

Plastics packaging value chain views on the proposal for a Packaging & Packaging Waste Regulation

The undersigned associations representing the views of the plastics packaging value chain support the EU's objective to achieve a circular economy and **call for a regulatory framework that supports and accelerates the circularity of plastic packaging.**

As one step towards achieving circularity, we welcome a fundamentally material and technology-neutral, binding regime for harmonised design-for-recycling criteria to ensure that all packaging placed on the EU market can be recycled in an identified recycling pathway, with effect from 2030. We also support a requirement for all packaging to be recycled at an industrial scale from 2035. This will require that the development of collection, sorting and recycling infrastructure be significantly accelerated, particularly for plastics. With this in mind, rather than relying on general requirements for all waste streams in the Waste Framework Directive, it is appropriate that packaging-specific waste management measures are set in the PPWR.

The plastics value chain believes that the 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 recycled content in all plastics packaging, and kick-starting reuse in many packaging applications. Shifting the EU plastics system towards circularity and climate neutrality requires billions of euros of public and private investments, with many projects already underway and beginning to scale up to reach significant volumes of plastics waste treated and recycled plastics placed on the market.

It is therefore essential that this legislation also creates the positive investment climate which incentivises the European plastics system to continue its journey in investing in new business models, recycling, collection and sorting technologies. This must be done in a manner which is science based, material neutral and non-discriminatory. Some measures currently on the table would include arbitrary bans or restrictions on plastics packaging, or measures applying to plastics packaging and not other materials, without clear justification. The plastics packaging value chain supports an ambitious proposal, but requires supporting measures and signals from policymakers to continue its path towards delivering on the EU Green Deal's targets, rather than arbitrary bans or restrictions of materials which are fully recyclable and recycled, and have a clear role to play in a circular economy.

Internal market

We strongly support the proposal being a Regulation having the internal market as its legal base and free movement guarantee. To achieve a circular economy, all packaging will have to be designed for separate collection, quality sorting, reuse and recycling, at an industrial scale. This should be enabled by strengthening the EU single market principle across all relevant legislation, for example by facilitating the movement of packaging waste to sorting and recycling plants and harmonised packaging design to ensure consistent quality for recyclers.

We welcome the proposal to apply relevant sustainability requirements and obligations in an even-handed manner to imports and importers, respectively. A level playing field for both European and non-European products and operators in the internal market is essential for attaining the objectives of the Regulation, including environmental sustainability.

Recommendations:

- *Ensure free movement of packaging and packaged goods by removing reference to possibility for Member States to maintain or introduce additional requirements*

Design-for-recycling

We welcome the Commission's approach to adopt specific design-for-recycling criteria per packaging material and type and would call for the adoption process to be transparent and evidence-based. Universal 'one-size-fits-all' design requirements cannot cater for differences in recycling pathways and technologies, that are needed to sort and recycle materials with distinct properties like plastics, paper, metals, and glass. A prescriptive 'negative list' *that has not been developed on this basis* would be unnecessary and inadvertently disrupt innovation and investment in further recycling technologies and infrastructure.

Recommendations:

- *Ensure design for recycling delegated acts are adopted by December 2026 and that these consider established and state-of-the-art collection, sorting and recycling processes as well as characteristics that are important for the quality of the recyclate and shall cover all packaging components. These criteria shall be based on publicly available scientific evidence and testing using harmonised standards, where available, and shall be non-discriminatory. They shall be reviewed at least every 2 years and updated if necessary.*
- *The assessment of the recyclable percentage per unit, as listed in table 2 of Annex II, shall be uniform and non-discriminatory for all packaging materials and formats*

Collection

We support the obligation of Member States to ensure that systems are set up for the separate collection of all packaging, including from households, offices and in public spaces. All packaging waste should be directed towards recycling rather than incineration (with or without energy recovery) or landfilling.

Recommendations:

- *Add a new paragraph in Article 7 to require Member States to ensure that comprehensive collection and sorting infrastructures are in place to guarantee the availability of recycled material*
- *Include a requirement in Article 43.1 for Member States to avoid landfilling or incineration, and for Member States to notify the Commission and provide evidence justifying any derogations to such a requirement.*

Recycled content

Ambitious but technically achievable plastic packaging recycled content targets will stimulate secondary materials markets and allow credible green claims. Targets should take into account that recycled content is already being used in some non-packaging applications and that new targets will be set for other plastic products. We support recycled content targets for all types of plastics packaging, provided clear safety nets will be developed in secondary legislation. Recycled content should be measured as an average per manufacturer/importer.

Recommendations:

- *Set targets as an average of all plastic packaging made available on the market by the manufacturer or importer in Article 7.1*
- *Ensure that the Commission shall adopt implementing acts on measurement rules*
- *Set safeguard clauses in Article 7.10*

- *Add a requirement for the Commission to assess the technical feasibility of achieving the 2040 recycled content targets, taking into account the expected availability of material also considering recycled content targets set for other plastic products.*

Reuse

The plastics value chain supports carefully considered measures to increase the reuse of plastics. Thanks to their versatility and durability, plastics provide potential for supporting reuse and refill systems in different applications while allowing for many loops before reaching their recyclable end of life. We welcome any measures that ensure the best use and waste management options for the different packaging formats listed in Annex I Table 2 of the proposal, either via (preparing for) reuse, recycling, or both. Derogations from reuse targets should apply where the reusability of packaging does not provide the best overall environmental outcome, in accordance with a life-cycle approach per packaging format, and in accordance with criteria established under Union legislation.

Recommendations:

- *Remove references to plastics and ensure material neutrality in Articles 26.7 and 26.10*
- *Include requirement for supporting evidence that the obligations in paragraphs 1 - 13 are environmentally beneficial, safe and economically preferable compared to a single use solution and viable, taking into account transport and cleaning logistics, food safety, hygiene requirements and human health and realistic return and reuse rates*
- *Reduce targets in Article 26.1 to 40% and include an exception for transport packaging that is used to provide shock-absorbing protection and tailored to the specific shape and size of each product type for this purpose, and whose protective functionality cannot be ensured if it was reused*
- *Remove reference to pallet wrappings in Article 26.9*

Restrictions on use of certain packaging formats

Any restrictions and other measures such as reuse and recyclability requirements and targets must be science based, material neutral and consider the role of packaging, including its functions to protect products and deliver safe food. Such measures must be accompanied by a clear impact assessment that considers all environmental, economic and social indicators, including environmental footprint, water consumption and land use. The assessment should compare the impacts of substituting restricted uses with potential alternative packaging materials, systems, or delivery models. Such restrictions should also be limited to packaging that does not meet the recyclability requirements as established in Article 6.

Recommendation:

- *Delete entire Annex V*

Signatories (in alphabetical order)



Ceflex

A Circular Economy for Flexible Packaging



EUMEPS

European Manufacturers of EPS



EuPC

European Plastics Converters



Flexible Packaging Europe



PCEP

Polyolefin Circular Economy Platform



Plastics Europe

Association of Plastics Manufacturers



SCS

Styrenics Circular Solutions



VinylPlus

Relevant amendments

Internal market

Relevant amendment

- Article 4.4

Commission proposal	Amendment
In case Member States choose to maintain or introduce national sustainability requirements or information requirements additional to those laid down in this Regulation, those requirements shall not conflict with those laid down in this Regulation and the Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.	In case Member States choose to maintain or introduce national sustainability requirements or information requirements additional to those laid down in this Regulation, those requirements shall not conflict with those laid down in this Regulation and the Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.

Design-for-recycling

Relevant amendments

- Article 6.4.

Commission proposal	Amendment
The Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content	By 31 December 2026, the Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content

- Article 6.4.2 part

Commission proposal	Amendment
Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.	Design-for-recycling criteria shall consider established and state of the art collection, sorting and recycling processes as well as characteristics that are important for the quality of the recycle and shall cover all packaging components. These criteria shall be based on publicly available scientific evidence and testing using harmonised

	standards, where available, and shall be non-discriminatory. They shall be reviewed at least every 2 years and updated if necessary. The assessment of the recyclable percentage per unit, as listed in table 2 of Annex II, shall be uniform and non-discriminatory for all packaging materials and formats
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Collection

Relevant amendments

- Article 7 (new paragraph)

Commission proposal	Amendment
	Member States shall ensure that comprehensive collection and sorting infrastructures are in place to guarantee the availability of recycled material

- Article 43.1

Commission proposal	Amendment
Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and high quality recycling.	Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, avoid its landfilling or incineration , and to facilitate its preparation for re-use and high quality recycling.

- Article 43.2

Commission proposal	Amendment
Member States may allow derogations from paragraph 1 provided that collecting packaging or fractions of packaging waste together or together with other waste does not affect the potential of such packaging or fractions of packaging waste to undergo preparing for re-use, recycling or other recovery operations in accordance with Articles 4 and 13 of Directive 2008/98/EC and generates output from those operations which is of comparable quality to that achieved through separate collection.	Member States may allow derogations from paragraph 1 provided that collecting packaging or fractions of packaging waste together or together with other waste does not affect the potential of such packaging or fractions of packaging waste to undergo preparing for re-use, recycling or other recovery operations in accordance with Articles 4 and 13 of Directive 2008/98/EC and generates output from those operations which is of comparable quality to that achieved through separate collection. Member States shall notify the Commission and provide evidence justifying such derogations.

Recycled content

Relevant amendments

- Article 7.1

Commission proposal	Amendment
From 1 January 2030, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging	From 1 January 2030, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging ; as an average of plastic packaging placed on the market per manufacturer/importer.

- Article 7.2

Commission proposal	Amendment
From 1 January 2040, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging	From 1 January 2040, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging ; as an average of plastic packaging placed on the market per manufacturer/importer.

- Article 7.7

Commission proposal	Amendment
By 31 December 2026, the Commission is empowered to adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).	By 31 December 2026, the Commission is empowered to shall adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

- Article 7.10 – Safeguard clause

Commission proposal	Amendment
Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse effects on human or animal health, security of food supply or the environment, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, the Commission shall be empowered to adopt a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In	The Commission shall, <i>no later than five years before the application of the requirements in paragraph 1 and 2</i>, adopt a delegated act, in accordance with Article 58, to define the market conditions making the compliance with the minimum percentages of recycled content in paragraph 1 and 2 excessively difficult, and propose <i>within 6 months of at least one of these conditions being met</i> amendments or derogations to these percentages.

evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment.	By 31 December 2034, the Commission shall assess the technical feasibility of achieving the targets in paragraph 2, taking into account the expected availability of material also considering recycled content targets set for other plastic products.
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Reuse

Relevant amendments

- Article 26.1

Commission proposal	Amendment
From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.	From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 40% of those products are made available in reusable transport packaging within a system for re-use. This target shall not apply to transport packaging that is used to provide shock-absorbing protection and tailored to the specific shape and size of each product type for this purpose, and whose protective functionality cannot be ensured if it was reused.

- Article 26.7

Commission proposal	Amendment
7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:	7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:

- Article 26.9

Commission proposal	Amendment
Economic operators using transport packaging in the form of pallet wrappings and straps for stabilization and protection of products put on pallets during transport shall ensure that: (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;	Economic operators using transport packaging in the form of pallet wrappings and straps for stabilization and protection of products put on pallets during transport shall ensure that:(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;

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- Article 26.10

Commission proposal	Amendment
Economic operators using grouped packaging in the form of boxes, excluding cardboard, used outside of sales packaging to group a certain number of products to create a stock-keeping unit shall ensure that:	Economic operators using grouped packaging in the form of boxes, excluding cardboard , used outside of sales packaging to group a certain number of products to create a stock-keeping unit shall ensure that:

- Article 26.16 – new paragraph (d)

Commission proposal	Amendment
	(d) evidence that the obligations in paragraphs 1 - 13 are environmentally beneficial, safe and economically viable, taking into account transport and cleaning logistics and realistic return and reuse rates.

Restrictions on use of certain packaging formats

Relevant amendments

- Annex V – delete entire annex