

London Hammersmith tobacco company overlooks packaging obligations

Failure to comply with packaging regulations has led to a tobacco company handing over nearly £3,500 to charity.

Philip Morris Limited, which produces tobacco products, and is registered at 10 Hammersmith Grove, London W6 7AP, neglected to register as a packaging producer as required by law during 2014.

This also meant it failed to recover and recycle waste materials used in the course of its business, as would be required of registered companies.

As a result, the company has paid £3,438.11 to UK charity Trees for Cities, in what is known as an enforcement undertaking (EU). The company also had to pay costs, including those of the Environment Agency.

The money will go to supporting the work of the charity, which has completed 34 planting projects in 26 cities.

On discovering the oversight in late 2015, the company worked with the Valpak packaging producer compliance scheme to register for the 2015 compliance year, and submit an enforcement undertaking offer for the year that was missed. It worked with Valpak to make a pro-rata calculation of the amount of packaging handled in 2013, to determine the financial value of its enforcement undertaking.

The company has now incorporated responsibility for complying with the packaging regulations into the role of the Supply Chain Analyst. It also has a written methodology and employs the services of Valpak to ensure that its packaging data is accurately recorded and reported.

Companies handling more than 50 tonnes of packaging a year, and which have a turnover of more than £2 million, must register with the Environment Agency, either directly or through a packaging compliance scheme, and meet their responsibilities for recovering and recycling packaging waste. This comprises any material used to hold, protect, handle, deliver or present goods, such as bags or boxes.

Jonathan Coldicott, Senior Technical Officer in the Environment Agency, said:

It is important that all companies make themselves aware of their environmental responsibilities and ensure that they are appropriately registered.

In this case, Philip Morris Limited came forward voluntarily to make us aware of the error, and worked with us to redress the situation.

Throughout the investigation and EU assessment process, Philip Morris has been extremely cooperative and forthcoming. Representatives of company have been happy to engage with us and attended a face-to-face interview.

Enforcement undertakings allow companies and individuals to make amends for breaching environmental regulations, including through a financial contribution to an environmental project.

To agree this type of civil sanction, the Environment Agency must be satisfied the offender will make changes to its operations, to prevent future breaches of packaging legislation.

The Environment Agency continues to prosecute organisations and individuals where evidence shows high levels of culpability and serious environmental harm.

Notes for editors

Philip Morris Limited was sanctioned under the Producer Responsibility Obligations (Packaging Waste) Regulations 2007.