

EU packaging rules that work

Making the Single Market and sustainability go hand in hand

The success of the Packaging and Packaging Waste Regulation (PPWR) will be measured against its ability to create a workable legislative framework. This means delivering an ambitious yet viable EU packaging law, which sets the direction of travel for packaging manufacturers and users to achieve Europe's sustainability goals while preserving packaging's key role in protecting consumers, products and the viability of Europe's supply chains.

The first step is ensuring that the environmental objectives of the PPWR are balanced with the principles of a unified European market, in which packaging and packaged goods can move freely across EU borders. Only with a stronger, more effective Single Market can Europe hope to capture the levels of innovation and investment needed to take the lead in sustainable packaging developed at scale.

PPWR must uphold Single Market principles, not undermine them. We urgently need one Circular Economy in Europe.

Secondly, the PPWR will be judged against its ability to ensure the functioning of all value chains that depend on packaging for the safe and efficient distribution of products in a circular economy. Virtually all goods circulating within the EU are packaged. Packaging is an integral part of a supply chain. The unavailability of suitable packaging, for instance due to disproportionate restrictions or unworkable conditions for market access, at EU or national level, can endanger the resilience of Europe's supply chains.

The European Parliament's negotiating position adopted last month is a step towards eliminating arbitrary measures - which were not anchored in thorough impact assessment - and ensuring a gradual approach to packaging waste prevention and minimisation. Yet serious concerns remain as to the ability of the Regulation to deliver on its intended goal of greater harmonisation of packaging sustainability rules across the EU.

In recent years, our industries have witnessed an increase in national trade barriers in the form of divergent packaging requirements imposed by several Member States. We now face the greater risk that new trade barriers will be legitimised by the Regulation itself. If Member States are allowed to introduce new national sustainability and information requirements, and if the right to market goods is restricted to national markets rather than the EU as a whole, products that comply with PPWR could be denied access to the market of a given Member State.

Our industries' associations remain fully supportive of a timely adoption of an ambitious and implementable EU packaging Regulation. However, a fragmented Single Market will stop us from leading the transformation to a more sustainable economy. We urge EU Member States to align with the Parliament on key issues where possible, and to uphold Single Market principles when adopting the General Approach on PPWR.

Annex - Non exhaustive list of examples of Internal Market fragmentation and concrete proposals for improvement

Article	Article 4(4) - Free movement
Comments & key concern	<ul style="list-style-type: none"> The replacement of the wording “placing on the market of packaging” with “making available on the market for the first time within the territory of a Member State of packaging” is against the spirit of harmonisation underlying the proposal, and contrary to the EU-wide concept of “placing on the market” defined in the European Commission’s Blue Guide on the implementation of EU products rules 2022. This wording means that a Member State could effectively prohibit a packaged product from entering its market while it is compliant with the Regulation and was already placed on the market. Such replacement of “placing on the market” by “making available on the market within the territory of a Member State” should be deleted. Member States should not be able to introduce national sustainability requirements or information requirements additional to those laid down in this Regulation, as this risks to greatly fragment the EU Single Market and disrupt the circulation of packaging and packaged goods in the EU.
Proposal for improvement	<p>“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.”</p>

Article	Article 26 - Reuse and refill targets
Comments & key concern	<ul style="list-style-type: none"> The addition of the reference to “at least” should be removed. The original Commission’s text does not preclude economic operators to out-perform the reuse targets mandated in this Article. However, the inclusion of “at least” would imply that those are minimum targets thus allowing Member States to set diverging targets at national level, leading to the fragmentation of the internal market and hindering the creation of greater economies of scale and the investment needed to realise a circular and climate-neutral economy in Europe.
Proposal for improvement	Deletion of references to “at least” throughout the Article

Article	Article 26(15a) - Reuse and refill targets
Comments & key concern	<ul style="list-style-type: none"> In line with the spirit of harmonisation underlying the proposal, and as a way to safeguard the EU internal market for packaging and packaged goods, Member States shall not be allowed to introduce higher targets than those set in the Regulation.
Proposal for improvement	<p>“Under the conditions set out in Article 45, Member States may set targets for economic operators going beyond the minimum targets set out in:</p> <p>(i) paragraphs 2 and 3 of this Article in relation to packaging within the scope of Directive (EU) 2019/904;</p>

	(ii) paragraphs 1, 4 to 13 of this Article to the extent that higher targets are strictly necessary for the Member State to achieve one or more of the targets in Article 38.
--	---

Article	Article 38(1) - Prevention of packaging waste
Comments & key concern	<ul style="list-style-type: none"> The addition of the reference to “at least” should be removed. The original Commission’s text does not preclude Member States to out-perform the packaging waste reduction objectives mandated in this Article. However, the inclusion of “at least” would imply that those are minimum targets thus allowing Member States to set diverging targets at national level, leading to the fragmentation of the internal market.
Proposal for improvement	<p><i>“1. 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 at least</i></p> <ol style="list-style-type: none"> <i>5 % by 2030;</i> <i>10 % by 2035;</i> <i>15 % by 2040.”</i>

Article	Article 38(3) - Prevention of packaging waste
Comments & key concern	<ul style="list-style-type: none"> Paragraph 3 should be removed. The original Commission’s text does not preclude Member States to out-perform the packaging waste reduction objectives mandated in this Article. However, the additional text in Article 38(3) would allow Member States to set diverging targets at national level, leading to the fragmentation of the internal market.
Proposal for improvement	<p><i>“3. For the purpose of paragraph 2, Member States may introduce packaging waste prevention measures that exceed going beyond the minimum measures targets set out in this Article paragraph 1, while complying with the provisions set out in this Regulation.”</i></p>

Article	Article 45(2c) – Reuse and refill
Comments & key concern	<ul style="list-style-type: none"> In line with the spirit of harmonisation underlying the proposal, and as a way to safeguard the EU internal market for packaging and packaged goods, Member States shall not be allowed to introduce requirements additional to the one laid down in the Regulation.
Proposal for improvement	<p><i>“(c) requirements on final distributors to make available in reusable packaging within a system for re-use or through refill a certain percentage of other products than those covered by targets laid down in Article 26 on the condition that this does not lead to distortions on the internal market or trade barriers for products from other Member States.”</i></p>

Signatories



ACE - The Alliance for Beverage Cartons and the Environment



AFCE - Asociación Española de fabricantes de envases y embalajes de cartón ondulado.



Afera - The European Adhesive Tape Association



AGMPM - Association of Greek Manufacturers of Packaging & Materials



AGVU - Arbeitsgemeinschaft Verpackung + Umwelt e.V.



Associação dos Industriais de Cosmética,
Perfumaria e Higiene Corporal

AIC - Associação dos Industriais de Cosmética, Perfumaria e Higiene Corporal



AIJN - European Fruit Juice Association



AIM - European Brands Association



A.I.S.E - International Association for Soaps, Detergents and Maintenance Products



AmCham EU - American Chamber of Commerce to the European Union



ANAIP - Asociación Española de Industriales de Plásticos



ANFIMA - Italian National Association of Metal Packaging



APEAL - The Association of European Producers of Steel for Packaging



APIP - Associação Portuguesa da Indústria de Plásticos



APPLiA - Home Appliance Europe



ARAM - Romanian Association for Packaging and the Environment



ASSOSPORT



BAP - Branch Association Polymers



BPF - British Plastics Federation



Bundesverband der Deutschen Sportartikel-Industrie e.V.



CEC - The European Footwear Industry



CEFLEX - A Circular Economy for Flexible Packaging



CEO - Comité Européen de l'Outillage



Cepi - Confederation of European Paper Industries



Cicloplast - Spanish Association of Plastics Transformers and Raw Materials Producers for Promoting Plastics Packaging Recycling



CICPEN

České průmyslové sdružení
pro obaly a životní prostředí

CICPEN - Czech Industrial Coalition for Packaging and the Environment

copa*cogeca

european farmers european agri-cooperatives

Copa-Cogeca



Cosmetics Europe
the personal care association

Cosmetics Europe



European Aluminium
Foil Association

EAFA - European Aluminium Foil Association



**EUROPEAN
CARTON MAKERS
ASSOCIATION**

ECMA - The European Carton Makers Association



ECOEMBES - ECOEMBALAJES ESPAÑA



The voice of **NONWOVENS**

EDANA - The voice of nonwovens

EFIC

European Furniture Industries Confederation

EFIC - European Furnitures Industries Confederation



European Garden Machinery Federation

EGMF - The European Garden Machinery industry Federation



EKO-PAK



ELIPSO - Les entreprises de l'emballage plastique et souple



EPLF - European Producers of Laminate Flooring Association



EPPA - European Paper Packaging Alliance



EPTA - European Power Tool Association



EUBP - European Bioplastics



EUMEPS - European Manufacturers of Expanded Polystyrene



EuPC - European Plastics Converters



EuPIA - European Printing Ink Association



EUROCOMMERCE



EUROMCONTACT



Europatat - European Potato Trade Association



European Aluminium



European Outdoor Group



EUROPEN - The European Organisation for Packaging and the Environment



EVA - European Vending & Coffee Service Association



EXPRA - Extended Producer Responsibility Alliance



FCD - Fédération du Commerce et de la Distribution



FDE - FoodDrinkEurope



FEA - European Aerosol Federation



FEFCO - The European Federation of Corrugated Board Manufacturers



FEICA - Association of the European Adhesive & Sealant Industry



FEPA - Federation of European Producers of Abrasives



FESI - Federation of the European Sporting goods Industry



FEVE - European Container Glass Federation



FGHS - brancheorganisatie voor sportleveranciers



FINAT - The association for the European label industry



Forum Geträndedose



Fost Plus



FPE - Flexible Packaging Europe



FRUITIMPRESE



Giflex - the Italian association of flexible packaging manufacturers



HDSL - Federal Association of the German Footwear and Leather Goods Industry



IK - Industrievereinigung Kunststoffverpackungen



INCPEN - The Industry Council for Packaging & the Environment



Independent Retail Europe



INTERGRAF - European federation for print & digital communication



KUNSTSTOFF.swiss



La Boîte Boisson



Latas de Bebidas



LE - LightingEurope



Maison des eaux minérales naturelles



MedTech Europe - The European trade association for the medical technology industry



Miljöpack - Packaging Association, Sweden



MMFA - Multilayer Modular Flooring Association



Metal
Packaging
Europe

MPE - Metal Packaging Europe



NATRUE - The International Natural and Organic Cosmetic Association



NCV - Nederlandse Cosmetica Vereniging



NMWE - Natural Mineral Waters Europe



NRK Verpakkingen



PAKKAUS - The Finnish Packaging Association



PCEP - Polyolefin Circular Economy Platform



PET Europe - Producers' Association



Plastics Cluster



Plastics Europe



Polish Union Of Plastics Converters



Pro Carton - Association of European Cartonboard and Carton Manufacturers



RUCODEM - Romanian Union of Cosmetics and Detergents Manufacturers



SCS - Styrenics Circular Solutions



SPV - Sociedade Ponto Verde



Sportsbranchen.dk



SPP - Stowarzyszenie Papierników Polskich



stanpa - Spanish Cosmetics, Toiletry and Perfumery Association



SZZV - Slovak Association for Branded Products



TE - Tobacco Europe



TIE - Toys Industries Europe



UCIMA - Italian Packaging Machinery Manufacturers Association



UECBV - European Livestock and Meat Trades Union



UNESDA - Soft Drinks Europe



Unionplast - The Italian Plastics Converting Association



VSSÖ - Austrian Federation of Sporting Goods Retailer and Industry

ZVEI e.V. - Electro and Digital Industry Association