

Plastics Europe feedback to the Packaging and Packaging Waste Regulation – an opportunity to accelerate the circularity of plastics packaging

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- Plastics Europe members support accelerating towards a more Circular Economy for plastics packaging in Europe. We believe that the European Commission's Packaging and Packaging Waste Regulation (PPWR) proposal could serve as a catalyst to transform the plastics packaging industry by ensuring the recyclability of all plastics packaging, increasing the uptake of circular plastics¹ and kick-starting reuse in many packaging applications.

Incentivising the uptake of circular feedstocks in plastics packaging with the right enabling policy framework

Minimum requirements for recycled content targets

- Plastics Europe member companies support ambitious and realistic mandatory minimum EU recycled content targets for plastics packaging. We believe the latter should be set at the level of the economic operator and calculated as an average of the packaging placed on the market, rather than for every individual item of packaging. This allows packaging manufacturers and users a certain degree of flexibility to incorporate the same amount of recycled plastics within their portfolio while staggering investments to higher percentages over time without impeding market access.
- Improved separate collection and sorting of all packaging waste across the EU is key to securing the flow of high-quality material available for recycling which is needed to meet recycled content targets. Successful implementation will greatly depend on an EU harmonised policy and regulatory framework that will promote collection, sorting and recycling that are underpinned by stimulus investment measures and the confidence to deliver the required accompanying infrastructure.
- Due to current loss rates in the end of life and waste management phase (littering, contamination, incorrect disposal, sorting and recycling), the theoretically highest possible recycled content is lower than the 2040 recycled content targets proposed. Significant financial and policy incentives will be required to rapidly improve collection and sorting systems to reach the efficiency needed to meet the 2040 targets.
- The requirements on recycled content will necessitate the supply of massive amounts of high-quality recycled plastics from all recycling technologies. Plastics Europe members are already undertaking huge investments in recycling technologies. We, as European plastics

¹ Group of plastics fully or partially produced from circular feedstock including recycled plastics, bio-based plastics, bio-attributed plastics and plastics derived from carbon-capture.

manufacturers, are planning an investment in chemical recycling from 2.6 billion Euros by 2025 to 7.2 billion Euros in 2030 which will produce 2.8Mt of recycled plastics², suitable for contact sensitive applications. Enabling conditions are required to successfully implement the recycled content targets, including the swift adoption of a methodology to measure the recycled content in packaging based on mass balance with credit method and fuel use exempt attribution rule.

- Measurement of recycled content targets should be based on verifiable data, for example through data that is already, or will be, provided to EPR schemes, and through existing monitoring schemes.

Increase the use of circular feedstocks

- In addition to a higher material circularity, direct GHG reduction system intervention is required for our industry to achieve climate neutrality by 2050. To ensure a faster systemic change, it is also essential to use the existing assets of plastics production while diversifying feedstock sources.³ In that perspective, we support the need to increase the use of all kinds of circular feedstocks, including sustainably sourced biomass, reducing the dependence on fossil feedstocks and considerably lowering the GHG emissions of the plastics system.
- Plastics Europe welcomed the European Commission's aspirational target of at least 20% of carbon used in chemicals and plastics products to come from non-fossil sources by 2030, as expressed in the Communication on Sustainable Carbon Cycles. We believe that this ambition should be translated in regulatory measures, such as the PPWR, to incentivise the use of different circular feedstock sources in addition to recycled materials.
- The PPWR proposal should therefore seize the opportunity to boost the potential of bio-based feedstocks in contributing to circular feedstock targets while reducing GHG emissions. We call on policy makers to include in the proposal a complementary circular feedstock⁴ target promoting the use of bio-based feedstocks in packaging when it is demonstrated to be sustainably sourced and to bring environmental benefits. To this end, the European Commission will need to develop secondary legislation aimed at defining the measurement methodology to account for the use of bio-based and bio-attributed plastics in packaging (based respectively on the C14 methodology and mass balance) as well as EU minimum sustainability criteria for the use of bio-based feedstock, which should take into account the temporary storage of biogenic carbon in bio-based plastics.

Recyclability of plastics packaging

- Plastics Europe supports the development of technology neutral Design for Recycling guidelines as these would reinforce a definition of recyclability that reflects the industry's ambitions for the development of new packaging systems, new materials, detection, sorting

² Assuming the "fuels-use exempted" mass balance attribution rule applies

³ [Reshaping Plastics, Pathways to a circular, climate neutral plastics system in Europe; SystemIQ; 2022](#)

⁴ Other forms of sustainable sources of carbon should be explored in addition to recycled carbon and bio-based one, including for instance carbon deriving from CCU technologies.

and recycling technologies to achieve the required high qualities and recycling rates. Such guidelines/criteria should be regularly reviewed and updated, when necessary, with the involvement of industry technical experts with the knowledge to assess actual packaging recyclability against state-of-the-art technologies and infrastructures. These guidelines should be applicable to any potential alternative packaging systems and delivery models. Annex II, defining categories and parameters for assessment of recyclability of packaging should therefore include all packaging materials and formats.

- The prompt development of Design for Recycling criteria by the Commission is essential to allow manufacturers the sufficient time to implement them in order to reach the recyclability status required. We call for the inclusion of a specific deadline (31 December 2026) for the Commission to adopt delegated acts aimed at developing Design for Recycling criteria, as well a minimum period of 36 months from the adoption of the delegated acts for the economic operators to be able to adapt to the new criteria before the recyclability assessment of Article 6 applies.

Restrictions and bans, including mandatory reuse targets, on plastic packaging in specific applications must be carefully reviewed

- Plastics Europe supports measures to increase the reuse of plastics. Thanks to its versatility and durability, plastics provides enormous potential for supporting reuse and refill systems in different applications while allowing for their return to the circular economy at their end of life.
- Any restrictions and other measures such as bans and reduction targets must be science-based, material neutral and consider the crucial role of the packaging (such as overall safety, food protection and end of life). The measures must be accompanied by a clear impact assessment that includes all environmental indicators (including environmental footprint, water consumption, land use, etc.) of any potential alternative packaging systems and delivery models.
- In order to prevent detrimental effects, reuse systems must also demonstrate environmental benefits without compromising resource efficiency, health, hygiene and safety requirements. Reuse (and refill) systems should be assessed on an individual basis considering the purpose of their introduction on the market as well as design criteria including the environmental impact of their required supporting systems and processes. For example, solutions that are fully recyclable today should not be replaced by reusable products which are not reused in practice, leading to an actual increase in the quantity of packaging waste produced instead of avoiding it. An example of this is given by flexible packaging like pallet wrapping, stretch films/shrink wraps used for safe transportation in the supply chain. While the latter are recyclable and already recycled at scale, no viable solutions exist today for efficient reusable alternatives. A reuse target on these types of packaging will therefore result in a *de facto* ban on a packaging which is essential to safely transport loads of products, allowing for load stability and preventing the product from being damaged or from causing accidents.
- Furthermore, we oppose the introduction of a ban on single use plastics grouped packaging included in Annex V of the proposal. As it currently stands, the proposed provision would

allow the use of grouped packaging only when they facilitate handling in the B-to-B distribution. However, grouped packaging like shrink wraps and collation films which are used today for packing several products play an essential role for consumers as thanks to their durability, they protect the integrity of the goods packed and facilitate their transportation to consumers' homes. We believe that banning these types of packaging is discriminatory and disproportionate as these formats are already recyclable today and can be produced with high quantities of recycled plastics.

The PPWR is not the appropriate tool to regulate hazardous substances or chemical safety

- Chemical hazards to health and environment are addressed already in the REACH regulation and other sector specific legislation such as food contact materials.
- Including provisions on hazardous substances in the PPWR would create a second layer of legislation that would create legal uncertainty and affect the proper implementation in the Member States.
- The presence of substances that might hinder recycling should be addressed in the context of the recyclability assessment based on Design for Recycling Guidelines.

Preserving the integrity of the EU Single Market is key to ensure competitiveness of European industries and ability to drive Circular Economy solutions

- One clear and consistent harmonized framework for packaging across the EU Single Market remains critical to European industrial competitiveness and the industry's ability to innovate at scale and provide solutions to deliver on the EU Green Deal's ambition.
- The PPWR must preserve the integrity and well-functioning of the EU Single Market and we therefore welcome the European Commission's choice to adopt a Regulation as legal instrument with an Internal market legal basis (Article 114 TFEU).
- To ensure full harmonisation and prevent market fragmentation, measures that enable Member States to maintain or introduce national sustainability requirements other than those set out in the Regulation should be prevented. These national measures would only undermine legal certainties for economic operators and pose a serious risk of fragmentation of the internal market.