

APEAL (steel for packaging) position paper on Packaging and Packaging Waste Regulation (PPWR) proposal COM(2022)0677

Annex - APEAL amendment proposals:

Chapter I - General provision

Proposal for a regulation Article 3 - point (32 a new):

<i>Text proposed by the Commission</i>	Article 3 (32 a new) Proposed amendment:
	<i>(32a new) ‘High quality recycling’ means any processes by which materials are sufficiently and effectively collected, sorted and recycled, and are able to withstand multiple recycling loops without any change to their main material properties. The generated secondary raw materials are of sufficient quality to substitute the primary raw materials for packaging applications or any other application of similar quality.</i>
Justification: A definition of “high quality recycling” is missing. The suggested amendment to Article 3 (32 a new) is in line with the European Parliament’s resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI)) which “...stresses the need to increase the availability and quality of recyclates, focusing on the ability of a material to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications; in this context underlines the need to stimulate both increased recyclability in product design and measures such as effective separate collection...”	

Chapter II - Sustainability requirements

Article 6 – Recyclable packaging

Proposal for a regulation Article 6 – paragraph 2 – NEW paragraph 3

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
	<p><i>Packaging shall be considered highly recyclable where it complies with the point (a) to (e) above and, additionally, is suitable for high quality recycling.</i></p>
<p>Justification: The requirements in Article 6, paragraph 2, should also encourage recycling chains of packaging materials instead of rewarding only single or few recycling steps. Materials that can be recycled multiple times must be considered. Only this creates the basis for such materials to be adequately promoted in the delegated acts still to be drawn up pursuant to paragraph 4 and the modulation of the EPR contributions.</p> <p>Article 8(2) of the EU Waste Framework Directive obliges the Member States to consider the impact of products throughout their entire life cycle, the waste hierarchy and, where applicable, the potential for multiple recycling in all measures relating to extended producer responsibility (EPR). With the new requirement of “highly recyclable packaging”, the EU is rightly reacting to the sharp increase in the use of single-use materials that can only be recycled once or in a limited number. This is an important contribution to improving the supply of raw materials to industry, but also a clear impetus for more resource efficiency and climate protection.</p> <p>This new requirement of “highly recyclable packaging” also considers the European Parliament’s resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI) which “stresses the need to increase the availability and quality of recyclates, focusing on the ability of a material to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications”.</p>	

Proposal for a regulation Article 3 - point (32):

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least 75 % of the Union population, including packaging waste exported from the Union that meets the requirements of Article 47(5);</p>	<p>(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least 90 % of the Union population and 2/3 of the Member States, including packaging waste exported from the Union that meets the requirements of Article 47(5);</p>
<p>Justification: The largest 8 Member States in terms of population correspond to approximately 75% of the population. In order to ensure that the Regulation is effectively implemented at EU-level, the threshold should be increased to 90% of the Union population and at least 2/3 of the Member States, thereby guaranteeing a level playing field for all packaging materials.</p>	

Proposal for a regulation Recital (12):

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, and increased re-use of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and final disposal.</p>	<p>In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, increased re-use of packaging and increased recyclability of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and reduce landfill of packaging. In order to increase the availability and quality of recyclates, the focus should be on the raw materials ability to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications.</p>
<p>Justification: The European Parliament’s resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI) “stresses the need to increase the availability and quality of recyclates, focusing on the ability of a material to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications”. As all packaging needs to be reusable or recyclable by 2030 (EGD and CEAP), landfilling packaging waste should be avoided.</p>	

Proposal for a regulation Article 6 – paragraph 2 – subparagraph 2:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
Point (a) shall apply from 1 January 2030 and point (e) shall apply from 1 January 2035.	Point (a) and (e) shall apply from 1 January 2030.
Justification: In line with the European Green Deal and its Circular Economy Action Plan and the European Commission’s ambition to require that all packaging placed on the EU market shall be reusable or recyclable in an economically viable way by 2030. Postponing the criteria related to being recycled at scale to 2035 is in contradiction with this objective.	

Proposal for a regulation Article 6 – paragraph 3:

<i>Text proposed by the Commission</i>	<i>Draft APEAL amendment</i>
Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).	From 1 January 2030, recyclable packaging shall comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).
Justification: In line with the European Green Deal and its Circular Economy Action Plan and the European Commission’s ambition to require that all packaging placed on the EU market shall be reusable or recyclable in an economically viable way by 2030. Postponing the criteria related to being recycled at scale to 2035 is in contradiction with this objective.	

Proposal for a regulation recital 26 a (new):

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
	<p><i>(26 a) The review of the Directive 94/62/EC should be complemented by a review of the Landfill Directive¹ aiming at accelerating the phase-out of landfill of packaging waste.</i></p>
<p>Justification: Eurostat figures point out that 19,8% of packaging waste is “not treated” which implies that, in most cases, it is being landfilled (source: Eurostat - Packaging waste generation and treatment: 2020 data). The EU’s approach to waste management is based on the waste hierarchy, with landfill being the least desirable and should be used only if absolutely necessary. (source : EEA “Diversion of waste from landfill in Europe” - https://www.eea.europa.eu/ims/diversion-of-waste-from-landfill). Furthermore, methane emissions in EU are further reduced by diverting waste going to landfill (source: EEA report “Methane emissions in the EU: the key to immediate action on climate change”, November 2022).</p>	

Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste

Proposal for a regulation Article 6 – paragraph 4 – subparagraph 1:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>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. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.</p>	<p>The Commission is empowered to adopt delegated acts by 1 January 2028 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. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.</p>
<p>Justification: (1) As in the European Green Deal and its Circular Economy Action is stated that all packaging needs to be reusable or recyclable in an economically viable way by 2030, the Delegated Acts clarifying the methodology to assess the recyclability of packaging should be established prior to 2030. (2) The modulation of extended producer responsibility (EPR) fees should be based on the same criteria for all packaging materials and as recycled content targets are only set for plastic packaging, recycled content should not be considered as a criterion for EPR fees, thereby guaranteeing a level playing field for all packaging materials.</p>	

Proposal for a regulation Article 6 – paragraph 6 – subparagraph 1:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>The Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:</p>	<p>By 1 January 2028, the Commission shall establish the methodology to assess if packaging is recyclable at scale for each packaging type listed in Table 1 of Annex II. That methodology shall be based at least on the following elements:</p>
<p>Justification: As in the European Green Deal and its Circular Economy Action is stated that all packaging needs to be reusable or recyclable in an economically viable way by 2030, the Delegated Acts clarifying the methodology to assess if a packaging is recyclable at scale should be established prior to 2030.</p>	

Proposal for a regulation Article 6 – paragraph 6 – (d bis) NEW

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
	<p><i>(d) bis Twelve months after the entry into force of the delegated acts in accordance with paragraph 4 and 6 of this Article, in order to increase the level of recyclability of packaging and the level of recycled content of plastic packaging, the financial contributions paid by producers to comply with their extended producer responsibility obligations as laid down in Article 40 shall be modulated based on the performance grades regarding recyclability as determined in accordance with the delegated acts referred to in paragraph 4 and 6 of this Article and, additionally, on the net cost of collection, sorting and recycling per packaging material of article 46 and in line with article 8a, paragraph 4 (a) of the Waste Framework Directive.</i></p>
<p>Justification: Net cost per packaging material guarantees that the eco-modulated EPR-fees would consider the specific net costs per packaging material, avoiding cross-subsidising of a packaging material by other packaging material. Text is included in order to anchor the delegated act to an obligation and also to refer to article 8a, paragraph 4 (a) of the Waste Frame Directive, paragraph in which is stated that Member States need to take the necessary measures to ensure that the financial contributions paid by the producer of the product to comply with its extended producer responsibility. obligations cover a set of defined costs, incl. the costs of separate collection of waste and its subsequent transport and treatment.</p>	

Proposal for a regulation Article 6 – paragraph 7 – point (e):

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>(e) the manner in which to assess the recyclability at scale for each packaging category listed in Table 1 of Annex II <i>in order to establish, as of 2035, updated recyclability performance grades.</i></p>	<p>(e) the manner in which to assess the recyclability at scale for each packaging category listed in Table 1 of Annex II.</p>
<p>Justification: In line with the European Green Deal and its Circular Economy Action Plan and the European Commission’s ambition to require that all packaging placed on the EU market shall be reusable or recyclable in an economically viable way by 2030. Postponing the criteria related to being recycled at scale to 2035 is in contradiction with this objective.</p>	

Proposal for a regulation Recital 22:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.</p>	<p>In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2030. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling as laid down in the New Circular Economy Action Plan.</p>
<p>Justification: In line with the European Green Deal and its Circular Economy Action Plan and the European Commission’s ambition to require that all packaging placed on the EU market shall be reusable or recyclable in an economically viable way by 2030. Postponing the criteria related to being recycled at scale to 2035 is in contradiction with this objective.</p>	

Proposal for a regulation Article 6 – paragraph 9 – subparagraph 1:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market for a maximum period of 5 years after the end of the calendar year when it has been placed on the market.</p>	<p>From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market for a maximum period of 2 years after the end of the calendar year when it has been placed on the market.</p>
<p>Justification: The EU should promote innovation in packaging, but the additional time granted should be limited to speed up full compliance with the objectives of the New Circular Economy Action Plan and create a level-playing field between the various packaging materials and packaging types.</p>	

Proposal for a regulation Recital 23:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>In order to stimulate innovation in packaging, it is appropriate to allow that packaging, which presents innovative features resulting in significant improvement in the core function of packaging and has demonstrable environmental benefits, is given limited additional time of five years to comply with the recyclability requirements. The innovative features should be explained in the technical documentation accompanying the packaging.</p>	<p>In order to stimulate innovation in packaging, it is appropriate to allow that packaging, which presents innovative features resulting in significant improvement in the core function of packaging and has demonstrable environmental benefits, is given limited additional time of two years to comply with the recyclability requirements. The innovative features should be explained in the technical documentation accompanying the packaging.</p>
<p>Justification: The EU should promote innovation in packaging, but the additional time granted should be limited to speed up full compliance with the objectives of the New Circular Economy Action Plan and create a level-playing field between the various packaging materials and packaging types.</p>	

Proposal for a regulation Article 6 – paragraph 11:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).</p>	<p>The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article.</p>
<p>Justification: (1) As in the European Green Deal and its Circular Economy Action is stated that all packaging needs to be reusable or recyclable in an economically viable way by 2030, the Delegated Acts clarifying the methodology to assess the recyclability of packaging should be established prior to 2030. (2) The modulation of extended producer responsibility (EPR) fees should be based on the same criteria for all packaging materials and as recycled content targets are only set for plastic packaging, recycled content should not be considered as a criterion for EPR fees, thereby guaranteeing a level playing field for all packaging materials.</p>	

Article 7 – Minimum recycled content in plastic packaging

Proposal for a regulation Article 7 – paragraph 6:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<i>By 1 January 2030, the financial contributions paid by producers to comply with their extended producer responsibility obligations as laid down in Article 40 shall be modulated based on the percentage of recycled content used in the packaging.</i>	<i>deleted</i>
Justification: The modulation of extended producer responsibility (EPR) fees should be based on the same criteria for all packaging materials and as recycled content targets are only set for plastic packaging, recycled content should not be considered as a criterion for EPR fees, thereby guaranteeing a level playing field for all packaging materials.	

Chapter I - General provision

Article 3 - Definitions

Proposal for a regulation Article 3 - point (19):

	<i>APEAL amendment proposal</i>
'composite packaging' means a unit of packaging made of two or more different materials, excluding materials used for labels, closures <i>and</i> sealing, which cannot be separated manually and therefore form a single integral unit;	'composite packaging' means a unit of packaging made of two or more different materials, excluding materials used for labels, closures, sealing <i>and lacquers</i> , which cannot be separated manually and therefore form a single integral unit;
Justification: Lacquers are an intrinsic part of most food contact packaging and are designed to avoid interaction between product and packaging. Lacquers cannot be manually separated and are therefore integral to the packaging on which they are used.	

Chapter IV – Obligations of economic operators other than the obligations in Chapters V and VII

Article 26 – Re-use and refill targets

Proposal for a regulation Article 26 - paragraph 7:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>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:</p> <p>(a) from 1 January 2030, 30 % of such packaging used is reusable packaging within a system for re-use;</p> <p>(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use.</p>	<p>Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:</p> <p>(a) from 1 January 2030, 30 % of such packaging used is reusable packaging within a system for re-use;</p> <p>(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use.</p>
<p>Justification: pails and drums are sales packaging/primary packaging, not transport packaging. Transport packaging relates in most cases to packaging in industry and business or e-commerce-packaging.</p>	

Proposal for a regulation Article 26 - paragraph 12 - subparagraph 2:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.</p>	<p>This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, of all sizes and materials, including flexible formats.</p>
<p>Justification: Intermediate bulk containers, pails and drums are sales packaging/primary packaging, not transport packaging. Transport packaging relates in most cases to packaging in industry and business or e-commerce-packaging.</p>	

Proposal for a regulation Article 26 - paragraph 13 - subparagraph 2:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>This obligation applies to pallets, boxes, excluding cardboard, plastic crates <i>intermediate bulk containers, and drums</i>, of all sizes and materials, including flexible formats.</p>	<p>This obligation applies to pallets, boxes, excluding cardboard, plastic crates, of all sizes and materials, including flexible formats.</p>
<p>Justification: Intermediate bulk containers and drums are sales packaging/primary packaging, not transport packaging. Transport packaging relates in most cases to packaging in industry and business or e-commerce-packaging.</p>	

Chapter VII – Management of packaging and of packaging waste

Article 38 – Prevention of packaging waste

Proposal for a regulation Article 38 – paragraph 1:

<i>Text proposed by the Commission</i>	<i>APEAL amendment proposal</i>
<p>Each Member State shall reduce the packaging waste generated per capita, as compared to the packaging waste generated per capita in 2018 as reported to the Commission in accordance with Decision 2005/270/EC, by</p> <p>(a) 5 % by 2030; (b) 10 % by 2035; (c) 15 % by 2040.</p>	<p>Each Member State shall reduce the packaging waste generated per capita, as compared to the packaging waste generated per capita in 2018 as reported to the Commission in accordance with Decision 2005/270/EC, by</p> <p>(a) 5 % by 2030 for each of the materials contained in packaging waste listed in article 46; (b) 10 % by 2035 for each of the materials contained in packaging waste listed in article 46; (c) 15 % by 2040 for each of the materials contained in packaging waste listed in article 46.</p>
<p>Justification: The PPWR Impact Assessment shows that the proposed overall reduction targets will not ensure that all packaging materials contribute individually, equally and fairly to waste reduction. Setting an overall (i.e., non-material specific) target would thus risk promoting a shift to substitute one packaging material with another, with no other consideration than weight. Material-specific packaging waste reduction targets would achieve the same reduction in the total amount of packaging placed on the market compared to the proposed overall waste reduction target but would ensure a fair effort sharing by all materials.</p>	

ANNEXES to the Proposal for a Regulation

Annex II – Categories and parameters for assessment of recyclability of packaging

Proposal for a regulation Annex II, table 1: indicative list of packaging materials, types and categories referred to in article 6 point 6:

OPTION 1 - types and categories referred to in article 6 point 6:

<i>Text proposed by the Commission</i>				<i>APEAL amendment proposal</i>			
Category No	Predominant packaging material	Packaging type	Format (illustrative)	Category No	Predominant packaging material	Packaging type	Format (illustrative)
5	Metal	Steel	Rigid packaging formats (aerosols, cans, paint tins, boxes, etc.) made of steel, including tinplate	5	Metal	Steel	Rigid packaging formats (food cans, paint cans, aerosols, closures, kegs, drums, pails, canisters, intermediate bulk containers, boxes etc.) made of steel, including tinplate
6	Metal	Composite packaging, which the majority is steel	Drums, tubes, cans, boxes, trays, etc.	6	Metal	Composite packaging of which the majority is steel	Beverage cans
Justification: Technical clarification regarding the classification of steel packaging products.							

OPTION 2 - types and categories referred to in article 6 point 6:

<i>Text proposed by the Commission</i>				<i>APEAL amendment proposal</i>			
Category No	Predominant packaging material	Packaging type	Format (illustrative)	Category No	Predominant packaging material	Packaging type	Format (illustrative)
5	Metal	Steel	Rigid packaging formats (aerosols, cans, paint tins, boxes, etc.) made of steel, including tinplate	5	Metal	Steel	Rigid packaging formats (food cans, paint cans, aerosols, closures, kegs, drums, pails, canisters, intermediate bulk containers, boxes etc.) made of steel, including tinplate
6	Metal	Composite packaging, which the majority is steel	Drums, tubes, cans, boxes, trays, etc.				
Justification: Technical clarification regarding the classification of steel packaging products.							

Proposal for a regulation Annex II, table 2: Recyclability performance grades:

<i>Text proposed by the Commission</i>		<i>APEAL amendment proposal</i>	
Recyclability Performance Grade	Assessment of recyclability per unit, in weight	Recyclability Performance Grade	Assessment of recyclability per unit, in weight
Grade A	higher or equal to 95 %	Grade A	higher or equal to 95 %
Grade B	higher or equal to 90 %	Grade B	higher or equal to 90 %
Grade C	higher or equal to 80 %	Grade C	higher or equal to 80 %
Grade D	higher or equal to 70 %	Grade D	higher or equal to 70 %
Grade E	lower than 70 %	Grade E	lower than 70 %
		<p><i>GRADE A: the score of compliance with design for recycling criteria of a unit of packaging is higher or equal to 95% in terms of weight of the unit of packaging. This packaging should be able to be recycled multiple times and is fully compatible with the design for recycling criteria. The generated secondary raw material is of comparable quality to feed a closed material loop scheme. This packaging is highly recyclable.</i></p> <p><i>GRADE B: the score of compliance with design for recycling criteria of a unit of packaging is higher or equal to 90% in terms of weight of the unit of packaging. The packaging may have some minor recyclability issues that slightly affect the quality of the generated secondary raw material. However, the majority of the generated secondary raw material from this packaging can still potentially feed a closed material loop.</i></p>	

	<p><i>GRADE C: the score of compliance with design for recycling criteria of a unit of packaging is higher or equal to 80% in terms of weight of the unit of packaging. The packaging presents some recyclability issues that may affect the quality of the generated secondary raw materials and may lead to material losses during recycling.</i></p> <p><i>GRADE D: the score of compliance with design for recycling criteria of a unit of packaging is higher or equal to 70% in terms of weight of the unit of packaging. The packaging has significant design issues that highly affect its recyclability or imply large material losses during recycling.</i></p> <p><i>GRADE E: the score of compliance with design for recycling criteria of a unit of packaging is lower than 70% in terms of weight of the unit of packaging. The package is not recyclable because of design issues.</i></p>
<p>Justification: Detailed design for recycling guidelines will be elaborated in Delegated Acts, however, to guarantee a level playing field for all packaging materials, minimum criteria for all the packaging recyclability performance grades need to be integrated in the Regulation itself.</p>	