

## Packaging & Packaging Waste Regulation – adopted 30.11.22

### Objective of the regulation

- To tackle the growing quantity of packaging waste by bringing in reduction targets for all member states (per capita reduction targets based on 2018 packaging waste of 5% by 2030 / 10% by 2035 / 15% by 2040)
- introduces recycled content in plastic packaging (including the plastic part of composite packaging)
- Reduces complexity of packaging
- Design reuse and recyclability into packaging via DfR (Design for Recycling) guidelines

### Timelines

- 2024/25 - Entry into force with PPWR applied 12 months after entry into force
- 2027 – (estimate) Delegated acts concerning Design for Recycling, EPR fees.
- 2030 – 100% of packaging to be recyclable or reusable
- 2031 – Delegated acts regards recycling at scale (see below for definition of recycled at scale)
- 2035 – Packaging banned if not recycled at scale

### Difference between ‘Directive’ & ‘Regulation’

The EUR COMM has confirmed this policy will be implemented as a **Regulation** and not as a Directive (as with the previous policy) – a **Regulation** is a binding legislative act which must be applied in its entirety across the EU 27 member states, whilst a Directive is a legislative act that establishes goals to be achieved, allowing flexibility on how they are implemented.

### Definitions

The Regulation contains clear definitions for packaging, for recyclable packaging, for reusable packaging and what recycled at scale is.

### Recycling targets

2025 – 75% of paper & cardboard packaging to be recycled

2030 – 85% of paper & cardboard to be recycled

**Packaging shall be considered recyclable** where it complies with the following:

1. it is designed for recycling
2. it is effectively and efficiently separately collected in accordance with Article 43(1) and (2)
3. it is sorted into defined waste streams without affecting the recyclability of other waste streams
4. it can be recycled so that the resulting secondary raw materials are of sufficient quality to substitute the primary raw materials
5. it can be recycled at scale.

Point (1) shall apply from 1 January 2030 and point (5) shall apply from 1 January 2035.

**Recycled at scale** means collected, sorted and recycled through installed state-of- the-art infrastructure and processes, covering at least 75 % of the European Union population, including packaging waste exported from the European Union that meets the requirements of

### **Recyclability assessments**

All packaging will undergo a recyclability assessment to ensure it meets DfR criteria and will be assigned an A to E grade. From 2030, only packaging assessed within A to E can be placed on market, packaging assessed as grade E is banned – the grading is based on the % compliance with DfR criteria

**Table 2: Recyclability performance grades**

Recyclability Performance Grade	Assessment of recyclability per unit, in weight
Grade A	higher or equal to 95 %
Grade B	higher or equal to 90 %
Grade C	higher or equal to 80 %
Grade D	higher or equal to 70 %
Grade E	lower than 70 %

### **Extended Producer Responsibility / Eco-modulation**

EPR fees will be based on the assessment of each packaging item ...incentivising packaging with a high compliance to DfR criteria with a lower EPR fee & penalising packaging with a lower compliance with higher EPR fees.

## **Reuse & Refill targets**

### **Takeaway beverages**

- (a) from 1 January 2030, 20 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill
- (b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill.

### **Prepared food in HORECA sector**

- (a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill
- (b) from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

### **Alcoholic beverages (excl wine)**

- (a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill
- (b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

### **Alcoholic beverages (incl wine)**

- (a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill
- (b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

### **Non-alcoholic beverages**

- (a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill
- (b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

### **Transport packaging (pallets, plastic crates, foldable plastic boxes, pails and drums)**

- (a) from 1 January 2030, 30 % of such packaging used is reusable packaging within a system for re-use
- (b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use.

### **Transport packaging (e-commerce)**

- (a) from 1 January 2030, 10 % of such packaging used is reusable packaging within a system for re-use
- (b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use

### **Transport packaging (pallet wrapping & strapping)**

- (a) from 1 January 2030, 10 % of such packaging used is reusable packaging within a system for re-use
- (b) from 1 January 2040, 30 % of such packaging used for transport is reusable packaging within a system for re-use

### **Grouped packaging to create a SKU (multipacks) but excluding cardboard**

- (a) from 1 January 2030, 10 % of such packaging used is reusable packaging within a system for re-use
- (b) from 1 January 2040, 25 % of such packaging they used is reusable packaging within a system for re-use.

### **Transport packaging used by an economic operator shall be reusable where it is used for transporting products:**

- (a) 100% when between different sites, on which the operator performs its activity; or
- (b) 100% when between any of the sites on which the operator performs its activity

### **Recycled content targets for plastic**

- Definition of plastic is the same as in the Single Use Plastics Directive

- The plastic part in packaging (including plastic barrier layers on folding cartons) shall contain a minimum % of post-consumer waste recycled content at 35% in 2030 rising to 65% by 2035

### **Restricted / banned packaging**

	<b>Packaging format</b>	<b>Restricted use</b>	<b>Illustrative example</b>
1.	Single-use plastic grouped packaging	Plastic packaging used at retail level to group goods sold in cans, tins, pots, tubs, and packets designed as convenience packaging to enable or encourage end users to purchase more than one product. This excludes grouped packaging necessary to facilitate handling in distribution.	Collation films, shrink wrap
2.	Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables	Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss or turgidity loss, microbiological hazards or physical shocks.	Nets, bags, trays, containers
3.	Single use plastic, single use composite packaging or other single use packaging	Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector, which include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption	Trays, disposable plates and cups, bags, foil, boxes
4.	Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector	Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, except such packaging provided together with take-away ready-prepared food intended for immediate consumption without the need of any further preparation	Sachets, tubs, trays, boxes
5.	Single use hotel miniature packaging	For cosmetics, hygiene and toiletry products of less than 50 ml for liquid products or less than 100 g for non-liquid products	Shampoo bottles, hand and body lotion bottles, sachets around

## **Labelling**

An EU harmonized mandatory labelling system for packaging products and waste systems will be introduced to facilitate consumer sorting and increased recycling, inspired by the Nordic pictograms. A voluntary labelling system will be introduced for recycled content.

## **Packaging minimisation**

- Packaging shall be designed so that its weight and volume is reduced to the minimum necessary for ensuring its functionality taking account of the material that the packaging is made of.
- Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the packaging design is subject to geographical indications of origin protected under Union legislation.
- Empty space shall be reduced to the minimum necessary for ensuring the packaging functionality as follows:
  - (a) for sales packaging, in relation to the total volume of the packaged product and its characteristics
  - (b) for grouped and transport packaging, including e-commerce packaging, in relation to the total volume of the grouped or transported products and their sales packaging
- For the purpose of assessing the compliance with this, space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials shall be considered as empty space.

End

7 December 2022