

# REPLACE THE WASTE

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## PHARMACIES AS 'PRESCRIBED BUSINESSES'

### Sale, supply and distribution of Single-use plastic drinking straws from 1 March 2021

South Australia's single-use plastics legislation, the *Single-Use and Other Plastic Products (Waste Avoidance) Act 2020*, comes into effect on 1 March 2021.

From this date, single-use plastic cutlery and stirrers will be **prohibited** from sale, supply and distribution in South Australia and single-use plastic drinking straws will be **restricted** from sale, supply and distribution.

The state government understands that the flexibility and other characteristics of single-use plastic drinking straws are necessary to enable community members with particular needs to consume beverages and food. For this reason, an exemption is being implemented to allow single-use plastic drinking straws to continue to be accessible to community members who rely on these due to disability or medical needs from 1 March 2021.

The exemption will allow the sale, supply and distribution of single-use plastic drinking straws at 'prescribed businesses', including pharmacies. Other prescribed businesses are: Local Government offices; charities; and medical, dental, and care facilities.

The *Single-Use and Other Plastic Products (Waste Avoidance) Act 2020* can be accessed from the *Replace the Waste* website: <https://www.replacethewaste.sa.gov.au/legislation-explained>

To help you understand the responsibilities of a 'prescribed' business we have provided the following information:

#### PRESCRIBED BUSINESSES

##### 1. What does a 'prescribed business' mean for pharmacies?

Pharmacies are able to sell, supply and distribute single-use plastic drinking straws although these are restricted and prohibited more broadly in South Australia from 1 March 2021.

##### 2. Will it be mandatory for pharmacies to stock packs of straws?

No – the exemption for prescribed businesses allows the sale, supply and distribution to occur. It does not obligate these businesses to stock or supply plastic straws and it would be an individual pharmacy's decision to do so.

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## **3. Do I need to apply for an exemption or register my pharmacy to stock and supply single-use plastic drinking straws?**

No – the exemption is being implemented through regulations under the *Single-Use and Other Plastic Products (Waste Avoidance) Act 2020* and already applies to all pharmacy businesses in South Australia.

## **DISPLAY, SALE AND ADVERTISING**

## **4. Does my pharmacy need to store plastic straws behind the counter, or request proof of a disability or medical need for access to these items?**

No – there is no requirement for single-use plastic drinking straws to be stored behind counters and/or removed from public display/access in prescribed businesses. There is no requirement to seek evidence or verification of a disability or medical need.

## **5. Is my pharmacy allowed to sell single-use plastic straws online?**

Yes – the exemption for pharmacies to sell, supply and distribute single-use plastic drinking straws applies to both in-store and online purchases.

## **6. Are there restrictions on my pharmacy advertising the sale of single-use plastic straws?**

No – there are no restrictions on your business advertising the availability of single-use plastic drinking straws and you may wish to inform customers that you stock them. However, it is recommended that you refer to disability or medical needs in any advertising and communication material relating to the availability of single-use plastic drinking straws.

## **COMPLIANCE AND ENFORCEMENT**

## **7. Who is enforcing the legislation?**

Authorised Officers from the South Australian Environment Protection Authority under the *Environment Protection Act 1993*.

## **8. Will I be held liable if my business sells single-use plastic straws to someone without a disability or medical need?**

No – the exemption allows prescribed businesses to sell and supply the straws without seeking evidence or verification of disability or medical requirement.

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## PURCHASING SINGLE-USE STRAWS

**9. Are there any restrictions on how many straws my pharmacy can purchase, display and/or sell over a given timeframe (i.e. within a financial year)?**

No - the exemption does not apply limits on how many straws can be supplied/sold in prescribed businesses.

**10. How can pharmacies source single-use plastic straws?**

The exemption allows for continued sale, supply and distribution of single-use plastic straws from manufacturers, wholesalers and distributors to a prescribed business. Talk to your supplier about options for purchasing these items. Contact Green Industries SA for assistance to identify how and from where these items may be able to be purchased.

**11. Should pharmacies purchase a specific design of straw?**

Based on feedback from the disability sector, flexible/bendable straws (pictured) are deemed to be the most suitable straws for persons with accessibility needs.



You may choose to stock other designs also i.e. of different lengths and widths to accommodate the specific needs or preferences of individuals relying on these straws.

**12. When purchasing single-use plastic straws from manufacturers, wholesalers and/or distributors will pharmacies need to supply documentation to confirm that they are a prescribed business?**

The exemption allows a wholesaler or distributor to sell, supply or distribute single-use plastic straws to businesses provided that they are satisfied, on reasonable grounds, that the sale, supply or distribution is to a prescribed business. Therefore, wholesalers and distributors are able to seek confirmation that they are selling the straws to a prescribed business.

## FURTHER INFORMATION

Visit [www.replacethewaste.sa.gov.au](http://www.replacethewaste.sa.gov.au), or contact Green Industries SA at [sup@sa.gov.au](mailto:sup@sa.gov.au) or telephone 08 8204 1530.