

## Feedback to the European Commission public consultation “Review of the requirements for packaging and other measures to prevent packaging waste”

The undersigned associations support the Commission’s ambition to contribute to the circular economy through the review of the requirements for packaging and packaging waste.

A future-proof Packaging and Packaging Waste Directive (PPWD) should take an outcome-based approach to enable that all packaging is recyclable or reusable and low-carbon. This should be done by setting ambitious and clear goals, while safeguarding the well-functioning of the Internal Market and enabling industry to innovate.

The revised PPWD should be based on a set of principles and objectives which achieve the following:

- Set goals to support separate collection, sorting and recycling and waste reduction with a focus on reducing residual waste that is not recycled or reused.
- Provide clear definitions for the concepts and terms referred to (e.g. recyclable packaging, reusable packaging);
- Support the EU's transition towards a strategic resource autonomy, which reduces our dependency on imported materials;
- Ensure a level-playing field for the packaging sector through a technology/material neutral approach and non-discrimination. Life Cycle Assessment (LCA) studies can be useful in this respect to measure environmental performance while taking into account the end of life of packaging. For accurate results, LCAs should look at packaging formats in the same packaging category.
- Ensure a level playing field for European producers with respect to imported packaging materials.
- Ensure a stable regulatory framework for industry to invest in sustainable innovations of packaging solutions, which otherwise would not be achieved through restrictions on materials or packaging options;
- Ensure the integrity and well-functioning of the EU Internal Market through clear and realistic EU requirements and legislation that foster competition.

Paper and paperboard packaging is designed with a plurality of purposes, benefits and functions. To this extent, the revised Essential Requirements for packaging in the upcoming PPWD legislation must strike the right balance between the functionality of packaging and the objectives of packaging circularity and waste reduction, and therefore, achieve the following:

**Ensure a level-playing field for all materials and packaging.** The revised PPWD should provide objectives and targets which improve the circularity and climate impact of packaging lagging in performance in its product category, while supporting innovation in sustainable and already circular materials, such as paper packaging, and enabling the well-functioning of the EU’s Internal Market.

**Ensure a clear, practical and enforceable definition of “recyclable” packaging,** which focuses on design for high-quality recycling. High quality recycling is understood as using paper for recycling for the production of new paper-based products. The paper and board sector already incorporates eco-design to ensure that packaging is recyclable and recycled at scale.

**Measures to promote recycled content should be applied for target sectors where the markets for secondary raw materials are not developed yet,** and be underpinned by existing market and product realities. Measures on recycled content should not disturb well-functioning recycling loops, such as paper and board recycling, and should be assessed based on a robust impact assessment that accounts for market conditions and existing authorisations, particularly with regard to food contact applications as food safety and hygiene should not be compromised. The market for paper for recycling is already well-developed, as shown by the high recycling rate of 84.6%<sup>1</sup>. There is a ‘real’ economic demand for recycled paper as a secondary raw material allowing the fibres to remain in the economy as a valuable resource and be used for new paper – based packaging.

<sup>1</sup> According to Eurostat figures, <https://ec.europa.eu/eurostat/databrowser/view/ten00063/default/table?lang=en>

Furthermore, a future-proof PPWD should strike the right balance between waste prevention, reusability or recyclability of packaging, and thus:

**Ensure that waste prevention targets for packaging focus on the stream of residual packaging waste, i.e. waste that cannot be reused or recycled.** An “overall packaging waste reduction target or waste generation limit” with the aim of reducing the volume or weight of packaging waste is counterproductive to the economy as a whole and has higher impact on the environment. A qualitative approach targeted on packaging efficiency should prevail on a purely quantitative one. Well designed, responsibly sourced, efficiently produced, low-carbon packaging that is appropriately used and effectively recycled provides multiple benefits – it minimises damage to products and food waste, extends their useful life, facilitates efficient distribution, gives safe and convenient access to goods and communicates vital information to the consumer.

**Ensure that future measures on packaging reuse take into account all environmental, health and economic impact of reuse systems throughout the life cycle of the product and packaging,** assessing the different options through LCA and compared performances. End of life should be taken into account in both cases. EU regulators should avoid setting reuse targets for “transport packaging”, as this approach would jeopardise already well-functioning recycling and circular systems by including packaging already recycled at very high rate.

**Address packaging waste prevention through measures underpinned by their impact on climate change,** biodiversity and in light of the essential function of packaging to ensure and support resilient and sustainable supply chains.

**Reduce “overpackaging” by enabling packaging which is “fit for purpose”:** circular packaging designed according to its functionality, which prevents product and food losses as well as packaging waste.

Equally, restricting the use of specific packaging formats, like single use packaging items is an approach which does not deliver long-term benefits, nor a forward-looking solution to sustainability. Single use packaging as a format includes packaging made from different materials, with different threats to the environment and the oceans and should not be regulated as one single category. Recyclable, low-carbon single use packaging made from sustainably sourced renewable materials should be incentivised, not restricted. Single use packaging including for food contact materials has clear hygienic advantages when it comes to food and consumer safety and is essential for the overall resilience and sustainability of the food system.

Brussels, 17 December 2020