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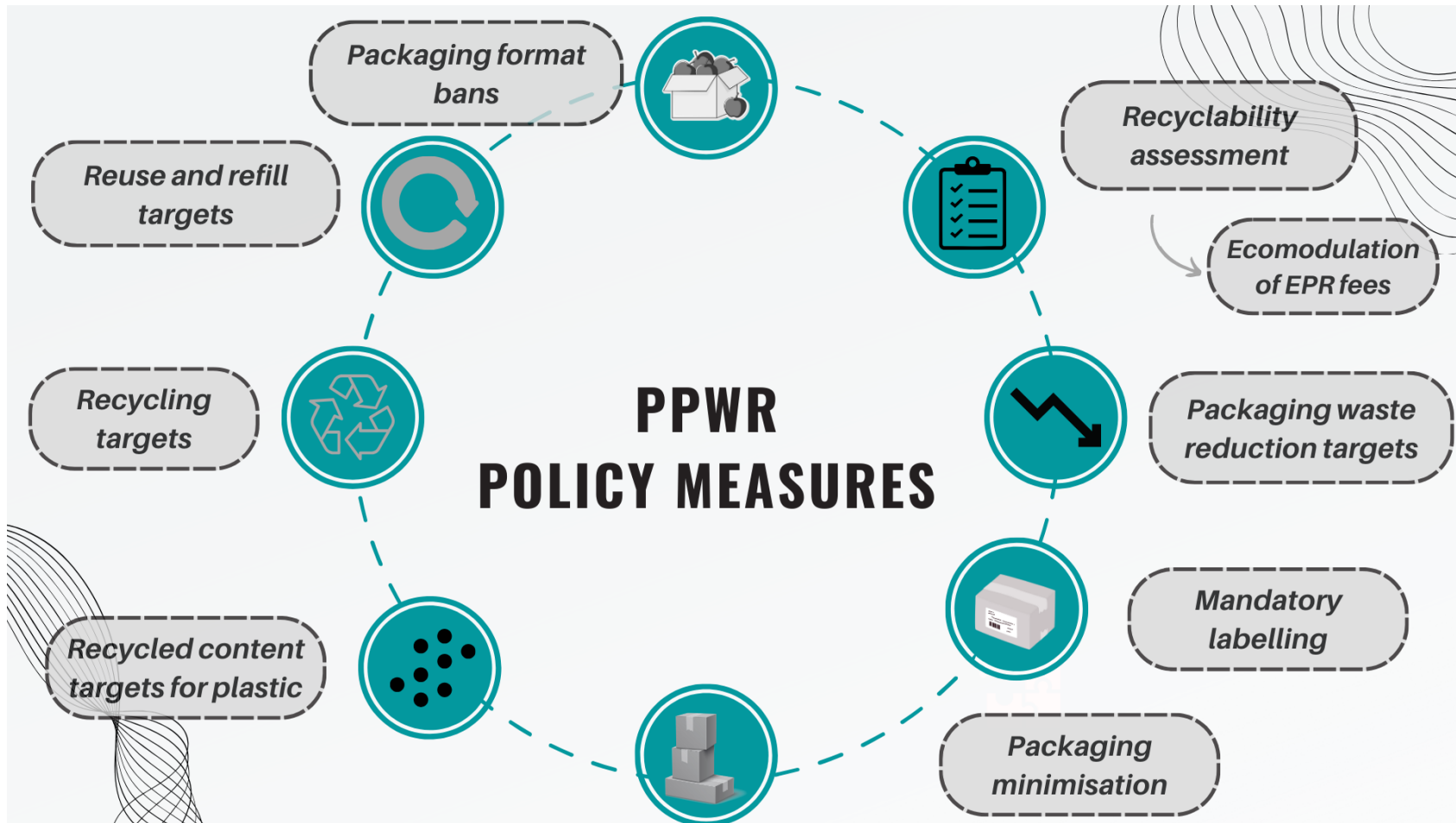
Eurograph Board meeting /
27 March 2024



Update on the packaging and packaging waste regulation

**Ulrich Leberle, Raw
Materials Director**

PPWR POLICY MEASURES



Legislative Timeline



30/11/2022:
Publication of proposal by the **European Commission**

2023

16 /03
Environment
Council
Policy debate

11/04
ENVI
Committee
Finalisation of
draft report

04/05
ENVI Committee
Debate

10/05
ENVI Committee
Deadline for
amendments

20/06
Environment Council

17 – 18/07
Environment Council

24/10
ENVI Committee
Vote on draft report

22/11
EP Plenary
Vote on EP mandate

18/12
Environment Council
General Approach

2024

Q1
Trilogues
Council and EP reach an
agreement



22/04
EP Plenary
Vote on agreed
text

TBC
Environment
Council
Vote on agreed text

06-09/06
European elections

Q4 (TBC)
Publication in the Official Journal of
the EU –
Entry into force 20th day following
publication

2025
2026

1 January 2024 – 31 June 2024
Belgian Presidency of the Council of the EU

1 July 2024 – 31 December 2024
Hungarian Presidency of the Council of the EU

Q3 2026 (tbc) - 18 months after
entry into force
Application of Regulation

Content

- **Article 3: Definitions**
- Article 5: Substances in packaging
- **Article 6: Recyclable packaging**
- **Article 22 and Annex V: Restrictions on the use of packaging formats**
- **Article 26 reuse targets**
- Article 38 - Waste Reduction targets
- Article 46 - Recycling targets and promotion of recycling

Article 3: Definitions - analysis

Positive points:

- Definitions of “recyclability” and “high-quality recycling” have improved when compared to the Council proposals. They don’t include the requirement to recycle packaging into packaging.
- The definition of composite packaging has improved when compared to the Commission proposal. It sets a 5% threshold for non-targeted materials and excludes labels, varnishes, paints, inks, adhesives, lacquers. We understand the definition will be relevant for the scope of the restrictions introduced in article 22 and annex V for single-use plastic packaging.
- The definition of “recycled at scale” has also improved when compared to the Commission proposal. The definition is now more clear and with a lower recycling rate at 55% (previously 75%) for all materials and 30% for wood.

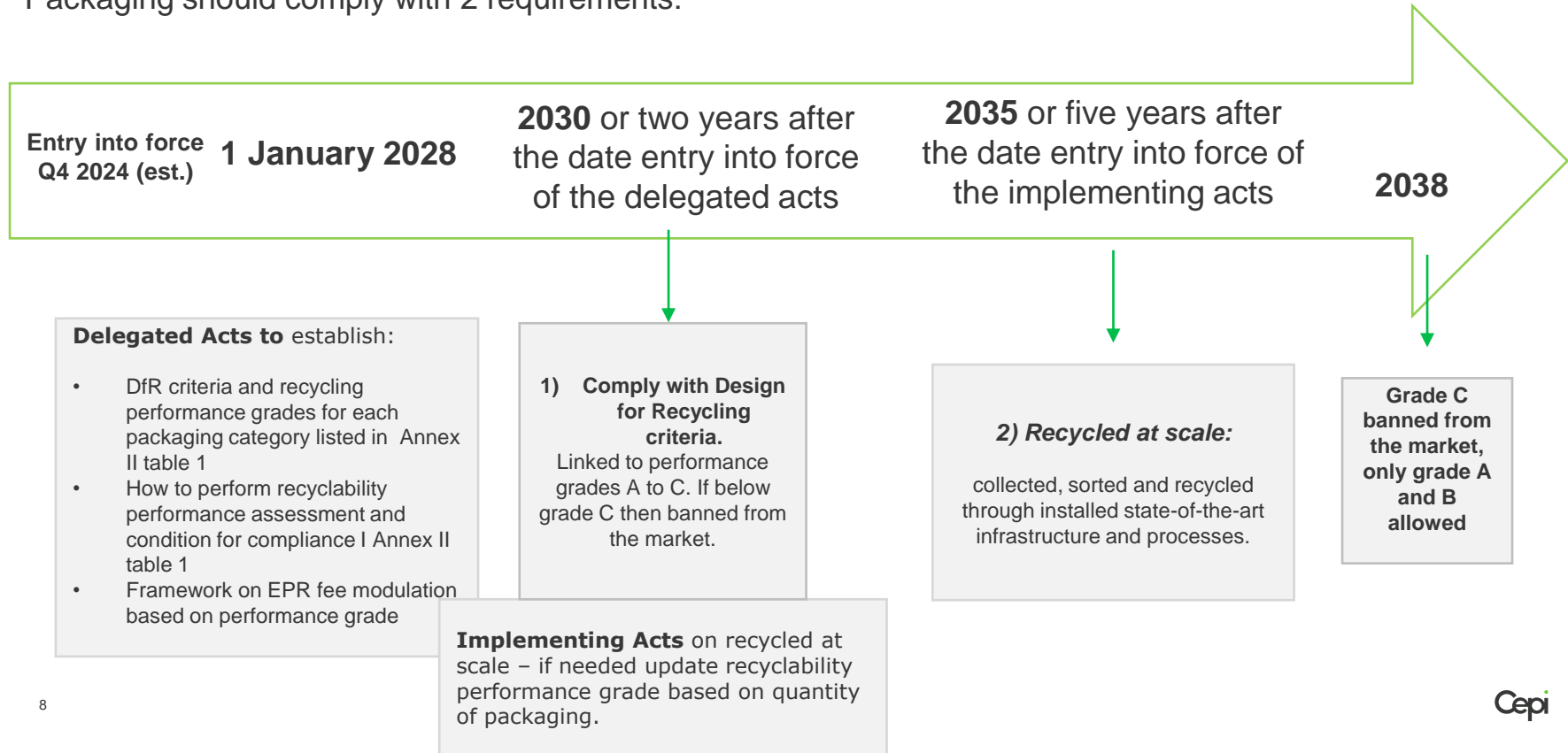
Article 5: Substances in packaging

From date of application of PPWR - Introduction of restriction on the placing on the market of food contact packaging containing per- and polyfluorinated alkyl substances (PFASs) above certain thresholds (for the thresholds please see paragraph 2a of article 5).

Restriction on BPA is removed: ~~Food contact packaging containing intentionally added Bisphenol A (BPA, CAS 80-05-7) shall not be placed on the market from ... [OP: Please insert the date = 18 months from the date of entry into force of this Regulation].~~

Article 6: Recyclable packaging

Packaging should comply with 2 requirements:



Article 6: Recyclable packaging - Analysis

Positive points:

- The negative list of packaging characteristics is not included in the agreed text, which is a great improvement.
- When drafting the delegated acts for the design for recycling criteria and the performance grades, the Commission will have to take into account any standards developed by the European Standards Organisations.
- There is a clear timeline for the delivery of the delegated and implementing acts.
- The threshold for recycling at scale is lower when compared to the Commission proposal; at 55% (previously 75%) for all materials and 30% for wood.
- Innovative packaging is exempted for 5 years from the requirement to comply with DfR by 2030 and be recycled at scale by 2035.

Points of concern:

- Future recyclability requirements are quite challenging - grade C will be banned as of 1 January 2038

Article 7 and article 7a - analysis

Positive points:

Recycled content will only apply for the plastic part in packaging representing 5% or more of the total weight of the whole packaging unit.

Compostable plastic packaging is exempted from the recycled content targets.

By 3 years from the date of entry into force of this Regulation the Commission may introduce the possibility to achieve the recycled content targets set out in Article 7(1) and (2) by using bio-based plastic feedstock instead of recycled content.

Article 22 and Annex V: Restrictions on the use of packaging formats

Positive points:

- Restrictions imposed only on single use plastic packaging and will apply as of 2030
- Restrictions on grouped packaging at the point of sale, packaging used for fresh fruit and vegetables (less than 1.5 kg) and for food and beverages in the HORECA dine-in sector **apply only on single-use plastic packaging.**
- Exception for microenterprises and if not technically feasible not to use packaging or to obtain access to reuse infrastructure

Article 22 and Annex V: Restrictions on the use of packaging formats

Points of concern:

- Member States may maintain restrictions adopted by 1 January 2025 on the placing on the market of packaging in the formats and for the purposes listed in Annex V but made from materials not listed in Annex V.
- By 24 months after entry into force, the Commission shall publish guidelines, in consultation with Member States and EFSA explaining in more detail Annex V,
- By 7 years after entry into force, the Commission shall review Annex V and may establish new restrictions and review the exemptions provided in article 22.

Article 26 reuse targets

Obligation on	Packaging type/use	Provisional Agreement	Exemptions (non-exhaustive)
Economic operator	transport packaging or sales packaging used for transporting products, including via e-commerce , in the form of pallets, foldable-plastic boxes, boxes, trays, plastic crates, intermediate bulk containers, pails, drums and canisters of all sizes and materials, including flexible formats or pallet wrappings or straps for stabilisation and protection of products put on pallets during transport	40% by 2030 70% by 2040 (aspirational)	Cardboard boxes, packaging used for the transportation for the large-scale machinery, for equipment and commodities for which packaging are customised-designed
	transport packaging or sales packaging used for transporting products used between different sites of one EO (or linked and partner enterprise) and between two EOs in the same member state	100%	Cardboard boxes packaging used for the transportation for the large-scale machinery, for equipment and commodities for which packaging are customised-designed
	Grouped packaging in the form of boxes used outside of sales packaging to group a certain number of products to create a stock-keeping or distribution unit	10% by 2030 25% by 2040 (aspirational)	Cardboard boxes
Final Distributor	alcoholic and non-alcoholic beverages in sales packaging	10% by 2030 and 40% by 2040 (aspirational)	Highly perishable beverages, milk and milk products
Final distributor in HORECA	Take-away packaging cold or hot beverages or ready-prepared food intended for immediate consumption without the need of any further preparation filled into a container at the point of sale for take-away	10% by 2030 (aspirational)	

Article 26 reuse targets

Obligation on	Packaging type/use	Provisional Agreement	Exemptions (non-exhaustive)
Economic	transport packaging or sales packaging used for transporting products, including via e-	40% by 2030	Cardboard boxes.
<p>Horizontal exemption:</p> <p>Member States may exempt economic operators for a period of 5 years from the obligations under this Article under the following conditions:</p> <ul style="list-style-type: none"> a) the exempting Member State reaches 5 percentage points above the targets for recycling of packaging waste per material to be achieved by 2025 and is expected to reach 5 percentage points above the 2030 target according to the report published by the Commission three years before that date; b) the exempting Member State is on track to fulfil the respective waste prevention targets as set out in Article 38 of this Regulation and can demonstrate to have reached at least 3% waste prevention by 2028 compared to the 2018 baseline; c) the economic operators have adopted a corporate waste prevention and recycling plan that contributes to achieving the waste prevention and recycling objectives in respectively Article 38 and Article 46. This period of 5 years may be renewed by the Member State where the conditions are fulfilled. 			
distributor in HORECA	consumption without the need of any further preparation filled into a container at the point of sale for take-away	(aspirational)	

Article 26 reuse targets

Obligation on	Packaging type/use	Provisional Agreement	Exemptions (non-exhaustive)
Economic	transport packaging or sales packaging used for transporting products, including via e-	40% by 2030	Cardboard boxes.

Horizontal exemption:

But ...

Member States may set reuse targets for economic operators going beyond the minimum reuse targets of PPWR.

Member States may set targets for economic operators covering beverages made available in sales packaging which do not fall under paragraph 8.

Article 38 - Waste Reduction targets

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

- 5% by 2030
- 10% by 2035
- 15% by 2040

By 7 years after the date of entry into force of this Regulation, the Commission shall review the targets laid down in paragraph 1 and assess the need to include specific targets for certain packaging materials.

Article 46 - Recycling targets and promotion of recycling

By 31 December 2025:

- A minimum of 65% by weight of all packaging waste will be recycled
- A minimum of 75% of paper and cardboard

By 31 December 2030

- A minimum of 70% by weight of all packaging waste will be recycled
- A minimum of 85% of paper and cardboard

From Commission proposal to adoption – Cepi activities

Dec 2019 – Nov 2022 Commission is drafting the proposal

Cepi alerts about the existential threat already in late 2019

June 2021: Cepi initiates Fibre Packaging Europe to ensure value chain alignment and to speak with « one voice »

Cepi actively involved in stakeholder consultations with Commission

Nov 2022: Convince Commission to include « cardboard exemptions » in proposal



Nov 2022 Commission tables its proposal

Nov 2022 – Dec 2023 EP and Council adopt their mandates

Intensive outreach in both EP and Council

Rallied significant support in EP – very positive EP position

Risk management in Council - Alliance of friendly MS raising industry concerns in the Council to keep balance vis-a-vis MS

Support «Non-Paper» co-signed by 12 Member States raising our sector's policy asks

Raised concerns on JRC preliminary findings on reuse scenarios = JRC consults industry for final study

Provided input to JRC final study = positive outcome of final study for paper recycling



Jan 2024 – Mar 2024 Trilogue negotiations

Provided input to EP negotiating team and signalled support for EP position via national contacts in Member States



Q2 2024 Final adoption

Support EP and Council formal approval.

Strategy at Member State level

Certain elements of the PPWR will be decided at the national level. There will be a window of opportunity to influence the implementation phase via advocacy in MS. We have identified the following points where there is room for improvement:

- Advocate for improved and increased collection to boost recycling rates for paper and cardboard in Member States – to enable exemption from article 26.
 - Once the PPWR enters into force, convince Member States to exempt economic operators from reuse targets when the required conditions are met.
 - Mitigate the risk that Member States introduce higher reuse targets and additional bans at national level.
- Cefi will support the advocacy at national level by providing a toolkit for advocacy at national level.

About Ceperi

Represents in Brussels

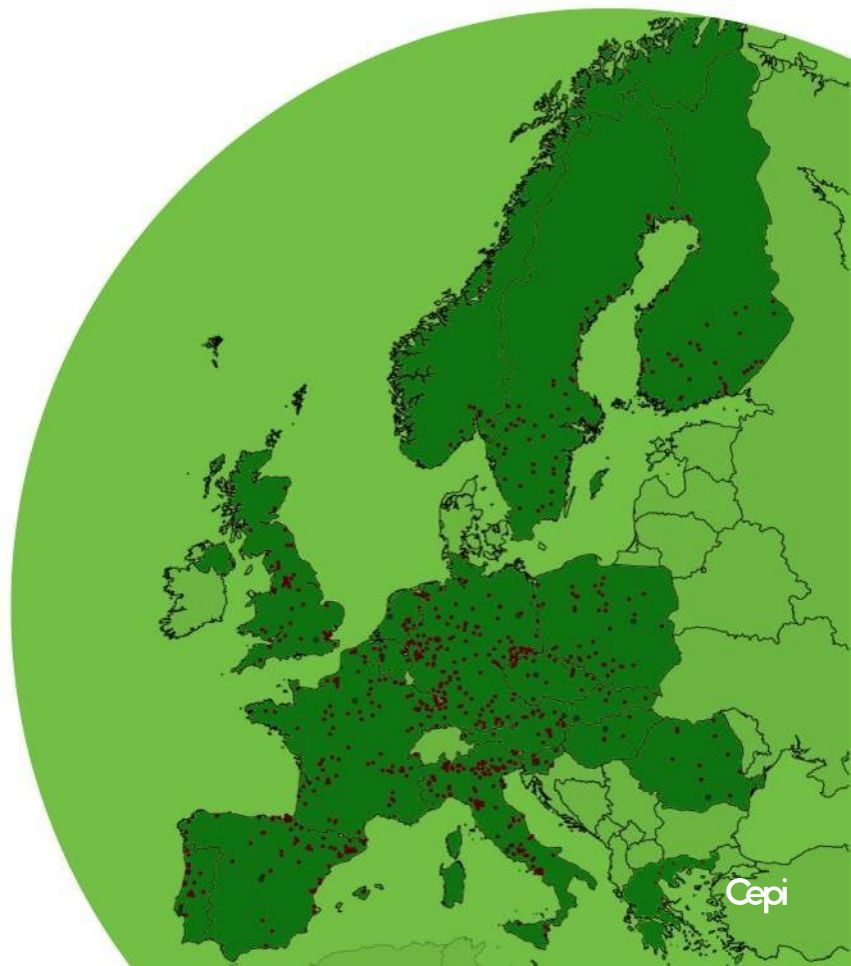
500 pulp, paper and board producing companies
895 mills across Europe of which **139** biorefineries
180000 people employed directly
19 member countries

Engaged in international fora (UN, FAO, WTO)
to defend our **21.7 %** share of global production

Working across the value chains –
from forest owners to converters

Chair: **Marco Eikelenboom, CEO Sappi**

A staff of **24** industry, policy and public affairs experts

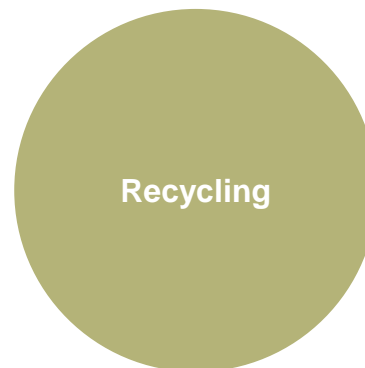


About Cepi

We deploy our agenda in 6 focus areas

Outline of Cepi activity areas
2020-2029

- ETS, energy policy, renewables, 2050 climate strategy
- Food contact, sustainability performance, REACH
- Land use and forestry, certification, forest-based industries joint strategy
- Production and statistics reports, Industrial policy, international trade, transport
- Circular economy, recyclability
- Bioeconomy strategy, R&D programmes, funding, skills agenda



About Cepi

We are renewable, and sourced, made and recycled in Europe, a responsible industry towards the environment, its customers and workers

Transforming pulp wood into cellulose and bio-based products, 86% of our raw materials are sourced from within the European Union and 78% of the wood comes from certified forests



Keeping the fibres in the loop, 70.5% recycling rate of European paper-based products

Producing
Pulp & fibres
Nano-cellulose
Bio-energy
Bio-chemicals
Print & graphic paper
Packaging solutions
Hygiene and tissues
Specialty papers



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Cepi aisbl
Confederation of European Paper Industries
Avenue Louise 250, box 80
B-1050 Bruxelles
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