17. A licence to manufacture a restricted product shall be—

Schedule VII.

- (a) in the form set out in Schedule VII; and

- (b) valid until December 31st of the year granted.

18.—(1) The Department may impose such conditions on a licence to manufacture a restricted product as the Chief Environmental Officer considers appropriate.

Conditions of
licence.

(2) Notwithstanding sub-regulation (1), every licence granted shall be subject to the following conditions—

- (a) every restricted product shall conform to national standards;
- (b) if the restricted product is made of material that is biodegradable, compostable or degradable, the holder of the licence shall provide evidence that the restricted product is a commercially biodegradable plastic and the product meets—
 - (i) national standards or has acceptable third-party certification, where applicable; and
 - (iii) the criteria to be labelled as bio-based plastic, biodegradable plastics, compostable plastic or environmentally degradable plastic;
- (c) the facility is compliant with all environmental laws and has environmental clearance;
- (d) the owner has signed an Environmental Compliance Plan and its operations are compliant with the conditions of the Environmental Compliance Plan;
- (e) the licence is displayed in a conspicuous location in the facility;

- (f) the licensee submits a quarterly report, in a format specified by the Department, on the products manufactured in the facility which shall include—
 - (i) name of product manufactured by facility;
 - (ii) Harmonized System Code of the product manufactured, if for export;
 - (iii) type and composition of products manufactured at the facility;
 - (iv) quantity and volume, as applicable, of product being manufactured;
 - (v) intended purpose, use of product, or sector for which the product is intended;
 - (vi) description of product manufactured by facility;
 - (vii) whether the product manufactured is intended for use as barrier bags and plastics, and provide details on use, sale, and distribution;
 - (viii) whether the product is non-biodegradable, biodegradable or compostable, or degradable;
 - (ix) if biodegradable, whether the product manufactured is made of bio-based plastic, or biodegradable plastics, compostable plastic or environmentally degradable plastic, and provide quantities;

- (x) the product registration number, where the product is biodegradable;
- (g) all production reports shall be submitted to the Department in a specified format within fifteen working days after the end of each quarter;
- (h) any other conditions stipulated by the Chief Environmental Officer and set forth in the licence.

19.—(1) The Chief Environmental Officer may cancel or refuse to grant a licence to manufacture a restricted product if satisfied that—

Cancellation
or refusal to
grant a
licence.

- (a) the restricted product intended to be manufactured is listed in Schedule II,
- (b) if the restricted product intended to be manufactured is listed in Schedule II and is not intended for use for medical purposes or pharmaceutical purposes, or as a barrier bag or plastic;
- (c) the information provided in the application is false or misleading;
- (d) the applicant has breached a condition of the licence;
- (e) the applicant is not in compliance with its environmental clearance and environmental compliance plan; or
- (f) the product to be manufactured is determined to be unsafe or detrimental to human health or the environment.

(2) The Chief Environmental Officer may cancel a licence to manufacture a restricted product upon the request of a licensee.

**Procedure on
refusal or
cancellation
of a licence.**

20.—(1) The Department shall, in writing, notify an applicant or licensee, if the Chief Environmental Officer—

- (a) refuses to grant a licence; or
- (b) cancels a licence.

(2) A notice under sub-regulation (1) shall—

- (a) state the reason for the refusal or cancellation; and
- (b) allow the applicant or licensee a period of twenty one days to respond in writing to any of the grounds for refusal or cancellation.

(3) Within twenty one days of the receipt of a response under sub-regulation 2(b), the Chief Environmental Officer shall, in writing, notify the applicant or licensee of his decision to—

- (a) grant a new licence;
- (b) revoke the cancellation of an existing licence; or
- (c) refuse to grant the licence.

(4) Where the applicant or licensee, as the case may be, disagrees with the decision of the Chief Environmental Officer, the applicant or licensee may apply to the court for judicial review, within twenty one days of the decision of the Chief Environmental Officer.

21.—(1) An application for the renewal of a licence to manufacture a restricted product shall be—

Renewal of
licence to
manufacture a
restricted
product.
Schedule VI.

- (a) in the form set out in Schedule VI; and
- (b) submitted during the period of 1st October to 1st December of the year the licence shall expire.

(2) An applicant who fails to apply for the renewal of a licence to manufacture a restricted product within the time specified in sub-regulation (1)(b) shall pay an additional fee of one hundred dollars.

22. Any person that manufactures a restricted product without a licence commits an offence and is liable on summary conviction to—

Manufacture
of a restricted
product
without a
licence.

- (a) a fine, not less than ten thousand dollars but not exceeding twenty thousand dollars;
- (b) imprisonment for a term not exceeding six months;
- (c) closure of the facility; or
- (d) a combination of any of the above.

23.—(1) Any licensee that fails to report in accordance with regulation 18(2)(f) commits an offence and is liable on summary conviction to a fine of—

Failure to
report.

- (a) two thousand five hundred dollars for the first offence;
- (b) five thousand dollars for the second offence; or
- (c) ten thousand dollars for the third offence, and cancellation of licence.

(2) Any licensee who submits false or misleading information under regulation 18(2)(f) commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

PART IV

Prohibited products

Importation of
prohibited
products.

24.—(1) A person shall not import prohibited products specified in Schedule II, unless the product is imported for health and safety reasons and is used—

- (a) for medical purposes and pharmaceutical purposes, provided that provisions of Part II are applied;
- (b) as a barrier bag and plastic, provided that provisions of Part II are applied, and unless no reasonable alternative already exists on the local market.

(2) Any person that imports prohibited products contravenes sub-regulation (1), commits an offence and is liable on summary conviction to the cost to return the imported prohibited product or the cost to dispose of the imported prohibited product in a manner approved by the Department, and—

- (a) a fine, whichever is greater, that is—
 - (i) not less than ten thousand dollars but not exceeding twenty thousand dollars; or
 - (ii) three times the assessed value of the imported prohibited product;
- (b) imprisonment for a term not exceeding six months; or

- (c) both a fine and imprisonment along with the cost to dispose or return the imported prohibited product.

25.-(1) A person shall not manufacture any prohibited products specified in Schedule II, unless the product, necessary for health and safety, is used—

**Manufacture
of prohibited
products.**

- (a) for medical purposes and pharmaceutical purposes, provided provisions of Part III are applied;
- (b) as a barrier bag and plastic provided provisions of Part III are applied, and unless no reasonable alternative already exists on the local market.

(2) Any person that manufactures a prohibited product contravenes sub-regulation (1), commits an offence and is liable on summary conviction to the cost of disposal of the prohibited product in a manner approved by the Department, and—

- (a) a fine, whichever is greater, that is—
 - (i) not less than ten thousand dollars but not exceeding twenty thousand dollars; or
 - (ii) three times the assessed value of the imported prohibited product;
- (b) imprisonment for a term not exceeding six months; or
- (c) both a fine and imprisonment along with the cost of disposal.

26.-(1) A person shall not sell a prohibited product specified in Schedule II, unless the product is necessary for

**Sale or
prohibited
products.**

health and safety reasons and is used for medical purposes, pharmaceutical purposes, or as a barrier bag or plastic.

(2) Any person that sells a prohibited product in contravention of s sub-regulation (1), commits an offence and is liable on summary conviction to the cost of disposal of the prohibited product in a manner approved by the Department, and—

(a) a fine, whichever is greater, that is—

(i) not less than ten thousand dollars but not exceeding twenty thousand dollars; or

(ii) three times the assessed value of the prohibited product;

(b) imprisonment for a term not exceeding six months; or

(c) both a fine and imprisonment along with the cost of disposal.

**Possession of
prohibited
products.**

27.—(1) A person shall not possess more than ten prohibited products.

(2) If a person is in possession of more than ten prohibited products but less than one hundred, the prohibited products in excess of ten shall be confiscated.

(3) A person in possession of more than one hundred prohibited products commits an offence and is liable on summary conviction to one of the following—

(a) if the person is in possession of more than one hundred pieces but less than five hundred pieces of a prohibited product—

- (i) a fine that is three times the assessed value of the product or one thousand dollar; whichever is greater; and
 - (ii) the cost to dispose the prohibited product in a manner approved by the Department; or
- (b) if the person is in possession of more than five hundred pieces of prohibited product—
 - (i) a fine that is three times the assessed value of the product or five thousand dollars, whichever is greater; and
 - (ii) the cost to dispose the prohibited product in a manner approved by the Department.

28. These regulations are exempt during—

- (a) declared disaster emergency under the Disaster Preparedness and Response Act; or
- (b) declared issues of national security or state of emergency.

Exemption
during
national
emergencies
Cap. 145.

29.—(1) A person shall apply to the Department for a permit to import the raw material of any prohibited product for use in research or academic purposes.

Permit to
import raw
materials of
prohibited
products.

(2) The provisions of Part II shall apply to an application under sub-regulation (1).

30.—(1) A person shall apply to the Department for a licence to manufacture prohibited products using raw material imported under regulation 29 for use in research or academic purposes.

Licence to
manufacture
prohibited
products using
imported raw
materials.

(2) The provisions of Part III shall apply to an application under sub-regulation (1).

Conditions for permits or licences under regulation 29 or 30.

31. A permit or licence granted under regulation 29 or 30, as the case may be, shall—

- (a) be valid for a specific amount of the prohibited product, to be determined by the Chief Environmental Officer; and
- (b) for a specific period of time, as may be necessary for the research or academic purpose, as determined by the Chief Environmental Officer.

PART V

Miscellaneous

Electronic applications.

CAP 229:03.

32. Applications for licences or permits under this Regulation may be submitted electronically to the Department in accordance with the Electronic Transactions Act.

Transitional.

33.—(1) Notwithstanding regulations 24, 25, 26 and 27, a person shall be allowed to—

- (a) import prohibited products for three months after enactment of the date of this legislation;
- (b) manufacture prohibited products for six months after the date of enactment of this legislation;
- (c) sell prohibited products for nine months after the date of this legislation; and
- (d) possess of prohibited products for twelve (12) months after the date of enactment of this legislation.

(2) Notwithstanding the definition of “commercially biodegradable plastic”, the requirement to show that a commercially biodegradable plastic is capable of being broken down within three hundred and sixty-five days (365) days into an innocuous product by the action of living organisms, as part of an approved disposal process, shall not come into effect until one year after enactment of this legislation.

34. These Regulations shall come into force on January 15, 2020.

Commencement.

SCHEDULE I*[regulation 3]**Restricted Products**Note* This list only applies to single-use plastic products**Note* The items in **Bold** are not restricted and are for guidance/reference purposes only to identify Tariff Heading. Further guidance notes on Tariff Codes and Description of Goods can be found in Chapter 39 Plastics and Articles Thereof*

HS Code	Description of Goods
39.02	Polymer of propylene or of other olefins, in primary forms
3902.10.00.00	-Polypropylene
39.03	Polymers of styrene, in primary forms
3903.11.00.00	-Polystyrene: --Expansible
39.20	Other plates, sheets, film, foil and strip, or plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials
3920.10.00.00	-Of polymers of ethylene
3930.20.00.00	-Of polymers of propylene
3920.30.00.00	-Of polymers of styrene
39.23	Articles of conveyance or packing of goods, of plastics, stoppers, lids, caps, and other closures, of plastics
3923.10.10.00	-Boxes, cases, crates and similar articles: ---Egg Boxes
3923.10.90.00	---Other
3923.21.00.00	-Sacks & bags (including cones): --Of polymers of ethylene (inclusive of plastic bags and single-use plastic products classified as barrier bags and barrier plastics)
3923.29.00.00	--Of other plastics
3923.50.10.00	-Stoppers, lids, caps and closures: ---Lids and caps
3923.50.90.00	---Other
3923.90.10.00	-Other: ---Cups, other than tableware or 39.24
3923.90.10.10	---Plates and Trays (inclusive of single-use plastic products classified as barrier bags and barrier plastics)
3923.90.90.00	---Other
39.24	Tableware, kitchenware, other household articles and hygienic or toilet articles, of plastic
3924.10.10.00	-Tableware and kitchenware ---Cups, forks, knives, plates, spoons, tumblers
3924.10.20.00	---Drinking straws
3924.10.90.00	---Other

SCHEDULE II*[regulation 3]**Prohibited Products*

Note* This list only applies to single-use plastic products

Note* The single use plastics listed below are prohibited as per PART IV

Note* This schedule describes single use plastic products to be phase-out of the market

Note* This schedule only applies to single use plastic products in Schedule I that are made of and/or wholly composed entirely of plastic (90% or more of the total polymer content), wherein the product description and/or classification is as follows:

- Single Use Styrofoam clamshell
- Single Use Styrofoam food containers
- Single Use Styrofoam soup containers
- Single Use Styrofoam plates
- Single Use Styrofoam cups and lids
- Single Use Styrofoam and Plastic Plates (not classified as Barrier Bags and Plastics)
- Single Use Plastic carrier bags commonly referred to as shopping bags and/or T-shirt bags
- Single Use Plastic and Styrofoam disposable food containers, cutlery, and eating utensils
- Single Use Plastic forks, knives, spoons, sporks, cutlery, etc.
- Single Use Plastic plates
- Single Use Plastic bowls
- Single Use Plastic cups
- Single-use disposable drinking straws
- Single Use Plastic cups and lids (not classified as barrier bags and plastics)
- Single Use Plastic and Styrofoam containers (not classified as barrier bags and plastics)

Further detailed description to provide guidance to General Public, Customs & Excise Department, and the Department of the Environment on application of Schedule II:

- Food Containers, i.e. receptacles such as boxes, plates, bowls, trays, etc., with or without cover, used to contain food or liquids that is intended for immediate consumption from the receptacle either on-the-spot or as take-away without preparation, composed of either plastic or styrofoam or both.
- Cups for liquids, beverages, etc., with or without cover, lids, that is intended for immediate consumption from the receptacle either on-the-spot or as take-away without preparation, composed either of plastic or styrofoam or both.
- Plastic carrier bags, i.e. shopping bags, lightweight plastic bags, commonly referred to as T-Shirt bags, designed and intended for one-time use to transport goods

NOTE* The phase-out of the products described in Schedule II should not include products used for medical purposes, pharmaceutical purposes, and as barrier bags and plastics, necessary for health and safety, unless a reasonable alternative already exists on the local market.

SCHEDULE III*[regulation 4]**Application for Permit to Import a Restricted Product*

1. Name of Applicant importing restricted product: _____
2. Name of Business (if applicable) _____
3. Contact Information:
Address: _____
Phone Number: _____
Email: _____
Any other contact information: _____
4. Taxpayer Identification Number (T.I.N) _____
4. Name of Product being imported _____
5. HS Code of Product – Please tick the restricted product HS Code for restricted product being imported:
 - ☐ 3902.10.00.00 -Polypropylene
 - ☐ 3903.11.00.00 -Polystrene:--Expansible
 - ☐ 3920.10.00.00 -Of polymers of ethylene
 - ☐ 3920.20.00.00 -Of polymers of propylene
 - ☐ 3920.30.00.00 -Of polymers of styrene
 - ☐ 3923.10.10.00 ---Egg Boxes
 - ☐ 3923.10.90.00 ---Other
 - ☐ 3923.21.00.00 --Of Polymers of ethylene (inclusive of plastic bags and single-use plastic products classified as barrier bags and barrier plastics)
 - ☐ 3923.29.00.00 --Of other plastics
 - ☐ 3923.50.10.00 ---Lids and caps
 - ☐ 3923.50.90.00 ---Other
 - ☐ 3923.90.10.00 ---Cups, other than tableware or 39.24
 - ☐ 3923.90.10.10 ---Plates and Trays (inclusive of single-use plastic products classified as barrier bags and barrier plastics)
 - ☐ 3924.10.10.00 ---Cups, forks, knives, plates, spoons, tumblers (single-use plastic cutlery and eating utensils)
 - ☐ 3924.10.20.00 ---Drinking straws
 - ☐ 3924.10.90.00 ---Other
 - ☐ None of the aboveOther HS Code: _____

6. Description of product to be imported:

7. Type and composition of product:

8. Quantity of product (number/weight/volume etc.)

9. Origin of product

10. Contact Information of Manufacturer of product being imported

Name:

Address:

Phone Number:

Email:

Any other contact information:

11. Purpose / Use of product:

12. Is the restricted product listed in Schedule II?

☐ Yes or ☐ No

If yes, please tick which product is being imported?

- ☐ Plastic Carrier bags
- ☐ Styrofoam Clamshells
- ☐ Styrofoam Food Containers
- ☐ Styrofoam Soup Containers
- ☐ Styrofoam Plates
- ☐ Styrofoam Bowls
- ☐ Styrofoam Cups
- ☐ Styrofoam Lids
- ☐ Styrofoam Trays
- ☐ Plastic Plates
- ☐ Plastic Trays
- ☐ Plastic Containers
- ☐ Plastic Bowls

- ☐ Plastic Cups
- ☐ Plastic Food Containers
- ☐ Plastic Lids
- ☐ Single-use plastic cutlery and eating utensils (forks, knives, spoons, sporks, etc.)
- ☐ Single-use plastic disposable drinking straws

- ☐ None of the above

13. Is the restricted product being imported intended to be used as a barrier bag and plastic? ☐ Yes or ☐ No

14. Is the restricted product being imported intended to be used for:

(a) medical purposes? ☐ Yes or ☐ No

(b) pharmaceutical purposes? ☐ Yes or ☐ No

(c) barrier bag or plastic? ☐ Yes or ☐ No

15. If intended for use as barrier bags or plastics, please specify:

(a) intended sector for use: _____

(b) describe of distribution / point of sale: _____

(c) state if you are the a wholesaler, distributor, retailers, or end-user of product: _____

(d) please state intended end-user of product (if known): _____

16. State if the product is:

☐ Biodegradable ☐ Non-biodegradable

☐ Compostable ☐ Degradable

If product is NON-BIODEGRADABLE, please move to question 23.

17. If the product is biodegradable, or compostable, or degradable, is the product:

☐ classified as a commercially biodegradable plastic

☐ NOT classified as a commercially biodegradable plastic

18. If product is commercially biodegradable plastic, specify type of plastic:

☐ bio-based plastic

☐ compostable plastic

☐ biodegradable plastic

☐ environmentally degradable plastic

19. Is product compliant with minimum national standards?

☐ Yes or ☐ No

☐ Other _____

20. Does the product have third-party certification?

☐ Yes or ☐ No

If yes, state year and certification information

21. If the product is classified as commercially biodegradable plastic, has the product undergone conformity assessment? ☐ Yes or ☐ No

If yes, provide certification information and state:

year conformity assessment was conducted: _____

name of independent testing laboratory: _____

certification was issued: _____

22. Has the product been registered as per Regulation 10?

☐ Yes or ☐ No

If yes, provide the Product Registration Number

23. If product to be imported is Non- Biodegradable, please specify:

(a) intended sector for use: _____

(b) describe of distribution / point or sale: _____

(c) state name of distributor, retailers, or end-user of product: _____

(d) please state intended end-user of product (if known): _____

24. Please check which documentation (if any) for the restricted product is being submitted along with completed application:

- ☐ Copy of Receipt of payment of non-refundable fee (mandatory)
- ☐ Material Safety Data Sheet / Safety Data Sheet
- ☐ Product Certification (if applicable)
- ☐ Third-Party Certification (if applicable)
- ☐ Conformity Assessment Documentation (if applicable)

- ☐ Notarized translation of documentation / certification - Original (if documents requires translation into English)
☐ None of the above
☐ Other: State _____

18. Is all the above information and documentation provided in this application accurate and truthful?

☐ Yes or ☐ No

Date: _____

Signature of Applicant: _____

For Official Use Only:

To be filled in by Vetting Officer:

Is this a 1st time applicant? ☐ Yes or ☐ No

Is this the 1st importation of the restricted product? ☐ Yes or ☐ No

Has the applicant paid the non-refundable fee? ☐ Yes or ☐ No

Is the application complete? ☐ Yes or ☐ No

Is the application accurate? ☐ Yes or ☐ No

Are the documents acceptable? ☐ Yes or ☐ No

Is the restricted product listed in Schedule II? ☐ Yes or ☐ No

Is the restricted product intended for use as:

Barrier bags and plastics ☐ Yes or ☐ No

Medical purposes ☐ Yes or ☐ No

Pharmaceutical purposes ☐ Yes or ☐ No

Is the restricted product biodegradable, or compostable, or degradable?

☐ Yes or ☐ No or ☐ Not Applicable

If biodegradable, or compostable, or degradable,

Is it classified as commercially biodegradable plastic? ☐ Yes or ☐ No

does it meet all the requirements and/or standards? ☐ Yes or ☐ No

does it have acceptable 3rd party certification? ☐ Yes or ☐ No

Has the product undergone a conformity assessment with in the last 5 years?

☐ Yes or ☐ No or ☐ Not Applicable

Notes: _____

Recommend approval to grant permit to import: ☐ Yes or ☐ No

If No, Provide Reasons: _____

Note:

*Provide any other documentation/information as may be required by the Chief Environmental Officer

*Pursuant to regulation 11, if the information provided in the application is false or misleading, the Chief Environmental Officer may refuse the grant of a permit or cancel the permit if already issued.

SCHEDULE IV

[regulation 7]

ENVIRONMENTAL PROTECTION ACT (CAP. 328)
PERMIT TO IMPORT RESTRICTED PRODUCTTHE DEPARTMENT OF THE ENVIRONMENT HEREBY GRANTS
A PERMIT TO:

(Name of Importer and Name of Business, where applicable)
located at (address of importer / business) to import a restricted product
pursuant to an application for importation dated the ___ day of (month),
20__.

Type and quota of restricted product for which this permit is being
authorized:

HS Code of Product: _____

Product Name: _____

Production Description: _____

Type: _____

Quota: _____

Date of Issue: (day, month, year) _____Date of Expiration: (day, month, year) _____

Date: _____

Signature: _____

Chief Environmental Officer
Department of the Environment

This PERMIT is granted subject to the following conditions:

1. Is for one (1) time importation only.
2. Valid for one hundred and eighty (180) days from date of issue
3. Is not transferrable.
4. Is not renewable.
5. Any other conditions stipulated by the Chief Environmental Officer.

SCHEULE V
[regulation 13 (2)]

NOTICE OF RETURN

Dear _____

Please take notice that the restricted product listed below shall be returned to the place of origin within 30 days of the date of issue of this notice.

This Notice of Return is issued as a result of the importation of the restricted product without a permit pursuant to regulation 13(2) of the Environmental Protection (Pollution from Plastics) Regulations, 2019.

IMPORTER:

Name/Business Name: _____

Address: _____

Phone Number: _____

Email: _____

RESTRICTED PRODUCT

Name of Product: _____

HS Code of Product: _____

Description of Product Imported: _____

Quantity of Product: _____

Origin of Product: _____

Note: *Pursuant to regulation 13 (3) of the of the Environmental Protection (Pollution from Plastics) Regulations, 2019, is responsible to pay the costs for return of the restricted product or be subject to legal action.

Date of Issuance: _____

Signature: _____

Chief Environmental Officer
Department of the Environment

SCHEDULE VI*[regulation 15]**Application for Licence to Manufacture a Restricted Product*☐ First time application ☐ Renewal

1. Name of Owner: _____

2. Contact Information of Owner:

Address: _____

Phone Number: _____

Email: _____

Any other contact information: _____

3. Name of Registered Business _____

4. Contact Information of Registered Business

Mailing address: _____

Location address: (if different) _____

Phone number: _____

Email: _____

Any other contact information: _____

5. Taxpayer Identification Number (T.I.N.): _____

6. Does the manufacturing facility have Environmental Clearance?

☐ Yes or ☐ No

7. Does the manufacturing facility have a signed Environmental Compliance Plan?

☐ Yes or ☐ No

If yes, provide date of Environmental Compliance Plan _____

8. For renewal applications, is the operation of the manufacturing facility compliant with the obligations set forth in the Environmental Clearance and Environmental Compliance Plan?

☐ Yes or ☐ No

9. Is the business compliant with all current importation and manufacturing reporting requirements?

☐ Yes or ☐ No

10. Provide name of product to be manufactured by the facility:

11. HS Code of product manufactured (if exported):

12. Description of product manufactured: _____

13. Type and composition of product manufactured:

14. Purpose / Use of product:

15. Is the restricted product listed in Schedule II?

☐ Yes or ☐ No

If NO, please move to question 19.

If YES, please tick product to be manufactured?

- ☐ Plastic Carrier bags
- ☐ Styrofoam Clamshells
- ☐ Styrofoam Food Containers
- ☐ Styrofoam Soup Containers
- ☐ Styrofoam Plates
- ☐ Styrofoam Bowls
- ☐ Styrofoam Cups
- ☐ Styrofoam Lids
- ☐ Styrofoam Trays
- ☐ Plastic Plates
- ☐ Plastic Trays
- ☐ Plastic Containers
- ☐ Plastic Bowls
- ☐ Plastic Cups
- ☐ Plastic Food Containers
- ☐ Plastic Lids
- ☐ Single-use plastic cutlery and eating utensils (forks, knives, spoons, sporks, etc.)
- ☐ Single-use plastic disposable drinking straws
- ☐ None of the above
- ☐ Other, please state _____

16. Is the restricted product to be manufactured intended to be used as a barrier bag and plastic? ☐ Yes or ☐ No

17. Is the restricted product to be manufactured intended to be used for:
(a) medical purposes? ☐ Yes or ☐ No

(b) pharmaceutical purposes? ☐ Yes or ☐ No

(c) barrier bag or plastic? ☐ Yes or ☐ No

18. If intended for use as barrier bags or plastics, please specify:

(a) intended sector for use: _____

(b) describe of distribution / point of sale: _____

(c) state name of distributor, retailers, or end-user of product: _____

(d) please state intended end-user of product (if known): _____

19. State if the product to be manufactured is:

☐ Biodegradable ☐ Non-biodegradable

☐ Compostable ☐ Degradable

If Non- Biodegradable, please move to question 26.

20. If the product is biodegradable, or compostable, or degradable, is the product:

☐ classified as a commercially biodegradable plastic

☐ NOT classified as a commercially biodegradable plastic

21. If product is commercially biodegradable plastic, specify type of plastic:

☐ bio-based plastic

☐ compostable plastic

☐ biodegradable plastic

☐ environmentally degradable plastic

22. Is product compliant with minimum national standards?

☐ Yes or ☐ No

☐ Other _____

23. Does the product have third-party certification?

☐ Yes or ☐ No or ☐ Not Applicable

If yes, state year and certification information

24. If the product is classified as commercially biodegradable plastic, has the product undergone conformity assessment? ☐ Yes or ☐ No

If yes, provide certification information and state:

year conformity assessment was conducted: _____

name of independent testing laboratory: _____

certification was issued: _____

25. Has the product been registered as per regulation 10?

☐ Yes or ☐ No

If yes, provide the Product Registration Number

26. If product to be manufactured is Non- Biodegradable, please specify:

(a) intended sector for use: _____

(b) describe of distribution / point or sale: _____

(c) state name of distributor, retailers, or end-user of product: _____

(d) please state intended end-user of product (if known): _____

27. Please check which documentation (if any) for the restricted product that is being submitted along with completed application:

- ☐ Copy of Receipt of payment of non-refundable fee (mandatory)
- ☐ Material Safety Data Sheet / Safety Data Sheet
- ☐ Product Certification (if applicable)
- ☐ Third-Party Certification (if applicable)
- ☐ Conformity Assessment Documentation (if applicable)
- ☐ Notarized translation of documentation / certification - Original (if documents requires translation into English)
- ☐ None of the above
- ☐ Other: State _____

28. Is all the above information and documentation provided in this application accurate and truthful?

☐ Yes or ☐ No

Date of Application: _____

Signature of Applicant: _____

For Official Use Only:

To be filled in by Vetting Officer:

Is this a 1st time licence to manufacture product: ☐ Yes or ☐ No

Is this a renewal licence to manufacture product: ☐ Yes or ☐ No

Has the applicant paid the non-refundable fee? ☐ Yes or ☐ No

Is the application complete? ☐ Yes or ☐ No

Is the application accurate? ☐ Yes or ☐ No

Is applicant compliant with reporting requirements? ☐ Yes or ☐ No

Is the applicant in compliance with Environmental Clearance and Environmental Compliance Plan? ☐ Yes or ☐ No

Is the restricted product listed in Schedule II? ☐ Yes or ☐ No

Is the restricted product intended for use as:

Barrier bags and plastics ☐ Yes or ☐ No

Medical purposes ☐ Yes or ☐ No

Pharmaceutical purposes ☐ Yes or ☐ No

Is the restricted product biodegradable, or compostable, or degradable?

☐ Yes or ☐ No or ☐ Not Applicable

If biodegradable, or compostable, or degradable,

Is it classified as commercially biodegradable plastic? ☐ Yes or ☐ No

does it meet all the requirements and/or standards? ☐ Yes or ☐ No

does it have acceptable 3rd party certification? ☐ Yes or ☐ No

Has the product undergone a conformity assessment with in the last 5 years?

☐ Yes or ☐ No or ☐ Not Applicable

Notes: _____

Recommend approval to grant licence to manufacture: ☐ Yes or ☐ No

If No, Provide Reasons: _____

Note:

*Provide any other documentation/information as may be required by the Chief Environmental Officer

*Pursuant to regulation 19, if the information provided in the application is false or misleading, the Chief Environmental Officer may refuse the grant of a licence to manufacture the restricted product.

SCHEDULE VII*[regulation 17]***ENVIRONMENTAL PROTECTION ACT (CAP. 328)****MANUFACTURE RESTRICTED PRODUCT**

THE DEPARTMENT OF THE ENVIRONMENT HEREBY GRANTS
A LICENCE TO:

to manufacture restricted products pursuant to an application for
manufacture dated the _____ day of _____, 20 ____.

Located at _____

Type of restricted product for which this licence is being authorized:

Type: _____

Name of Product: _____

Description of Product: _____

Product Registration Number: _____

Date of Issue: (day, month, year) _____

Date of Expiration: 31st December (year of issue)

Date: _____

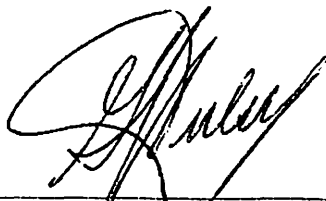
Signature: _____

Chief Environmental Officer
Department of the Environment

This LICENCE is granted subject to the following conditions:

1. Is valid for one (1) manufacturing facility only.
2. Valid until 31st December of the year it was granted.
3. Is not transferrable.
4. Restricted product manufactured conform to national standards.
5. Manufacturing facility is compliant with the Environmental Laws of Belize.
6. Licence is displayed in a conspicuous location in manufacturing facility.
7. Licensee submits quarterly reports, in format specified by the Department of the Environment, on products manufactured.
8. Production reports are submitted within 15 working days after end of each quarter.
9. Any other conditions stipulated by the Chief Environmental Officer.

MADE by the Minister responsible for the environment, this 14th day of January, 2020.



GODWIN HULSE

*Minister of Agriculture/Fisheries, Forestry,
Environment, Sustainable Development, and
Immigration*