

## ACE position paper on the review of the EU requirements for packaging and other measures to prevent packaging waste

The packaging sector can and should contribute to achieving the climate neutrality objectives of the European Green Deal by minimising the climate impact of packaging materials, while reducing waste and improving the circularity of packaging solutions.

A future-proof Packaging and Packaging Waste Directive (PPWD) should take an outcome-based approach to revising Essential Requirements for packaging, and should mandate that by 2030 all packaging is low-carbon, recyclable or reusable, and that raw materials are responsibly sourced. An outcome-based approach to packaging would avoid potential trade-offs between reusable packaging and their environmental impacts. This approach should be underpinned by clear targets, criteria and definitions, thus ensuring a well-functioning EU Internal Market and driving investments in innovative materials and recycling technologies without imposing further restrictions.

The revised PPWD should be based on a **set of principles** and **objectives** which achieve the following:

- Ensure the integrity of the EU Internal Market through clear requirements and harmonised EU legislation that fosters innovation;
- Set targets to increase the collection and recycling of packaging, such as beverage cartons, and reduce the generation of residual waste that is not reused or recycled, and therefore landfilled or incinerated.
- Incentivise packaging which is sustainable and indispensable for a resilient European food supply system.
- Ensure harmonised implementation by providing clear definitions for the concepts and criteria referred to in the revised legislative text;
- Support the EU's transition towards a strategic autonomy, which reduces dependency on imported materials.
- Create a level-playing field through a technology and material-neutral, non-discriminatory approach, in particular for innovative solutions.
- Set a stable regulatory framework for industry to invest in sustainable and innovative packaging, which might otherwise be hampered through restrictions on specific packaging materials or formats.

Packaging is designed to fulfil specific purposes and functions. The revised Essential Requirements must strike the right balance between the functionality of packaging and the objectives of the PPWD to minimise the environmental impact of packaging. They must therefore:

**Provide a clear and enforceable definition of recyclable packaging, which will eliminate residual waste and allow the achievement of the PPWD's objectives while safeguarding health of consumers and reducing food waste.** Recyclable packaging is that which can be effectively and efficiently separated from the waste stream, collected, sorted and aggregated into defined streams for recycling processes, and recycled at scale through such that it is turned into a secondary raw material, and of a sufficient quality that it can find end markets to replace the use of primary raw material.<sup>1</sup> Such a definition would also ensure that recyclable packaging is material and technology-neutral. However, sorting, collection and recycling technologies must be in place for packaging to be recyclable.

<sup>1</sup> "Effectiveness of the Essential Requirements for Packaging and Packaging Waste and Proposals for Reinforcement", Final Report and Appendices, p. 131, available at <https://op.europa.eu/en/publication-detail/-/publication/05a3dace-8378-11ea-bf12-01aa75ed71a1>.



**Ensure that packaging design requirements minimise the impact on climate and reduce the carbon footprint of packaging from sourcing to the end-of-life.**

The revised PPWD should mandate that packaging marketed in Europe after 2030 complies with strict standards on carbon footprint, recyclability and ethical sourcing of raw materials<sup>2</sup>. Using materials with the lowest carbon impact<sup>3</sup> or recycled materials helps to substitute fossil-based high-carbon resources and are key to reaching the EU's climate neutrality goals.<sup>4</sup>

**Incentivise the use of more recycled content in packaging where secondary raw material markets are not yet mature, while safeguarding the quality of materials in contact with food and beverages.**

Food safety is the highest priority for our industry, therefore all materials used in packaging (be it primary or recycled) need to be fully assessed for their suitability for food contact applications. Recycled content targets should be ambitious but feasible, while remaining open to technological developments in terms of materials and recycling. The market for recycled plastics is very limited today. Mechanical recycling technologies are not available for all types of polymers – particularly those used to protect perishable foods. Currently, there are no existing EFSA approvals on the suitability of recycled content of LDPE / HDPE for food contact materials. Any requirements on recycled content in packaging should result in positive environmental impacts, avoid disturbing well-functioning recycling loops<sup>5</sup> and allow for packaging to be further recycled.

**Take into account all scientific, environmental, health and economic impacts of reusable packaging throughout its life cycle before mandating it through regulation.**

As single-use packaging includes packaging formats made from different materials with different environmental assets or littering potential,<sup>6</sup> it should not be regulated as one category.

When considering reuse systems of packaging, the revised PPWD should take into account the environmental impact of packaging across its entire lifecycle, not only at end-of-life. This includes the sourcing of raw materials, manufacturing and use phases, as well as carbon footprint and recycling rates, in order to avoid unintended consequences and a higher environmental impact overall.

Single-use packaging that is recyclable, recycled at scale and made from responsibly-sourced low-carbon materials scores better or equal in terms of climate impact than other reusable packaging systems. This is the case for beverage cartons<sup>7</sup>, whose global warming potential, on

<sup>2</sup> Similarly to the approach taken by the European Commission in its proposal for a Regulation concerning batteries and waste batteries, COM(2020) 798 final, available at <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12399-Modernising-the-EU-s-batteries-legislation>.

<sup>3</sup> Such as sustainably-sourced renewable materials that can be also recycled.

<sup>4</sup> Sustainable packaging - The Role of Materials Substitution, Material Economics, available at <https://materialeconomics.com/publications/sustainable-packaging>.

<sup>5</sup> The recycling stream for paper and board packaging is well-functioning today, with a 82.9% recycling rate in 2018, according to Eurostat. In 2019, across the EU28, 51% of the paperboard used in beverage cartons was recycled, according to average EU figures and in line with current EU recycling rate calculation rules.

<sup>6</sup> European Commission Staff Working Document Reducing Marine Litter: action on single use plastics and fishing gear, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018SC0254>.

<sup>7</sup> "Reusable v single-use packaging – A review of environmental impacts", Zero Waste Europe & ReLoop, p. 40, available at <https://zerowasteurope.eu/library/reusable-vs-single-use-packaging-a-review-of-environmental-impact/>.



average, yield significantly better results than PET bottles and single-use glass bottles<sup>8</sup>. Beverage cartons have a significantly greater packaging efficiency than single-use and reusable glass bottles. A truck can be loaded with 25% to 41% more milk using beverage cartons compared to glass bottles. Even if the entire European Union achieves a 90% collection rate for PET bottles by 2030, plastic consumption would still be higher than with beverage cartons.<sup>9</sup> Beverage cartons have a low littering potential, contribute to Green Deal ambitions and should be incentivised. Restrictions on the use of specific packaging materials or formats deter innovation and risk being counterproductive. Single-use packaging for food and beverages has clear hygienic advantages when it comes to food and consumer safety and is essential for the overall resilience and sustainability of the food system.

Today, one out of two beverage cartons are recycled EU-wide<sup>10</sup>. As packaging design alone will not increase recyclability, the beverage carton industry is actively working to increase recycling rates year by year by investing in innovative materials and recycling technologies.<sup>11</sup> To achieve this ambitious commitment, however, it is essential that Member States ensure the necessary infrastructure and legislative frameworks to secure the separate collection of recyclable waste. Separate collection is essential to increase the recycling of beverage cartons. Mandatory collection-for-recycling targets for recyclable packaging formats such as beverage cartons are needed to increase investment and innovation in collection, sorting and recycling technologies. **Therefore, ACE calls for the forthcoming PPWD to set out mandatory separate collection targets for beverage cartons.**

An outcome-based regulatory approach to the revised PPWD should mandate that packaging placed on the market by 2030 is low-carbon, recyclable or reusable. If packaging complies with these requirements, no further restrictions should apply. This approach would allow industry to innovate and improve the circularity of existing packaging solutions, while securing the availability of essential packaging for the food and beverage sector.

## About ACE

The Alliance for Beverage Cartons and the Environment (ACE) provides a European platform for beverage carton manufacturers and their paperboard suppliers to benchmark and profile beverage cartons as a safe, circular, and sustainable packaging solution with low carbon benefits.

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<sup>8</sup> Supporting evidence - Environmental performance of beverage cartons, Circular Analytics, available at [https://www.beveragecarton.eu/wp-content/uploads/2021/01/ACE-Circular\\_Analytics\\_ACE\\_report.pdf](https://www.beveragecarton.eu/wp-content/uploads/2021/01/ACE-Circular_Analytics_ACE_report.pdf)

<sup>9</sup> Supporting evidence - Environmental performance of beverage cartons, Circular Analytics, [https://www.beveragecarton.eu/wp-content/uploads/2021/01/ACE-Circular\\_Analytics\\_ACE\\_report.pdf](https://www.beveragecarton.eu/wp-content/uploads/2021/01/ACE-Circular_Analytics_ACE_report.pdf)

<sup>10</sup> <https://www.beveragecarton.eu/news/ace-announces-increased-recycling-rate-for-beverage-cartons/>

<sup>11</sup> Please see the collaboration of the beverage carton industry with its recycling chain via its pan-European platform on carton recycling, [EXTR:ACT](#).