This paper provides an overview on issues relevant for paper & board packaging in the leaked report on Essential Requirements, prepared for the Commission by Eunomia (consultant). It focuses on the proposed policy options to be addressed in the Commission's Impact Assessment (expected to start in 2020) and other key aspects.

1) Proposed options

Three options were developed and proposed for inclusion in the Impact Assessment (section E4.0, p.13). These options could be used independently or in combination to set new requirements in the Packaging and Packaging Waste Directive (PPWD).

Option 1: Essential updates

- Requirement for all packaging to be recyclable or reusable by 2030.
- Packaging weight and volume to be minimised to the absolute necessary amounts.
- Any reusable packaging must also be defined as recyclable, except in certain circumstances.
- Mandatory labelling for re-use, recycling or compost.
- Limits on the proportion of sealed air in the volume of e-commerce packaging.
- A new definition of "reusable".

Option 2: More specific requirements, clearer decision making, improved monitoring and enforcement

- Definition of "recyclable" based on both design for recycling and recycling rate approaches.
- Introduction of positive and negative list of packaging types depending if they can or cannot be replaced on the market (Note: seems a lot like SUP approach).
- A registry with packaging to product ratio provided by producers.
- Specific requirements to maximise the recycled content in packaging.
- Restricting all substances of very high concern (SVHC) in packaging.
- Mandate reusable packaging for certain formats, e.g. transport packaging.
- E-commerce packaging – a label informing consumers how to report void spaces to national authorities.
- EU packaging registry or MS registries to be introduced – for compliance and audits.

Option 3: Enhanced harmonisation and impact This option suggests setting further specific quantitative requirements in addition to the other measures to ensure compliance and enforceability.

- Packaging to be allowed on the market only if exceeding a "threshold recycling rate" as a proof of recyclability.
- Introducing a legal threshold for the packaging to product ratio.
- Minimum recycled content for specific packaging formats – more likely for plastic packaging (Note: this is in line with the Circular Economy Action Plan).

- Remove the concept of "biodegradable" and focus on "compostable". Include a clear definition of compostable packaging.
- Limit the use of compostable packaging to specific applications.
- A dedicated EU body to give authorization for all packaging to be placed on the market.
- Use EPR systems to eco-modulate following the requirements even before adoption.

The proposed options were discussed already with Member States and some of them gained broad support. It is however in the hands of the Commission to decide which ones to be included in the impact assessment.

2) Problematic packaging

The report provides list of materials and types of packaging representing a problem according to the consultant (see section E.2.0, p.12). There are four references to paper & board packaging, quoted below:

- "Plastic -coated or metallized cardboard" mentioned under multi-material packaging – considered a problem because of the challenge to separate the plastic/metal from paper and can be recycled in a specialised plant (see p.49).
- "Paper cured with UV varnish/ varnish that breaks down into small particles" – also considered to be a challenge for the recycling process because it cannot be readily removed by de-inking process and can break into microplastic polluting waste water (see p.52).
- "Paper with adhesives which plasticise" – also considered a challenge for the recycling operations because of the potential to form "stickies" (see p.52).
- "Waxed Papers "– grouping several papers and considered as a challenge for recycling because wax can not be removed by the mill cleaning system, while silicone, greaseproof and glassine paper cannot be pulped (see p.52).

There is no indication if and how these challenges will be addressed by the Commission.

The report also provides a detailed analysis of the current situation and proposed policy options. Input from stakeholders and specific case studies are also included. There are many references to paper & board packaging, among them the European Paper & Board Recyclability guidelines (p.166, p.333), CPI Recyclability guidelines (p.166, p.333), relevant issues such as over-packaging (p.106), e-commerce (p.120), recycled content (p.124).