

## **The European Packaging Value Chain expresses serious concerns about the European Commission suggested approach on packaging and packaging waste legislation**

### **- Joint industry statement from the Packaging Value Chain -**

The European Packaging Value Chain expresses serious concerns with regards to the approach taken by the European Commission in its revision of the EU rules on packaging and packaging waste.

Our industry shares the ambitious objectives of the EU Green Deal and Circular Economy Action Plan 2.0 and is fully engaged in taking action to bring packaging sustainability to the next level. For that to happen, we need a corresponding supporting regulatory framework to help us drive this change further. Over the past years, we have been actively engaging with DG Environment on the revision of this key piece of legislation, sharing our best practices and offering solutions to make this proposal both environmentally and economically successful. Yet despite our efforts, most of our key recommendations for ensuring food and products are adequately protected have not been taken on board. We therefore question whether the proposal is consistent with the 'Better Regulation' imperatives, principally whether an *'evidence-based approach'* has been employed and whether the *'evaluate-first'* principle has been met. We also believe that the *'cost-effectiveness'* of various impacts and the *'proportionality'* of key provision have not been adequately evaluated.

The current approach will lead to a regulatory environment that will be unworkable at best and crippling for whole sectors of the European industry at worst, from agriculture to machinery and from food processing to pharma and cosmetics to electronics, just to name a few, with significant risks of disruptions in many EU supply chains and for our trade flows. By dismissing the key role of recycling to achieve packaging circularity, it would paradoxically serve to make it harder to convert waste into viable, secondary raw materials that can be used in the market, setting back the cause of recycling while jeopardising millions of jobs and billions of euros of investments precisely at a time when Europe needs resilient and sustainable growth. For many companies, whether packaging manufacturers or users, especially SMEs, the impact of this proposal is not only unsustainable, but also existential.

The proposal risks harming packaging producers, of all materials, as well as their suppliers and their users, in industry, logistics and retail. We call for defining a framework for the rapid adoption of clear Design for Recycling guidelines, to be updated regularly with the involvement of the value chain experts for the different packaging materials. As Design for Recycling guidelines will determine which packaging is allowed in circulation on the Union market, the proposed prescriptive negative lists are not only unnecessary but they will have as a sole outcome that of disrupting innovation and investment in further recycling facilities, with far-reaching environmental, employment and economic consequences. They would also overshadow the industry's ongoing investments towards achieving packaging circularity through material innovation, increased recyclability, collection and the use of more recycled content. Increased recycling also requires a radical improvement of collection to ensure that packaging is recycled in practice and for new waste streams to become fully operational.

The proposed refill and reuse targets are not realistic, disproportionate and could be counterproductive. Reuse and refill are not always the best option from a climate and environmental standpoint, as many third-party certified LCAs studies have demonstrated, for example because of the additional logistical complexity, in case of long transport distances or wherever recycling and mandatory collection can be efficiently organised. Specific instruments, not foreseen in the proposal, are needed to create a framework for the scaling up of refill and reuse beyond niche projects. Moreover, to our knowledge, there has been no environmental impact assessment indicating how these targets would help deliver a better environmental outcome. Refill and reuse should be required to deliver a better environmental outcome in real life conditions compared with its single-use

alternative and be evaluated according to specific criteria, related to hygiene, and food health and safety requirements. Instead of fixed targets, the proposal should set a clear framework to enable mandatory collection and recycling while scaling-up refill and reuse where it makes environmental and ecological sense, and can further strengthen the competitiveness of the Single Market.

To achieve the 2030 recyclability goal requires concrete and collective efforts which go well beyond the packaging design. They require significant investment in sorting and recycling infrastructure to ensure that packaging is collected in the first place. In the absence of this, we will end up with a disparate Member State performance and a more fragmented Single Market.

The proposed mandatory recycled content targets for plastic packaging fail to take account of bottlenecks that affect the availability, quality and cost of recycled plastics. Furthermore, pending the adoption of rules impacting chemical recycling and given the scarce availability of and legal restrictions on recycled polymers that could be included in contact-sensitive applications (e.g. food, pharma, medical and cosmetics products), the proposed targets cannot be achieved without compromising packaging functionality or the use of additional material with a higher environmental impact. Once again, there seems to have been a total lack of assessment into the actual feasibility of such targets. Chemical recycling needs to be effectively counted towards the targets to unlock the necessary investments. In addition, appropriate quantitative safeguards and review mechanisms to adapt the targets, if needed, are necessary to ensure their environmental and economic viability.

The packaging supply chain is constantly working in close collaboration to continue innovating packaging formats to minimise the amount of material needed for packaging to fully perform its functionalities. The proposal is strengthening the requirements to use the least amount of material necessary. However, it then goes further in proposing arbitrary product to pack ratio for specific products without taking into account the packaging's safety and functionality, nor the different characteristics of the packaged products or why, for example, a sufficient cushioning thickness is necessary to prevent breakage. Equally arbitrary would be to set targets for other product categories, without specific consideration of the different characteristics of the product.

A system is vulnerable if it misses key sustainability principles such as coherence, mitigation, robustness and resilience when legislating. Arbitrary bans and unrealistic and discriminatory targets that are not supported by scientific and empirical evidence do not create the positive investment climate needed to support the transition and they make industry question if to continue investing in this legislative setting is at all sustainable. We want Europe to have circularity rules that set the standard for the rest of the world. Yet, the PPWR as currently drafted will set this process in reverse and may even turn the clock back on aspects of the Green Deal.

We call on the European Commission to address these critical issues and remain at your disposal for further dialogue so that the proposed Regulation is future-proof and delivers a regulatory environment that supports the European industry on its journey towards a fully circular economy.

## Signatories



360 Food Service



ACE - the Alliance for Beverages Cartons & the Environment



Afera - The European Adhesive Tape Association



AGMPM - Association of Greek Manufacturers of Packaging & Materials



AIJN - European Fruit Juice Association



AISE - International Association for Soaps, Detergents and Maintenance Products



AMCHAM EU



APPLiA - Home Appliance Europe



ARAM - Romanian Association for Packaging and the Environment



CEFLEX - A Circular Economy for Flexible Packaging



CEPE - European Council of the Paint, Printing Ink and Artists' Colours Industry



CEPI - Confederation of European Paper Industries



Cicloplast – EPRO



České průmyslové sdružení  
pro obaly a životní prostředí

CICPEN



CITPA - the International Confederation of Paper and  
Board Converters in Europe



COSMETICSEUROPE



ECMA - the European Carton Makers Association



EDANA - International association serving the  
nonwovens and related industries



EKO-PAK



ELIPSO



EPLF - European Producers of Laminate Flooring  
Association



EPPA - European Paper Packaging Alliance



ESA - European Snacks Association



EUBP - European Bioplastics



EUMEPS - European Manufacturers of Expanded Polystyrene



EuPC - European Plastics Converters



EUPIA - The European Printing Ink Association



EUROCOMMERCE



EUROPEN - The European Organization for Packaging and the Environment



EVA - European Vending & Coffee Service Association



EXPRA - Extended Producer Responsibility Alliance



FEA - European Aerosol Federation



FEFCO - The European Federation of Corrugated Board Manufacturers



FEICA - Association of the European Adhesive & Sealant Industry



FEPA - Federation of European Producers of Abrasives



FFI - Fachverband Faltschachtel-Industrie e. V.



FINAT - The association for the European self-adhesive labelling and adjacent narrow-web converting industries



FPA - Finnish Packaging Association



FPE - Flexible Packaging Europe



FTA EUROPE



GROW International - The European organisation of lightwood packaging manufacturers



IK - Industrievereinigung Kunststoffverpackungen



INCPEN - The Industry Council for Packaging & the Environment



INTERGRAF - European federation for print & digital communication



IRLA - International Release Liner Association



MMFA - Multilayer Modular Flooring Association



NMWE - Natural Mineral Waters Europe



PET Europe - Producers' Association



Plastics Europe



Pro Carton - Association of European Cartonboard and Carton Manufacturers



PRO-S-PACK e.v.



RISE - Research Institutes of Sweden



RUCODEM - Romanian Union of Cosmetics and Detergents Manufacturers



Serving Europe - Branded Food and Beverage Service Chains Association



Slovak Brand Owners Association



SPE - Smart Packaging Europe



SCS - Styrenics Circular Solutions



The Brewers of Europe

The Brewers of Europe



TIE - Toys Industries Europe



UNESDA - Union of European Beverages Association



Unionplast - The Italian Plastics Converting Association



VDS - Verband Deutscher Schleifmittelwerke





ZVEI e.V. - Electro and Digital Industry Association