

Towards new EU rules for preventing packaging waste?



The European Commission (“EC”) is collecting data and feedback from stakeholders about the European Union’s (“EU”) current rules on packaging and packaging waste. Based on these insights, it will propose an amendment to the current rules that aim to ensure a properly functioning market for packaging recycling and diminishing packaging waste.

The current situation

Directive 94/62/EC on Packaging and Packaging Waste (the “Packaging Directive”) contains the current EU rules on packaging and packaging waste. These rules have accompanied an overall trend towards lighter weight use in a broad range of packaging formats but have not been sufficient to tackle the growth in packaging waste.

In 2017, packaging waste in the EU reached a record of 173 kg per capita. On the market as a whole, 88.4 million tons of packaging were put into the EU in 2017, up from 81.5 million tons in 2007. Further, the packaging sector is the biggest contributor to plastic waste in the EU with about 60% of post-consumer plastic waste.

At the same time, the recycling of packaging waste remains relatively low: in 2017, only around 42% of the plastic packaging waste generated in the EU was being recycled (the rest being either disposed in landfills or incinerated with energy recovery).

The European Commission’s goals – Free movement, recycling, waste reduction

The EC’s goals are:

- (1) Ensure free movement of packaging and packaged goods;
- (2) Ensure a well-functioning market for secondary raw materials and support compliance with recycling targets for packaging;
- (3) Ensure reduction in packaging waste generation, including by reducing (over)packaging.

These goals will be attained by developing clearer and more enforceable harmonised requirements for packages, which should enhance packaging reusability and recyclability. The EC will also examine the following measures:

- requiring all packaging to be reusable or recyclable and providing an enforceable definition

- of 'recyclable packaging';
- restricting the use of some packaging materials to certain applications, in particular where alternative reusable products or systems are possible or consumer goods can be handled safely without packaging;
 - reducing the complexity of packaging materials including the number of material and polymers used;
 - introducing recycled content targets for specific packaging formats;
 - introducing minimum mandatory green public procurement criteria and targets for packaging.

More information and deadline to submit comments

The feedback period on the roadmap will end on 6 August 2020 and then the EC will open a Public Consultation later in 2020. The EC proposal is planned for adoption in 2021.