

To:

Ursula von der Leyen, President

Frans Timmermans, Executive Vice-President for the European Green Deal

Valdis Dombrovskis, Executive Vice-President and Commissioner for Trade

Thierry Breton, Commissioner for Internal Market

Virginijus Sinkevičius, Commissioner for Environment, Oceans and Fisheries

Brussels, 11 May 2022

RE: Transition to a Circular Economy and protection of the Single Market

Dear President von der Leyen,

Dear Executive Vice-President Timmermans,

Dear Executive Vice-President Dombrovskis,

Dear Commissioner Breton,

Dear Commissioner Sinkevičius,

The 1st of January 2023 will mark the 30th anniversary of the establishment of the European Single Market. One of the EU's greatest achievements, the Internal Market is the key driver of EU economic integration. This has been essential to the growth of the European economy and remains crucial to Europe's global competitiveness. It has brought about greater economies of scale while improving the allocation of resources and enabling the EU to set high harmonised safety standards for consumers and environmental protection.

Today, Europe faces new challenges and has new priorities. Chief amongst these is the European Green Deal and the need for a transition towards a circular and climate neutral economy. The packaging industry, the consumer goods industry and downstream operators understand this imperative and are fully committed to resource-efficient circularity goals. However, fragmentation of the Single Market due to countries taking divergent measures is undermining this commitment and hampering EU industry's aspiration to lead the transformation towards a more sustainable economy. In light of this, the undersigned associations call on the EU to create one single circular economy not 27 separate ones, underpinned by an integrated Single Market.

Almost everything we consume is packaged. Packaging is an integral part of a product supply chain, and measures that relate to packaging affect most goods traded within the EU. Preserving the integrity of the Single Market is key to ensuring that packaging materials and packaged goods can move freely around the EU, thus avoiding negative impacts on consumers, companies, the environment and on the resilience of essential systems, such as the food and pharmaceutical sectors. Despite this, Member States are increasingly introducing unilateral and often divergent requirements. These are no doubt

well-intentioned efforts to improve design, manufacture and labelling of goods to improve their potential for repair, re-use or recycling. Yet, many of these requirements pre-empt forthcoming legislative developments at EU level, compromising the effectiveness of an EU-wide approach.

The increasing number of national measures on the labelling of packaged goods for later sorting is a case in point. These are often implemented at short notice, are contradictory and are not always notified as Single Market rules require. We rely on the Commission to ensure that these divergent rules and their non-notification do not go undetected.

Concretely, disparate national packaging requirements impede the use of a single packaging execution and therefore require the redesign of all packaging across the entire Internal Market destined for an individual country. This has the adverse consequence of diverting investments away from other activities to advance sustainability, such as R&D on eco-design and digital traceability of product information for more efficient recycling.

Redesigning all packaging destined to an individual national market also entails costs for manufacturing. This translates in additional production costs for industry and adverse effects on consumer prices. The loss of economies of scale and the interruption of established distribution models reduce competition within European industry, which is obliged to operate within fragmented national markets. Furthermore, at each step of the value chain, forecasts have to be revised against real consumption. These disruptions may lead to the destruction of certain products that cannot be placed on shelves. Resources are thus wasted all along the supply chain from raw material suppliers all the way to consumers. This applies to shops, distribution centers, bulk factories, packaging components in the factory and packaging accessories at suppliers.

National labelling requirements can also lead to a disruption of efficient distribution systems, requiring suppliers to ship their unsold goods over longer distances when this proves necessary to relabel them according to divergent national legislations. Additional transport increases fossil fuel consumption, with negative impacts on climate and air quality.

Finally, the multiplication of labelling instructions weakens consumers' ability to sort packaging waste properly, reducing opportunities for recycling.

The undersigned signatories believe that a fragmented Single Market will severely impact the transition to circularity and weaken the resilience of the European economy. We call on the Commission to take robust and rapid action to tackle national packaging legislation infringing Single Market principles and Article 18 of the Packaging and Packaging Waste Directive. Cooperation rather than unilateral and uncoordinated national action surely represents the best way forward.

Yours sincerely,

The undersigned organisations

Signatories



ACE – The Alliance for Beverage Cartons and the Environment



AFERA – The European Adhesive Tape Association



AGMPM – Association of the Greek Manufacturers of Packaging & Materials



AGVU – Arbeitsgemeinschaft Verpackung und Umwelt e.V., Germany



AIJN – European Fruit Juice Association



AIM – European Brands Association



A.I.S.E. – The International Association for Soaps, Detergents and Maintenance Products



APEAL – The Association of European Producers of Steel for Packaging



APPLiA – Home Appliance Europe



CEFLEX – A Circular Economy for Flexible Packaging



CEO – The European Tool Association



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



cicloplast – Spanish Association of Plastics Transformers and Raw Materials Producers for Promoting Plastics Packaging Recycling



CICPEN - Industrial Coalition on Packaging and the Environment, Czech Republic



Cosmetics Europe – The Personal Care Association



Der Grüne Punkt – Duales System Deutschland GmbH



DIGITALEUROPE



EAFA – The European Aluminium Foil Association



ECMA – European Carton Makers Association



ECMA – European Cigar Manufacturers Association



EDANA – The Voice of Nonwovens



EDRA - European DIY Retail Association



EFIC – European Furniture Industries Confederation



EKO-PAK



Elipso – French Plastic and Flexible Packaging Association



EPTA – The European Power Tool Association



EUMEPS – The Association for European Manufacturers of Expanded Polystyrene



EuPC – European Plastics Converters



EuPIA – The European Printing Ink Association



EuroCommerce



EUROMCONTACT – The Voice of the European Contact Lens and lens Care Industry



ESA – European Snacks Association



EUROPEN – The European Organization for Packaging and the Environment



EXPRA – Extended Producer Responsibility Alliance



FEA – The European Aerosol Federation



FEICA – Association of the European Adhesive & Sealant Industry



FEPA – Federation of European Producers of Abrasives



FESI – The Federation of the European Sporting Goods Industry



FEVE – The European Container Glass Federation



FINAT – The Association for the European Self-adhesive Labelling and Adjacent Narrow-web Converting Industries



FoodDrinkEurope – The Organisation of Europe's Food & Drink Industry



FPE – Flexible Packaging Europe



IK – Industrievereinigung Kunststoffverpackungen e.V., Germany



INCPEN - The Industry Council for Packaging & the Environment



Miljöpack – Packaging Association, Sweden



Pakkaus – Packaging Association, Finland



Plastics Europe



Pro Carton – European Association of Cartonboard and carton manufacturers



PRO Europe – Packaging Recovery Organisation Europe



SCS – Styrenics Circular Solution



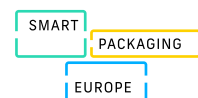
Serving Europe – Branded Food and Beverage Service Chains Association



SNAS – Syndicat National des Abrasifs et Superabrasifs



Sociedade Ponto Verde, S.A. – Packaging Recovery Organisation, Portugal



SPE – Smart Packaging Europe



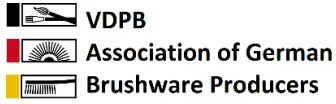
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SZZV – Slovak Association for Branded Products



TIE – Toy Industries of Europe



VDPB - the Association of German Brushware Producers



VDS – German Abrasives Association



360° Foodservice