

THE PACKAGING AND PACKAGING WASTE DIRECTIVE (PPWD)



EUROPEAN
UNION



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From 1st January 2030

The proposal would require that all packaging be recyclable, meaning designed for recycling.



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On 30th November, the European Commission published an update to the Packaging and Packaging Waste Directive (PPWD) as part of the Circular Economy Action Plan.

WHAT IS THE REVISION OF THE PACKAGING AND PACKAGING WASTE DIRECTIVE (PPWD)?

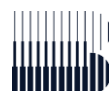
The Packaging and Packaging Waste Directive (PPWD – Directive 94/62/EC) lays down measures to prevent the production of packaging waste, and to promote reuse of packaging and recycling and other forms of recovering packaging waste. It also sets out the requirements that all packaging placed on the EU market must meet. These provisions are designed to reduce the disposal of packaging waste and to promote a more circular economy.

WHAT IS THE PURPOSE OF PPWD?

The aim is to reinforce the essential requirements for packaging to ensure its reuse and recycling, boost the uptake of recycled content, and improve the requirements' enforceability. Measures are also envisaged to tackle over-packaging and reduce packaging waste.

WHAT ARE PPWD REQUIREMENTS ?

The PPWD sets out the essential requirements that all packaging placed on the EU market must comply with. The draft regulation would set out requirements for substances in packaging: the presence and concentration of **substances of concern** would have to be **minimised**. The sum of concentration levels of lead, cadmium, mercury and hexavalent chromium could not exceed 100 mg/kg. The proposal would require that all packaging be **recyclable**. Some packaging (tea or coffee bags, sticky labels attached to fruit and vegetables) would have to be **compostable** in bio-waste treatment facilities within 2 years of the entry into force of the regulation. The regulation would also introduce requirements for **packaging minimisation**, meaning that packaging must be designed to minimise its weight and volume. The regulation would also lay out **eight conditions** for packaging to be considered **reusable**, for instance it can be emptied, unloaded, refilled or reloaded while ensuring compliance with the applicable safety and hygiene requirements.



WHAT ARE THE OBLIGATIONS ON ECONOMIC OPERATORS?

Before placing packaging on the market, manufacturers would have to carry out a **conformity assessment** procedure, or have it carried out on their behalf, and draw up the technical documentation and an EU declaration of conformity.

The proposed regulation would also introduce obligations concerning **excessive packaging**: economic operators supplying grouped packaging, transport packaging or e-commerce packaging would have to limit the empty space ratio in packaging to a maximum of 40 %.

Economic operators placing reusable packaging on the market would have to ensure that **a system for re-use** of such packaging is in place.

Producers of packaging would have extended producer responsibility for the packaging that they sell.

They would be allowed to entrust a producer responsibility organisation to carry out the extended producer responsibility obligations on their behalf.

Certain packaging formats, listed in annex V, **would be forbidden** (e.g. single-use plastic grouped packaging used at retail level to group goods sold in cans, single use plastic packaging for less than 1.5 kg of fresh fruit and vegetables or single use packaging in the hotel and catering sector, containing individual portions, used for condiments, sauces, coffee creamers or sugar).

WHAT ARE LABELING, MARKING AND INFORMATION REQUIREMENTS?

Moreover, from 3.5 years after the entry into force of the proposed regulation, packaging would have to be marked with a **label** containing information on its **material composition**.

This obligation would apply to e-commerce packaging, but not to transport packaging. Packaging **subject to deposit and return systems** would also have to be marked with a specific label.

From 4 years after entry into force of the proposed regulation, packaging would have to bear a label on **packaging reusability** and a **digital data carrier** (such as a QR code) providing information on packaging reusability and facilitating the tracking of the packaging.

All **waste receptacles** for collection of packaging waste would also have to be labelled **by 1 January 2028**, to enable the separate collection of each material-specific fraction of packaging waste.

WHERE PPWD OBLIGATIONS DO NOT APPLY

The obligation, which is 3.5 years after the entry into force of the proposed regulation, that packaging would have to be marked with a label containing information on its material composition **would not apply to transport**.

Space filled by filling materials would be considered as empty space. **E-commerce packaging would be exempt from the obligation** (but still subject to the provisions on packaging minimisation).



Recyclable Performance Grades

From 1 January 2030 packaging corresponding to **recycling performance grade E** would not be considered recyclable. Derogations could be granted for innovative packaging, for a maximum period of 5 years. The proposal would also introduce minimum recycled content targets for the plastic part in packaging (share per unit of packaging) from 1 January 2030 (Table 3).

The percentages would increase from 1 January 2040. There would be some exemptions, in particular for packaging for medical devices, packaging needed to preserve the quality of medicinal products and compostable plastic packaging.

Recyclable Content

Table 1 – Proposed targets for recycled content recovered from post-consumer plastic waste, per unit of packaging (minimum percentage). (Packaging and Packaging Waste Directive Revision Briefing, March 2023)

Type of packaging	From 1 January 2030	From 1 January 2040
Contact sensitive packaging made from polyethylene terephthalate (PET)	30 %	50 %
Contact sensitive packaging made from plastic materials other than PET (except single use plastic beverage bottles)	10 %	50 %
Single use plastic beverage bottles	30 %	65 %
Other packaging	35 %	65 %



Table 2 – Re-use and refill targets set up in the proposed regulation. (Packaging and Packaging Waste Directive Revision Briefing, March 2023)

Regulations	From 1 January 2030	From 1 January 2040
Large household appliances (such as refrigerators, freezers, washing machines, clothes dryers or dish washing machines)	Share of products made available in reusable transport packaging 90 %	
Cold or hot beverages (filled into a container at the point of sale for take-away)	Share of beverages made available in reusable packaging or by enabling refill 20 %	Share of beverages made available in reusable packaging or by enabling refill 80 %
Take-away ready-prepared food (intended for immediate consumption with no need of any further preparation, and typically consumed from the receptacle)	Share of products made available in reusable packaging or by enabling refill 10 %	Share of products made available in reusable packaging or by enabling refill 40 %
Alcoholic beverages (beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice)	Share of products made available in reusable packaging or by enabling refill 10 %	Share of products made available in reusable packaging or by enabling refill 25 %
Wine (except sparkling wine)	Share of products made available in reusable packaging or by enabling refill 5 %	Share of products made available in reusable packaging or by enabling refill 15 %
Non-alcoholic beverages	Share of products made available in reusable packaging or by enabling refill 10 %	Share of products made available in reusable packaging or by enabling refill 25 %
Transport packaging (pallets, plastic crates, foldable plastic boxes, pails and drums for conveyance or packaging)	Share of packaging used that is reusable 30 %	Share of packaging used that is reusable 90 %
Transport packaging (e-commerce) Operators using transport packaging for the transport and delivery of non-food items sold via e-commerce	Share of such packaging used is reusable packaging 10 %	Share of such packaging used is reusable packaging 50 %
Transport packaging (pallet wrappings and straps)	Share of such packaging used that is reusable packaging 10 %	Share of such packaging used that is reusable packaging 30 %
Grouped packaging (boxes, excluding cardboard, used outside of sales packaging to create a stock-keeping unit)	Share of such packaging used is reusable packaging within a system for re-use 10 %	Share of such packaging used is reusable packaging within a system for re-use 25 %



Comparison of the Packaging and Packaging Waste Directive and the Packaging and Packaging Waste Regulation

Table 3 - . Here is a summary of key differences between the directive and the new regulation:

Packaging and Packaging Waste Directive	Packaging and Packaging Waste Regulation
The main objective of the Directive was to harmonise national measures on packaging and the management of packaging waste and to provide a high level of environmental protection.	The intended overarching objective of the Regulation is to reduce packaging waste in the first instance, improve recyclability and grow the market for recycled content.
The Directive was elective and therefore has been enacted by Member States in different ways and timescales	Once the regulation is ratified in law, it is mandatory for Member States to implement.
Limited focus on waste reduction targets. Emphasis instead on packaging waste recycling targets	Waste reduction targets for EU Member states and measures to tackle 'overpackaging'.
Single Use Plastic Directive (SUPD) bans.	Additional packaging formats banned that complement and build on existing bans from SUPD
No "recyclability" definition.	All packaging to be fully recyclable: Designed for Recycling by 2030 and 'Recycled at Scale' by 2035. "Recyclability" definition includes terminology such as 'Recycled at scale' intended to be part of the Design for Recycling (DfR) delegated act.
Extended Producer Responsibility (EPR) was sporadically implemented across Member States.	Harmonised eco-modulated EPR fees in every Member State based on packaging recyclability credentials and recycled content.
No recycled content targets.	Minimum recycled content targets for plastic packaging for 2030 and 2040. Exact targets to be written in a separate delegated act.
No reuse or refill focus.	Specific 2030 and 2040 targets for a proportion of packaging to be made available in reusable and/or refillable packaging.
No mandatory labelling.	Harmonised labelling scheme on material composition including recycled content and instructions to consumers on how to dispose, sort and/or reuse.
No mention of Deposit return schemes (DRS)	Mandatory DRS to be set up by 1 January 2029 for all single-use plastic and metal beverage containers up to 3 litres. Packaging containing wine, spirits, milk and milk products will be excluded.

