



Revision of the EU Packaging & Packaging Waste Directive - Permanent Materials Position Paper

CONTEXT

Within the context of the European Green Deal (EGD) and the new Circular Economy Action Plan (CEAP), the European Commission is committed to developing requirements to ensure that all packaging in the EU market is reusable or recyclable in an economically viable way by 2030. The Commission is reviewing the requirements on packaging and packaging waste in the EU. This includes assessing how to improve packaging design to promote reuse and recycling, increase recycled content in packaging, tackle excessive packaging and reduce packaging waste.

ALUMINIUM, GLASS, STEEL

The aluminium, glass and steel sectors are **top performers** in recycling packaging materials. With respective rates of 76.1%, 76.4% and 84%¹ our industries have worked closely with European, national and local authorities, Extended Producer Responsibility Schemes, waste management operators and, last but not least, customers, brands and civil society at large, to invest in collection systems that underpin the recycling infrastructure.

As permanent materials, aluminium, glass and steel can be recycled over and over again without losing their key intrinsic properties, thus maintaining circular material loops. A **'permanent material'** is a material whose inherent properties do not change, regardless of the number of times it goes through a recycling process. It means that once it is produced for the first time and properly collected, sorted and processed at the end of its life, it becomes the **raw material for new and endless production loops**. Such materials are, and will remain, at the heart of any proven and well-functioning Circular Economy.

We fully support the European Commission's ambition to make all packaging recyclable or reusable in an economically viable way by 2030 and would like to outline our common position **on key elements of the upcoming revision of the Packaging and Packaging Waste Directive:**

- Recyclability
- Separate collection of waste and EPR
- Recycled content and recycled content reporting
- Overpackaging and Waste prevention
- Green Public Procurement

¹ Recycling rate for respective aluminium beverage cans (2018), glass containers (2018) and all steel for packaging (2019) segments.

1) Recyclability:

We fully support the Commission's intention to introduce a clear, harmonised and enforceable definition of "recyclable packaging". We consider that each packaging format should be collectable, sortable, recyclable **in practice and at scale through relevant industrial processes** (and not just in a theoretical sense) such that it is turned into a secondary raw material and of a sufficient quality that it can find end markets to substitute for the use of primary raw material. This definition should be complemented by design for recycling methodologies.

We also support the consistent position taken by European Parliament in their resolution on the New Circular Economy Action Plan (par. 39.): *"Underlines the need to promote a high quality of material collection flows, reuse and recycling, to maintain materials at their highest value and to achieve clean, non-toxic and sustainable closed material loops; **stresses the need to increase the availability and quality of recyclates, focusing on the ability of a material to retain its inherent properties after recycling, and its ability to replace primary raw materials in future applications**"²;*

Furthermore, not all forms of recycling are of equal benefit, we believe that introducing the concept of a "recycling hierarchy" will promote circularity, high-quality and multiple recycling

- **Multi-recyclable**, i.e., packaging materials that have the ability to retain their intrinsic properties after recycling and are capable of replacing the same primary raw material in future applications. Multi-recyclable also means that recycling process for these materials can be repeated over and over again with high recycling yields, guaranteeing minimal amount of material losses, thus maintaining a circular material loop.
- **Limited recyclable**, i.e., the potential to be recycled only a few times with a risk of losing the intrinsic properties. The recycling process for these materials leads to a gradual degradation of the original material. The recycled material might not always substitute the primary material on a like-for-like basis, risks to be down-cycled and finally leaves its circular material loop.

Making the distinction between multi-recyclable and limited recyclable packaging material will also enable Member States and Extended Producer Responsibility Schemes **to factor in this distinction in the eco-modulation of the Extended Producer Responsibility fees.**

2) Separate collection of waste and EPR

Optimized separate collection schemes for waste are a prerequisite to guaranteeing high-quality input into the recycling operations. Well-sorted aluminium and steel scrap and glass cullet already constitutes a major resource in the production of new products. Key factors in the drive to increase the total amount of packaging being collected, sorted and recycled therefore include incentivising the use of **modern and efficient sorting equipment and separation technologies**, and ensuring **better eco-design of packaging**, including the need to re-design packaging solutions

² European Parliament resolution of 10 February 2021 on the New Circular Economy Action Plan - [P9_TA\(2021\)0040](#)

based on improved LCA- criteria. This has been recognised in the EP's report on the new CEAP (par. 68., 73. 105.)³.

Continued focus should then be given to Extended Producer Responsibility (EPR) and **transparent eco-modulation of fees for packaging**. These fees should also reflect the ease with which a certain type of packaging can be collected, sorted and recycled; it should reflect the likelihood of the packaging of being separately collected, sorted and actually recycled even after numerous recycling trips. These recyclability criteria should also consider the properties of the recycled material and its ability to replace virgin material. It will also ensure that all packaging is reusable or recyclable by 2030 and all reusable packaging is recyclable by 2030.

Furthermore, **consumers** have an important role to play in supporting the transition to a Circular Economy as pointed out by the EP in the above-mentioned report (par 115.)⁴ and they should be given **adequate guidance** on how to properly sort their waste. Sorting instructions should therefore be clear and easy to understand and harmonized at the appropriate level (e.g., on MS-level, considering local circumstances).

3) Recycled content and recycled content reporting:

Introducing targets on recycled content has been conceived as a market driver for materials that do not have well-functioning secondary raw material markets. This approach is **not effective** for materials, such as aluminium, glass and steel, which already have **well-functioning markets** for high-quality recycled materials.

For packaging materials with well-functioning markets for Secondary Raw Materials, policy measures should avoid complex and disproportionate requirements. Only packaging subject to the mandatory recycled content target should have reporting requirements. Reporting on recycled content should be in line with the existing **ISO Standard 14021:2016** Environmental labels and declarations – Self-declared environmental claims.

4) Overpackaging and Waste prevention:

Packaging serves multiple functions. It is designed to protect a specific product, conveys product information, preserves food and makes it safe and easy-to-use for consumers. On top it also has the important function to promote the packaged product. Packaging materials that extend shelf-life have an important role to play in the fight against food waste. These functionalities should be recognised and only the amount of **excessive packaging** put on the market should be reduced.

Before imposing strict waste prevention measures, the role and value of materials (and secondary materials) as a resource should be considered. In particular, permanent materials, once produced for the first time and properly collected and processed at the end of their life, become new secondary raw materials. Such materials are, and will remain, the key resource in any proven and well-functioning Circular Economy. Focusing on increased collection, sorting and recycling will lead to packaging not being wasted, but being used to make new products. Any future measures aimed at tackling overpackaging should:

- define in EU legislation what should be considered as 'overpackaging' and, importantly, how this should be measured;
- not jeopardise the primary objective of making all packaging recyclable.

³ Ibid.

⁴ Ibid.

5) Green Public Procurement:

Green Public Procurement (GPP) can be a helpful tool in contributing to sustainable consumption and production; it makes the EU a more resource-efficient economy and could help to stimulate eco-innovation. However, GPP requires the development and inclusion of **clear and verifiable environmental criteria**, and more clarity is needed on what type of criteria would be additionally developed in order to assess the proposed measures on GPP.

Contact details

- European Aluminium - Maarten G. Labberton, Director Packaging Group
labberton@european-aluminium.be, +32 494 51 58 58
- FEVE - Adeline Farrelly, Secretary General and Vanessa Chesnot, Product Policy Maker
a.farrelly@feve.org, +32 475 93 17 24; **v.chesnot@feve.org**, +32 475 79 12 33
- Metal Packaging Europe - Leonie Knox-Peebles CEO and Milan Pažicky, European Affairs Adviser
leonie.knoxpeebles@metalpackagingeurope.org, +32 2 897 04 90;
milan.pazicky@pa-metalpackagingeurope.org, +32 2 897 04 90
- APEAL - Alexis Van Maercke, Secretary General and Steve Claus, Sustainability & Circular Economy Officer
a.vanmaercke@apeal.be, +32 2 535 72 06; **s.claus@apeal.be**, +32 496 54 14 11