

## EUROPEN contribution to the public consultation on the revision of the EU waste framework

EUROPEN supports the general objective of the revision of the Waste Framework Directive (WFD) to improve the overall environmental outcome of waste management in line with the waste hierarchy and the implementation of the polluter pays principle.

The review of the Waste Framework Directive (WFD) must be carried out in line with the policy objectives of the European Green Deal and the new Circular Economy Action Plan, which set the basis for an innovation-driven policy agenda. When it comes to packaging and packaging waste, it is also important to ensure a strong alignment between this revision of the WFD and the ongoing review of the Packaging and Packaging Waste Directive 94/62/EC (PPWD) to maximise effectiveness and avoid inconsistencies.

The review of the Waste Framework Directive must contribute to:

1. Addressing improper enforcement and the diverging transposition of EU rules
2. Developing a well-functioning EU market for Secondary Raw Materials to achieve overall environmental benefits and drive the circular economy
3. Tackling inadequate collection of packaging waste to achieve the EU waste recycling targets
4. Ensuring the full transposition of general minimum requirements for Extended Producer Responsibility schemes
5. Recognising packaging's role to prevent product and food waste, thus advancing climate neutrality and circularity

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### 1. Addressing improper enforcement and diverging transposition of EU rules

- o EUROPEN supports the targeted actions of WFD review to promote the full and complete implementation of the current existing provisions on waste prevention, preparation for re-use and recycling. The review of the Waste Framework Directive must address barriers and bottlenecks resulting from insufficient harmonisation and weak enforcement of existing EU provisions at national level.
- o With regards to packaging, the obligations of the WFD must be effectively enforced and aligned with targets and requirements of the revised PPWD. For example, separate waste collection must be effectively implemented for dedicated waste streams to enable the achievement of the PPWD recycling targets and to boost the uptake of recycled content in packaging.
- o Diverging measures adopted by Member States across the EU, such as country-specific labelling requirements for packaging waste sorting or unilateral national targets obligations, are fragmenting the Single Market. Recent examples of such divergent measures include the [French Triman Decree](#), [Italian Labelling Decree](#), [Bulgarian Labelling Decree](#) and the single-use plastics targets and bans in France and Luxembourg.

- These measures are not only undermining Europe's competitiveness, but also investment predictability and the attainment of circular economy goals. Businesses need long-term investment visibility to continue to develop innovative packaging and solutions for recycling processes and technologies.

## 2. Developing a well-functioning EU market for Secondary Raw Materials

### ▪ Supporting innovation and infrastructure development

- Packaging can no longer be considered as waste when entering the EU market but rather as a valuable resource that must be brought back into the circular economy.
- Inadequate sorting, collection and recycling infrastructures are structural issues that do not only limit recycling but also hinder effective competition between recycled and virgin materials. The revision of the WFD, in conjunction with the ongoing revision of the PPWD, needs to provide sufficient visibility for businesses to drive investments in innovative recycling technologies that are needed to improve the quality of SRM, including mechanical, organic and chemical recycling. With regards to the chemical recycling, clarity is urgently needed on the extent at which chemical recycling will be factored in the calculation of recycling rates and possible future recycled content targets, to avoid stalling investment in this new technology. Clarity on whether a mass balance approach will be considered to calculate the content of recycled plastic and biomass feedstock used in packaging is also necessary.
- Recycling targets are a driver for the collection, sorting and recycling of packaging. It is however important to consider the current level of recycling of each packaging material to determine whether or not additional measures are needed.

### ▪ Banning landfilling and reducing incineration

- Landfilling of packaging waste should be banned. The landfill restrictions that are to come into effect only in 2035, as defined in Directive 1999/31/EC on the landfill of waste, should be anticipated. In countries where an outright ban of landfill is not yet implemented, landfill taxes will help dissuade waste managers from pursuing this end of life. Similarly to landfill, reliance on incineration should be rapidly reduced to a minimum where appropriate, considering existing regulatory requirements, to ensure waste is brought back into the economy as valuable secondary raw materials. High gate fees for incineration will help to avoid that separately collected waste is diverted towards incineration.

### ▪ Enabling the transboundary movement of waste across the EU for the creation of a Single Market for Secondary Raw Materials

- A stronger policy framework is necessary to facilitate and strengthen the transboundary movements of waste across the EU to support the creation of a Single Market for SRM. The measures on Waste Shipment proposed by the European Commission are a step in the right direction to increase recycling. It is however important to go one step further and require that when a Member State lacks adequate sorting and/or recycling infrastructure, it must ship its waste to neighbouring EU countries to ensure that packaging waste is effectively recycled.

## 3. Tackling inadequate collection of packaging waste to achieve waste recycling targets

### ▪ Enforcing mandatory separate waste collection obligations

- Packaging design plays a key role to increase packaging recyclability. However, packaging design alone will not suffice. Effective collection systems, together with sorting and recycling infrastructure are essential to ensure that recyclable packaging is recycled in practice and to boost recycling rates.

- Effective separate collection and source segregation are crucial for the production of Secondary Raw Materials of quality. EUROPEN supports a definition of recyclable packaging setting that it should be effectively and efficiently collected by a minimum of 50% of the EU citizens, with a goal to reach 90% within five years of entry into force of the revised PPWD. However, for this, it is necessary to ensure that Member States effectively comply with their mandatory separate collection obligations under the WFD. This link between packaging recyclability and Member States' collection obligations must be adequately reflected in both the revised PPWD and WFD.
- As a very minimum, separate collection should be implemented in an effective way, and least harmonised at country level, where many differences often persist across regions within a single Member State, to ensure at least four existing main streams: 1) plastic, metal and beverage cartons; 2) paper and cardboard; 3) glass and 4) bio-waste. This ambition should however be taken further with a goal to harmonise separate waste collection across the EU, in line with the harmonisation of sorting instructions.
- **Waste management needs to be made clearer and easier to handle for citizens**
- Alongside efforts to improve packaging design and strengthen waste management infrastructure, it is essential to engage consumers. This requires improving the separate waste collection rate at consumer level, increasing consumers' awareness about the need to sort and recycle, making sorting easy for consumers, and including them as relevant actors in the circular management of waste.
- An EU harmonised labelling system that helps consumers to correctly sort their waste and at the same time avoids any barriers to trade needs to become an integral element of waste management systems in EU Member States.
- The ongoing revision of the PPWD represents a unique opportunity to set common requirements on which information should be provided to consumers for sorting instructions and how this should be done in a harmonised way, supported by the use of digital solutions that can help provide additional (more detailed) information to consumers without the need to increase packaging size or repackage.
- For more information on how such a model could be introduced, please refer to the joint industry paper on "*Establishing an EU harmonised system to provide consumers with understandable and clear sorting instructions for packaging waste*" available [here](#). Given the growing fragmentation resulting from multiple national requirements on sorting instruction, a harmonised EU system for consumer sorting instructions must be introduced as soon as possible. Therefore, this needs to be addressed as part of the revision of the PPWD rather than be put on hold until the revision of the WFD is completed.

#### 4. Ensuring the full transposition of general minimum requirements for Extended Producer Responsibility schemes

- **Full transposition of the Article 8a Minimum Requirements for packaging Extended Producer Responsibility**
- The call for evidence for the WFD impact assessment issued in January 2022 projected that half of Member States are at risk of not reaching the 2025 recycling targets for municipal waste. Waste collection systems vary across the EU and sub-optimal practices lead to lower recycling rates and lower quality recyclates. In this respect, we would like to emphasise the importance of ensuring the full transposition and subsequent implementation and enforcement of the provisions of Article 8a of the WFD (i.e. "*the General minimum requirements for extended producer responsibility schemes*").
- Well-functioning EPR schemes are essential to the achievement of the ambitions of the Circular Economy Action Plan and consistent with the polluter-pays-principle. Within the context of packaging waste, such schemes are key to fund the separate collection of packaging waste to reduce the volume of packaging waste

and ensure all packaging are effectively recycled, thus permitting the reprocessing of secondary raw materials to replace virgin materials,.

- In a limited number of Member States, ill-construed schemes (outside the control of the obligated industry) have failed and national governments are considering schemes with governance models that are clearly inconsistent with Article 8a. In such cases, there is a risk that fees collected from obligated industry are not hypothecated for packaging waste management. EUROOPEN supports the full and complete transposition and subsequent enforcement of the Minimum Requirements and looks to the Commission to monitor and enforce this obligation.
- The revision of the WFD is also an opportunity to strengthen the minimum requirements of Extended Producer Responsibility schemes to boost recyclability across the EU, e.g. by improving transparency and accountability and the clear demarcation of roles and responsibilities of the different actors.

## 5. Recognising packaging's role to prevent food waste, thus advancing climate neutrality and circularity

### ▪ Packaging contributes to the prevention of product waste and food waste

- Food loss represents a missed opportunity to feed the growing world population, a major waste of resources and a major source of greenhouse gas emissions accounting for 6% of total EU GHGs emissions.
- Packaging plays a key role in protecting products and minimising waste at all stages of the value chain. High performance packaging solutions and technologies can preserve food safety by minimising sources of contamination and reduce food waste from spoilage. As an example, the use of aseptic packages, which are designed to protect the foodstuff from the effects of light and oxygen, do not require refrigeration, and have a shelf life of 6 to 12 months. Innovative packaging designs also help consumers buy and use food in portions that match their needs and reduce food waste from leftovers.
- By protecting the product, packaging also prevents waste of raw materials and natural resources that went into growing or making goods and the energy used to transport the goods from the producer to the retailer. From a production standpoint, food waste has at least ten times the environmental impact of packaging waste, and that even without taking into account of the impact of methane from decayed food.<sup>1</sup>
- In a recent publication, the UN FAO stressed<sup>2</sup> that “Packaging plays an important role in not only reducing food loss and waste but by extension boosting food security, nutrition and livelihoods too. A circular approach to how we package our food can make a big difference to the food security of our communities and the health of our planet”. Packaging’s role in securing the resilience of food systems was also highlighted in the European Commission’s Contingency plan for ensuring food supply and food security in times of crisis<sup>3</sup>.
- As also recognised in a recent opinion<sup>4</sup> of the European Economic and Social Committee: “Packaging plays a critical role in economic, environmental, and social sustainability, but looking at packaging alone might have a negative impact on the regulatory system. In reality, the packaging used to preserve things usually represents significantly less resources and has a far lower intrinsic value than the product it is protecting. For example, in the food business, 30 percent of all food produced worldwide is lost or wasted throughout the supply chain: as a result, product loss due to poor packing is likely to have far more negative environmental consequences. Improved packaging might be one approach to minimise this food loss rate.”

<sup>1</sup> “Packaging in Perspective”, Advisory Committee on Packaging

<sup>2</sup> Reduce, reuse, recycle: a mantra for food packaging

<sup>3</sup> COM/2021/689 “Contingency plan for ensuring food supply and food security in times of crisis”

<sup>4</sup> European Economic and Social Committee Opinion (2022), “Making packaging a safe, affordable and eco-friendly industry” CCMI/186, § 4.5, available here: <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/making-packaging-safe-affordable-and-eco-friendly-industry>

- Packaging should therefore be considered as an essential part of the solution to minimise food losses, resource waste and the greenhouse gases emissions associated with discarded food<sup>5</sup>. As an example, compostable packaging for food related products helps increase a cleaner, separate collection of organic waste as such packaging can be collected together with food residues and bio-waste as they present similar biodegradation properties.
- While it is important to continue to improve packaging sustainability, any measure intending to eliminate or reduce the use of packaging must be thoroughly assessed to ensure packaging's functionalities are not undermined, and to avoid the creation of additional product waste or negative implications for consumer health and safety.
- **Efforts to increase consumer awareness on food waste should continue**
- On a global per capita-level<sup>6</sup>, 121 kilograms of consumer level food is wasted each year, with 74 kilograms of this happening in households.
- EUROPEN recently [partnered](#) with [JA Europe](#), a non-profit organisation dedicated to preparing young people for employment and entrepreneurship, and [EIT Food](#), a European Knowledge and Innovation Community (KIC), on the occasion of the World Food Day, which was celebrated on 16 October 2021. The partnership resulted in the organisation of a food hackathon ("Foodathon"), bringing together more than 100 students from secondary schools in Africa and Europe to come up with solutions to a range of important agri-food challenges, one of those being food waste and food loss. During an intensive two-day innovation and creativity hackathon, young people developed business ideas offering solutions for these key agri-food challenges.
- Given the importance to improve knowledge and awareness on levels and impacts of food waste as well as the importance to influencing attitudes and behaviours that lead to food waste, EUROPEN believes it is essential to multiply such initiatives to raise consumers/citizens awareness, including from an early age, and recommends that similar actions are considered by Member States in the application of the future EU food waste reduction targets.

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## About EUROPEN

The European Organization for Packaging and the Environment (EUROPEN), is the industry association representing the packaging industry value chain in Europe. EUROPEN's members are raw material manufacturers, packaging converters, brand owners and national packaging organisations. EUROPEN aims to achieve a fully accessible European market for packaging and packaged products, while protecting the products that consumers need and protecting the environment. At EUROPEN, we believe that packaging enables the transition to a climate neutral, circular and competitive EU economy while ensuring goods are delivered safely to EU citizens and businesses.

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<sup>5</sup> A recent JRC study elaborates on how the extension of products' shelf life has a direct impact on food waste, with the potential to cut it by half. See: Patinha Caldeira, C. et al., Assessment of food waste prevention actions, 2019, p. 49, available here: <https://publications.jrc.ec.europa.eu/repository/handle/JRC118276>.

<sup>6</sup> [UNEP Food Waste Index Report 2021](#)