



Packaging and Packaging Waste Regulation: how packaging rules will change

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- The PPWR Proposal
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Packaging Directive Revision



Long-awaited

- The European Commission has been working during the last two years on the revision of European Packaging rules with **the aim to have a new Directive by 2025**.
- The objective is to have **all plastic packaging placed in EU to be reusable or recyclable in a cost-effective manner by 2030**
- The European Commission Proposal has been transformed into a **Regulation** and **published on November 30, 2022: the draft Packaging and Packaging Waste Regulation (PPWR)**.
- The **Council and the European Parliament** have finalised their positions on the proposal and the final draft was reached by the three EU institutions in mid-March 2024.
- A draft text can be already viewed and some formal steps are still required for its final publication in the Official Journal of the European Union
 - **Q4 2024 – Expected November 2024 (entry into force 18months after the publication, unless specific deadline is provided)**
- The full draft text can be accessed here
https://www.europarl.europa.eu/doceo/document/TA-9-2024-0318_EN.pdf

Packaging Directive Revision



Drivers

Too much packaging = too much waste & resources used

- Packaging production and consumption has been rising and it does not seem to stop any time soon
 - It has risen from 66 million tonnes in 2009 to 78.5 million tonnes in 2019
 - This was accentuated by new consumption habits (e.g. on-the-go consumption, increased online sales and home deliveries)
- This led to a continuous increase in resources used
- Decrease in reusable packaging and increase in single use has worsened the situation

Low recycling in practice

- Low collection and recycling of many packaging types has led to an increase in packaging waste and litter

Low use of recycled material

- Plastics secondary raw material is not sufficiently used to ensure circularity
- Other materials are also being challenged

▪ Harmonisation

- Moving from a Directive to a Regulation: binding for all parties
- Uniform implementation across all Member states
- Avoidance of national unilateral measures

▪ Prevention of Waste/Minimisation

- Waste reduction targets for Member States
- Packaging minimisation for economic operators
- Restrictions on certain formats (Annex V)

▪ Recyclability

- All packaging formats to be recyclable in theory by 2030 and at a scale by 2035
- Recyclability to be assessed with Design for Recycling criteria
- Eco-modulation of EPR fees based on recyclability and recycled content

▪ Reuse/Refill

- Targets of reuse by 2030 and 2040 for various types of formats and operators
- Mandatory DRS for plastic bottles and cans, unless 90% national collection

▪ Recycled content targets

- Recycled content targets by 2030 and 2040 for all types of packaging
- Requirement per average of manufacturing plant
- For plastic packaging only

▪ Labelling

- Harmonisation of labelling of packaging
- Binding labelling requirements for reuse, DRS and sorting
- Voluntary labels for recycled content

Regulation vs Directive

The logo for the Packaging and Packaging Waste Regulation (PPWR) consists of the letters 'PPWR' in a bold, blue, sans-serif font with a white outline, set against a solid yellow rectangular background.

Legal aspects

Legal form

- The European Commission has proposed a new legal form: from a Directive – Member States (MS) have some freedom in implementing EU rules within 2 years, sometimes over-implementing – to a Regulation - the legislation is immediately binding for anybody: public authorities, consumers, companies etc
- **A regulation allows full and even harmonisation across Member States and avoid over-implementation**

Legal basis

- The **current Packaging Directive and new proposal are based on the Single market** (free circulation of goods) which does not allow for unilateral measures by MS
- The SUP Directive (*lex specialis*) is based on the protection of the environment – a value coded hierarchically higher than the free circulation of goods – which allows for more stringent legislations at national level

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Recyclability in theory

- All packaging items have to undergo a recyclability assessment procedure for the category to which it belongs, to assure they meet the design for recycling (DfR) criteria established in a Delegated Act. The recycling performance in practice is verified by means of a methodology developed subsequently to the DfR criteria.
- Packaging is assigned a grade from A to C (below 70%) – Lower than 70% is considered as technically not recyclable
- **As from 2030 only packaging scoring grades A - C can be placed on the market.**
- Exception for innovative packaging (max 5 years), for certain packaging of pharmaceuticals and medical devices (max. up to 2035)
- EPR fees to be modulated based on this assessment
- Inclusion of list of indicative parameters – Annex II Table 2 (see further slide)

Grade	Score of compliance with DfR criteria of a unit of packaging
A	95%
B	80%
C	70%
D	70%
E	Less than 70%

* in terms of weight of the unit of packaging

Grade	Score of compliance with DfR Criteria per unit of packaging (in terms of weight)
A	95%
B	80%
C	70%

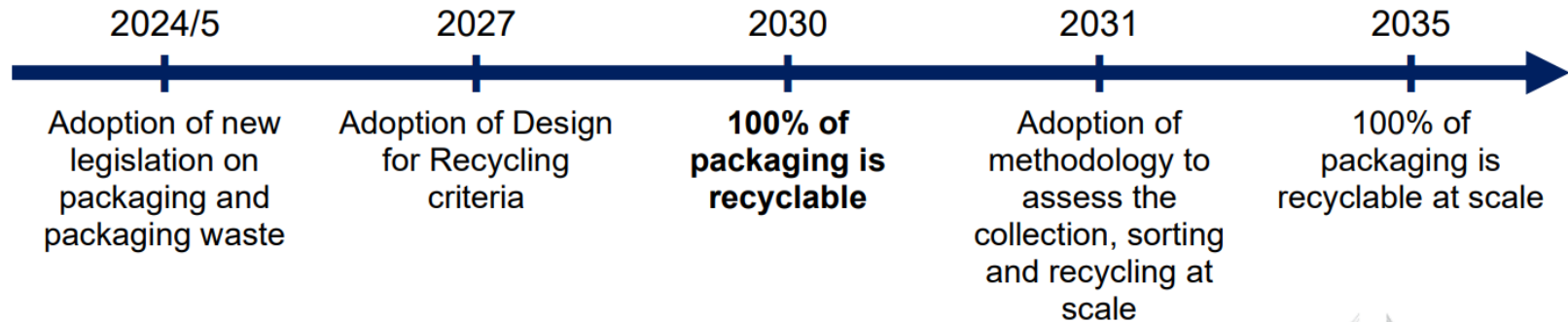
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Recyclability in practice

- The recycling performance in practice will be verified as of 2035 by means of a methodology to be developed subsequently to the Design for Recycling (DfR) criteria.
- The recycling in practice means **at scale: established processes proven in an operational environment which ensure at EU level an annual quantity of recycled material equal to or greater than 55% recycled content for plastics or 30% for other materials**
- The delegated act with DfR criteria and performance grades will, where necessary, be amended accordingly.
- As from 2035 only packaging scoring grades A-C (then including recyclable 'at scale') can be placed on the market.



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Recycled content

Minimum percentage targets of **plastic post-consumer recycled content per average of manufacturing plant** will apply as follows:

Targets for recycled content in packaging containing plastic part		
Packaging	2030	2040
SUP Beverage bottles	30%	65%
Contact sensitive packaging:		50%
PET as major component	30%	
PET is not as major component	10%	25%
Other plastic packaging	35%	65%

Methodology to calculate and verify the percentage of recycled content will be established in a Commission implementing act **by 31 December 2026**, incl. assessment of quality.

} SUP Directive

Exemptions for immediate packaging, CS for medical devices/in vitro diagnostics, compostable packaging (mandatory by MS by 2026), for transport of dangerous goods, packaging for infant foods and packaging whose plastic component represents less than 5% of the packaging's total weight.

Recycled content targets **for other materials may be established in the future and review of these targets by 2028, plus excessive prices or lack of availability review**



Compostability

- 3 packaging formats (tea and coffee bags, fruit and vegetable sticky labels and very light plastic carrier bags) must be compostable so that these packaging can go together with the product into the biowaste stream.
- MS can also add additional formats to this list by 2026, which would be out of ban targets.

Deposit Return Systems

- Setting up of mandatory Deposit Return Systems (DRS) for plastic bottles and metal cans
- Minimum requirements for all DRS systems
- Exemption from the requirement to introduce a DRS for member states if they reach a separate collection rate of above 80% in 2026 and if they submit an implementation plan with a strategy for achieving the overarching 90% separate collection target

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Restricted packaging formats

- Article 25 (formerly 22) PPWR introduces a list of packaging formats which will have to be **prohibited as from January 2030**.
- It foresees as well the possibility for Member States to **maintain existing** - prior to 2025 - **national restrictions** in the same formats of different materials.
- Member States can also allow the prohibited formats if **compostable**.
- 6 types of packaging to be restricted are listed in Annex V:** mainly affecting plastics single use packaging (the **restrictions of the Single Use Plastics Directive are kept** and the provisions of the SUP Directive prevail in case of contrast with the PPWR)
- Additional types might be added later on by the Commission**, taking into account the **environmental impact and the availability of alternatives** in line with the requirements applicable to sensitive contact packaging and the prevention of microbiological contamination.



Labeling

- The Regulation provides for the following labels to be affixed to packaging:
 1. Mandatory European **composition labeling to facilitate separate waste collection for consumers**, inspired by the Nordic pictogram system (e-commerce included, transport packaging excluded).
 2. Mandatory labeling on **packaging intended for DRS**
 3. A **mandatory European labeling of reusable packaging including QR code** with detailed information on collection points and to facilitate traceability
 4. Harmonized but **voluntary criteria** for labeling **recycled content**
- Abandonment of the current labeling based on the alphanumeric logo
- Prohibition of any label that is misleading or could confuse consumers/end users on the sustainability, characteristics or end of life of the packaging

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Prevention and Reuse

Target of 5% reduction for Member States of packaging waste by 2030 compared to the baseline of 2018 (10% by 2035 and 15% by 2040); with endeavor of MS to reduce plastic packaging waste in particular.

These targets are on Member States & complemented by other measures:

Waste Prevention

- Requirement to minimise packaging volume and weight
- Limiting void space:
 - In sales packaging (obligation of manufacturer)
 - In grouped, transport and e-commerce packaging (obligation of economic operators supplying goods using such packaging)
- Avoiding unnecessary packaging

Re-use

- Addressing reusable packaging formats and reuse systems
- **Sector specific re-use targets on economic operators; exemptions based on:**
 - Micro-company status
 - sales area and
 - amount of packaging placed on the market

Art. 29 (1-3) – Reuse targets for transport packaging

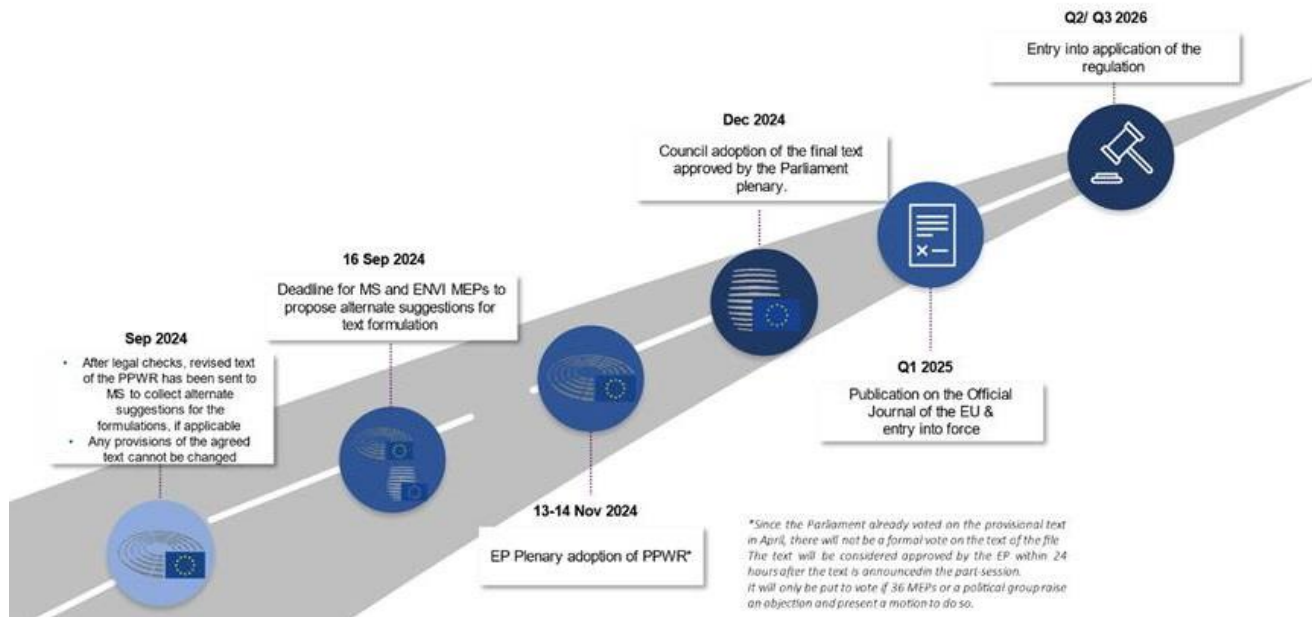
Main rule is a **40% target – per year - of reusability of transport packaging as from 2030** (aspirational 70% by 2040) of the following formats:

- pallets,
- foldable-plastic boxes,
- boxes,
- trays,
- plastic crates,
- intermediate bulk containers,
- pails, drums and canisters of all sizes and materials, including flexible formats or
- pallet wrappings or straps for stabilisation and protection of products put on pallets during transport

By way of derogation this main rule, economic operators have a **100% reuse target for the same formats:**

- when transporting products within the territory of the European Union between different sites (**intra-company transport**) and
- for delivering products to another economic operator within the same Member State (**intra-Member state transport**)

PPWR Provisional timeline with corrigenda





Questions?

Thank you for the kind attention

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