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## FoodDrinkEurope views on the implementation of the European Strategy for Plastics in a Circular Economy

FoodDrinkEurope represents the interests of Europe's food and drink industry. The food and drink industry's contributions to a circular economy and sustainable growth are supporting the European Commission's desire to move towards a more resource efficient economy<sup>1</sup>. In the context of the implementation of the Circular Economy Action Plan, FoodDrinkEurope would like to provide its views and recommendations for an ambitious implementation of the European Strategy for Plastics in a Circular Economy, made public in January 2018.

The food and drink industry acknowledges that it has a share of the responsibility, with regards to the impact of the packaging that it puts on the EU market. That is why FoodDrinkEurope members are already taking actions to address areas covered by the Strategy related to packaging. This paper aims at describing such actions as well as our views on how to best address specific challenges from a policy point of view.

We welcome the Commission's proposal to open a pledging exercise allowing businesses to show their commitment<sup>2</sup> to deliver the goals of the Circular Economy and Plastics Strategy. We hope that this exercise and its posterior assessment will show that industry voluntary actions can be as effective and make a real impact in achieving the plastic Strategy goals.

### Key messages

- **The food and drink industry supports measures implementing the essential requirements of the Packaging and Packaging Waste Directive striving for an increased collection of packaging and options to further increase its recyclability**
- **Producers are working with operators in the value chain on further developing cost-effectively recyclable packaging solutions. Alternatives for this type of plastics are not yet available as these cannot ensure, for example, food safety**
- **Increased collection should be achieved through better performance of Extended Producer Responsibility schemes and where feasible deposit return schemes. Investment in the necessary infrastructure needs to go hand in hand with improvements in recyclability**
- **Not all plastic materials are suitable to be in contact with food according to EU food contact material legislation. Provided that this legislation is strictly observed, the food and drink industry welcomes actions that can further increase the sustainability of materials used in packaging**

<sup>1</sup> See FoodDrinkEurope's publication (2016): *Ingredients for a circular Economy* (<http://circulareconomy.fooddrinkeurope.eu/>)

<sup>2</sup> <https://newplasticseconomy.org/news/six-companies-announce-major-step-towards-circular-economy>  
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- **Environmental assessment tools for packaging, such as life cycle assessments, should be taken into account for choosing the best material and design options for packaging on a case by case basis**
- **True reduction of littering from single use plastics must be achieved through a comprehensive and holistic approach to education, infrastructure and law enforcement. A tax on single use packaging would not prove useful in contributing to this goal**
- **We welcome the Strategy striving to increased cooperation through international organizations in order to address this issue at a global scale**

### **The role of food and drink packaging recognized in the Plastics Strategy**

We welcome the Strategy highlighting the **role of food packaging ensuring food safety and reducing food waste**. The Strategy also positively highlights the high value and versatility of plastics. For a great variety of products, plastics represents the optimal packaging solution.

Through this vital protective role, packaging helps to prevent and reduce food waste along with ensuring that the safety and quality of food and drink products are maintained. Food and drink producers select which packaging material to use according to the type of foodstuff and its protective needs. In order to continue to offer consumers a wide choice of products, food and drink manufacturers require continued access to a diversity of materials.

### **Food and drink packaging: recyclability**

The food and drink industry supports **measures implementing the essential requirements of the Packaging and Packaging Waste Directive (PPWD) striving for an increased collection of packaging and options to further increase its recyclability**. The beverage industry, for instance, is a founding member of the European PET Bottle Platform (EPBP) designed to ensure the recyclability of new PET packaging put on the market.

Regarding **options to increase the recyclability of composite and lightweight plastic, producers are working with operators in the value chain on further developing cost-effectively recyclable packaging solutions**, for example through the CEFLEX project<sup>33</sup>. However, alternatives for this type of plastics are not yet available as these cannot ensure, for example, food safety. Further research is needed for innovations in easy-to-recycle flexible packaging materials, e.g. chemical recycling. Once viable alternatives are in place, this increased recyclability will provide used packaging materials with an added economic value as they will more easily be recycled and transformed into secondary raw materials. A higher economic value of these materials will in turn prove collection of wrappers and packets as a financially viable activity and increase collection and recycling rates.

Increased collection should be achieved through **better performance of Extended Producer Responsibility (EPR) schemes and where feasible, according to local conditions and on a case-by-case basis, deposit return schemes**.

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<sup>33</sup> <https://ceflex.eu/>

The viability of **deposit systems for recyclable packaging is as well** dependent on several key factors that define its efficiency and effectiveness:

- Efficiency of existing waste management systems (e.g. Extended Producer Responsibility (EPR) systems) should be acknowledged. EPR schemes and deposit schemes for one-way packaging both working in parallel could increase the competition for the waste material being managed. This can lead to potentially duplicate efforts and challenge the existence of well-functioning EPR schemes.
- Environmental performance of deposit systems against existing collection systems, for example related to transport of the used packaging
- The types of packaging that can be covered by a deposit system are traditionally limited to very specific applications. EPR schemes provide the alternative to such limitation as these cover a wide array of packaging types.

Investment in the necessary **infrastructure** to improve collection, sorting and reprocessing of packaging into secondary raw materials needs to go hand in hand with improvements in recyclability. This is often challenging when there is no significant return on such investment. The food and drink industry is working with other parts of the packaging supply chain and with other stakeholders to help remedy the situation and increase available facilities

Member states have a key role in ensuring infrastructure development in their national territories delivers the **correct amount of recycling capacity**, since an eco-design approach upstream will not work properly if the current downstream infrastructure is not in place to make that packaging recyclable again.

We acknowledge the efforts of the EU in creating a minimum playing field across its territory regarding rules and roles on EPR schemes. The food and drink industry is playing its part to ensure better packaging design can be delivered in the near future to accelerate the transition towards a circular economic model. This needs to be matched by action taken by national and local authorities to **ensure a consistent offering to consumers in terms of materials collected for recycling from households**.

Furthermore, EU authorities should **maintain research and innovation funding schemes**, such as the Horizon 2020, for the development of new technologies and recycling. Such funding schemes can play a key role in helping the shift towards a more circular economic model, in particular for waste management companies to scale up new technologies and to make the secondary raw material market competitive in comparison to virgin materials.

In order to overcome these barriers, **further investment** in infrastructures, research and innovation of suitable recycling techniques should be put in place by public authorities in a coordinated manner with producers.

## Food and Drink packaging: recycled content

**Not all plastic materials, virgin or recycled, are suitable to enter in contact with food** according to EU legislation. All food contact materials must fulfil the general requirements of **safety and inertness** set by the European Regulation on materials and articles intended to come into contact with food<sup>4</sup> and plastic materials and articles intended to come into contact with food<sup>5</sup>. This legal framework provides food and drink producers with a high level of legal certainty to select safe legally compliant packaging materials.

For the specific case of recycled plastic, the European Commission Directorate General on Food Safety and Health is currently working on the **authorisation of the recycling processes** that have been evaluated by the European Food Safety Authority (EFSA) as foreseen by the Regulation on recycled plastic materials and articles intended to come into contact with foods<sup>6</sup>. Such authorisation procedure is essential to bring recycled plastics into the EU market and to provide legal certainty for future investments. We strongly support the Strategy's intention to swiftly complete this authorisation covering over a hundred recycling processes.

We also encourage future talks or discussions between the European Commission and EFSA to assess whether **other recycled plastic materials** can be safely used in contact with food, for instance, through better characterisation of contaminants. Provided that this is developed under a strict observance of European legislation, the food and drink industry welcomes actions that can further increase the sustainability of materials used in packaging.

Material **availability and cost** are also relevant considerations in the decision to use plastic packaging materials with recycled content. A sustained uptake of recycled content for plastics in food and drink packaging, whenever possible according to EU legislation (see previous section), requires the availability of secondary raw materials under economically viable conditions.

## Alternatives to packaging design

The European Commission consultation "Reducing marine litter: action on single use plastics and fishing gear"<sup>7</sup> suggests minimum design requirements (including delivery models) as possible measures for certain types of packaging. The food and drink industry is committed to provide its products in a wide **variety of portion sizes**, in order to fit the intended eating occasions. Individually portions are important to help consumers control their calorie intake, thus encouraging them to eat a balanced and healthy diet. The EU Action Plan on Childhood Obesity 2014-2020 also identifies the reduction of portion sizes for pre-packaged foods and beverages as one of the actions that can help address childhood obesity (see Area of action 3 "Make the healthy option, the easier option" of the EU Action Plan on Childhood Obesity 2014-2020).

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<sup>4</sup> Commission Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food

<sup>5</sup> Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food Text with EEA relevance

<sup>6</sup> Commission Regulation (EC) No 282/2008 of 27 March 2008 on recycled plastic materials and articles intended to come into contact with foods and amending Regulation (EC) No 2023/2006

<sup>7</sup>[https://ec.europa.eu/info/consultations/reducing-marine-litter-action-single-use-plastics-and-fishing-gear\\_en](https://ec.europa.eu/info/consultations/reducing-marine-litter-action-single-use-plastics-and-fishing-gear_en)

## Alternative materials

**Environmental assessment tools** for packaging, e.g. Life Cycle Assessment including marine littering impacts on the environment, should be taken into account for choosing the best material and design options for packaging on a case by case basis. This needs to be done as an integral part of the packaged product and its value chain.

The food and drink industry's first priority is to ensure that the **safety and quality of food** and drink products are maintained throughout the supply chain by selecting packaging materials that are fit for this purpose. Whilst this may include using alternative materials to plastic, these options might not always be appropriate both from a technical standpoint including food safety and from the whole supply chain sustainability perspective.

The **choice and design** of packaging can contribute to move towards more recyclable and sustainably sourced packaging materials thereby improving the overall environmental footprint of the product. For example, some food and drink manufacturers are working on sourcing bio based plastic packaging materials from renewable sources that do not compete with food crops<sup>8</sup>.

## A multi-faceted approach to littering

The food and drink industry will continue its efforts to produce more sustainable packaging designs and contribute to the collection and sorting of the food and drink packaging after its use. However, in order to most effectively address littering from single use plastics **combined efforts undertaken by all relevant actors**, such as consumers and waste management operators, are needed

Litter prevention should be the cornerstone of any future European policy approach towards tackling litter. This needs to be taken forward through a comprehensive and holistic approach to education, infrastructure and law enforcement. The focus of such actions should be to **change public attitudes** towards littering.

The issue on **marine litter** needs to be addressed from a global perspective as oceanic dynamics make this problem relevant to all world regions. We therefore welcome the Strategy striving to increased cooperation through international organizations in order to address this issue at a global scale<sup>9</sup>.

In addition, we do not believe a tax on single use packaging would prove useful in contributing to this goal. Instead, **proper implementation of existing European legislation on waste** involving all parties with a stake in the process will as well help to achieve a true reduction of littering and increase recycling of packaging.

In order to have **reliable statistics** available regarding packaging being littered it is necessary to establish a quantification framework at European level. This includes a comprehensive and harmonised EU methodology covering both land based and marine litter. Equally, sufficient insight should be gained on the social and behavioural drivers for littering and how they can

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<sup>8</sup> <http://www.nestleusa.com/media/pressreleases/nestle-waters-launch-alliance-naturall-bio-based-bottles>

<sup>9</sup> <https://www.ellenmacarthurfoundation.org/news/winners-of-the-1-million-circular-materials-challenge-announced-at-the-world-economic-forum-in-davos>

be overcome. Further research on this should be undertaken in order to engage in a result oriented discussion.

***We trust these recommendations will be considered in the future implementation of the Plastics Strategy and related actions namely:***

- ***Single use plastics legislative measures and fiscal instruments***
- ***Future revision of the Packaging and Packaging Waste Directive***
- ***Assessment together with EFSA whether on the safe use of other recycled plastic materials***
- ***Guidance on how to ensure effective eco-modulation of EPR fees***

*FoodDrinkEurope represents Europe's food and drink industry, Europe's largest manufacturing sector in terms of turnover, employment and value added. FoodDrinkEurope works with European and international institutions, in order to contribute to the development of a legislative and economic framework addressing the competitiveness of industry, food quality and safety, consumer protection and respect for the environment. FoodDrinkEurope's membership consists of 25 national federations, including 2 observers, 27 European sector associations and 21 major food and drink companies. For more information on FoodDrinkEurope and its activities, please visit: [www.fooddrinkeurope.eu](http://www.fooddrinkeurope.eu)*