



THEMATIC SESSION ON REUSABLE BEVERAGE CONTAINERS

TENTH TRIENNIAL REVIEW

Proposal from the United States

The following submission, dated 7 February 2024, is being circulated at the request of the delegation of the United States.

1 BACKGROUND

1.1. Since 1995, more than 1,900 TBT notifications have included a reference to "plastics." The scope of these measures spans the plastic life cycle and includes a wide array of policy tools. In recent years, many countries have implemented a variety of measures, including to restrict single use plastic products, reduce plastic packaging, promote reuse, and encourage the use of recycled content for plastic packaging and plastic products.

1.2. Plastic-related measures have become a topic of interest in other areas of the WTO including under the Committee on Trade and Environment (CTE). In November 2020, a group of WTO members launched the Dialogue on Plastics Pollution and Environmentally Sustainable Plastics Trade (DPP)¹ to explore how the WTO could contribute to efforts to reduce plastics pollution and promote more environmentally sustainable trade in plastics. As of April 2023, 76 Members are participating in the DPP.

1.3. On 2 March 2022, 174 countries endorsed a historic resolution at the UN Environment Assembly (UNEA) to "End Plastic Pollution" and forge an international legally binding agreement by 2024.² The UN resolution addresses the full lifecycle of plastic, including its design, production, and disposal. As Members seek to negotiate and implement an instrument to address plastic pollution, WTO Members will need to continue to rely on the fundamental principles of the TBT Agreement to support both more sustainable global trade and more effective and properly calibrated regulations.

1.4. Reuse requirements are emerging as a means to increase environmental sustainability and reduce plastic waste. To achieve these objectives, the reuse of food contact items will need to ensure food quality and food safety while being practical for producers and consumers. Reusable products may include different materials, such as glass, aluminum, or plastic, among others. As such, it will be important for WTO Members to consider the economic, environmental, public health, and practical costs and benefits associated with reusable material, as well as outcome-based approaches that take into account impacts to trade, environmental sustainability, environmental justice, and food quality and food safety when considering reuse requirements.

1.5. Given the growing interest in combating plastic pollution through the use of reusable products, and recognizing the important trade dimension of this challenge, it will be important to support

¹ [WT/CTE/W/250/Rev.1](#).

² [UN/FA.5/Res.14](#).

increased sharing of information and best practices in crafting trade-related policy and regulatory measures to effectively support reuse systems.

2 PROPOSAL

2.1. The United States proposes to hold a thematic session that would explore the current landscape of Member and stakeholder views and actions with regard to standards and regulations related to reusable beverage containers with a view to 1) discuss core TBT principles to reduce plastic waste, while encouraging trade and innovation; 2) share information and best practices in the development of standards and technical regulations for reuse; and 3) promote coordination across relevant Committees, including with the CTE, as well as other relevant efforts at the UN Environment Program, Codex Alimentarius, and other international settings, as appropriate.

2.2. Topics and areas of focus could include:

- a. A short stocktaking presentation of the legal and technological developments related to reusable beverage containers and existing reuse systems for beverage containers;
 - b. Presentations by interested stakeholders, including WTO Members, industry, international organizations, and non-government organizations, regarding the challenges, opportunities, limitations, effectiveness, and potential food safety implications of existing measures to promote reusable beverage containers, as well as ensuring the establishment and maintenance of well-established collection systems to ensure successful implementation of a suite of policies that promote circularity;
 - c. Presentations by WTO Members that are currently developing standards and regulations to promote reusable beverage containers (including those that may involve certification or labelling) and to promote innovation, with a focus on identification of best practices for facilitation of trade related to reuse; and
 - d. Presentations by interested stakeholders, including Members, industry, international organizations, and non-government organizations, that are currently developing or have developed approaches, schemes, or standards to promote reuse, including certification or labeling, voluntary initiatives, suitability, cost of viable alternatives, and supply chain and manufacturing considerations with a focus on identification of best practices for facilitation of trade.
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