

## Packaging and Packaging Waste Directive

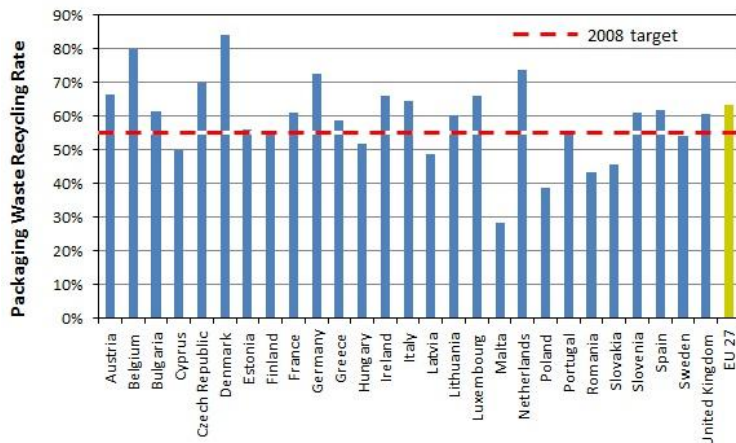
As a reminder, the key targets contained in Article 6(1) of the Packaging and Packaging Waste Directive are currently:

- Article 6(1)b: no later than 31 December 2008 60 % as a minimum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery;
- Article 6(1)d: no later than 31 December 2008 between 55 % as a minimum and 80 % as a maximum by weight of packaging waste will be recycled;
- Article 6(1)e: no later than 31 December 2008 the following minimum recycling targets for materials contained in packaging waste will be attained:
  - (i) 60 % by weight for glass;
  - (ii) 60 % by weight for paper and board;
  - (iii) 50 % by weight for metals;
  - (iv) 22.5 % by weight for plastics, counting exclusively material that is recycled back into plastics;
  - (v) 15 % by weight for wood.

It's worth noting that the 12 new Member States have derogations from the dates set out here, giving them more time to comply (the relevant years are between 2012 and 2015). In addition to the above, Article 9 of the Directive sets out *essential requirements* to promote the fitness for purpose of packaging, as well as its reusability and recoverability (notably, its recyclability). No specific targets are set, however, in Article 9.

The Graphic below shows how the different Member States fared against the 2008 target for recycling (55%) in the year 2010, according to data reported to Eurostat. The Table indicates considerable variation in reported performance levels. It should be noted that all countries who reported a recycling rate below 55%, with the exception of Sweden, are entitled to a derogation and so would not have had to meet the target at this time.

Figure 1: Reported Performance of Member States, Recycling of Packaging Waste (2010 Data)



Note, the dashed line indicates the 55% target for 2008, or later years in the case of the newer Member States

Source: Eurostat

Do you want to respond to the questions on the Packaging and Packaging Waste Directive? If you select "No" you can move on to the next section of the consultation which deals with the Roadmap to a Resource Efficient Europe. If you select "Yes" the questions relating to the Packaging and Packaging Waste Directive will open up below.

☒ Yes/No

## 1.1 Key Issues

A number of key issues have been identified in relation to the above targets. These issues are listed, in no particular order, below. Please note that matters related to the Essential Requirements and eco-design are being considered under a separate study.

1. There are significant differences in the way Member States report on the Article 6(1) targets. For example:
  - a. Three [different calculation methods](#) are officially recognised by the Commission for calculating the amount of packaging placed on the market;
  - b. The point at which materials are considered to have been recycled varies between Member States (e.g. some Member States report on the quantity of material collected, while others report the actual quantity of material reprocessed);
  - c. Where countries export materials for recycling, it is more difficult to report the actual quantity of material that is ultimately recycled;
  - d. The basis for assessing the quantity of packaging material being recycled is often very difficult because packaging and non-packaging fractions of a given material may be collected, or subsequently mixed, together (necessitating the use of estimation methods of varying quality);
  - e. Assumptions regarding the way recycling and recovery are reported for metals varies across countries (e.g. Member States take different approaches, and use different assumptions, for estimating recycling rates

from incinerator bottom ash/MBT plants, while others do not take this source of metal packaging into account); and

f. The definition of 'recycling' blurs into 'recovery' in some Member States.

All of these factors have consequences in terms of how easy or difficult it is for Member States to fulfil the Directive targets. It also affects the comparability of the performance data.

2. Some Member States have established minimum thresholds below which producers have no reporting and/or recycling obligation. These de-minimis thresholds are based on the quantity of packaging material placed on the market by producers. Differences in these thresholds mean that estimates of how much packaging is placed on the market vary in accuracy.
3. Based on the current targets in the Packaging Directive, Member States that reuse packaging materials gain no recognition for this. Indeed, using more reusable packaging, in order to comply with the waste hierarchy, makes it more difficult for Member States to achieve the recycling targets.
4. There is an overlap between the Waste Framework Directive recycling target for municipal waste and the targets of the Packaging Directive.
5. 'Down-cycling' is a widely reported problem in the recycling of packaging waste (the focus appears to be on quantity recycled rather than the quality of the materials being recycled).
6. There is no strong basis for the different recycling rates that have been set for glass, paper/ board, metals, plastics, and wood in Article 6(1)e of the Packaging Directive. These weight based targets do not have an environmental basis and are therefore not in alignment with the Resource Efficiency Roadmap and Raw Materials Initiative.
7. The different material recycling targets set out in Article 6(1)e mean that there is no level playing field across all materials (e.g. the recycling target for glass is much higher than that for plastics).
8. Article 6(1)d of the Packaging Directive sets a maximum limit of 80% on the amount of packaging waste a Member States can recycle. Such a limitation does not seem well-aligned with the aspirations to improve resource efficiency within the EU.<sup>1</sup>
9. According to reported data (see above), many Member States have already met and exceeded the recycling targets set out in the Packaging Directive.
10. Several countries focus on recovering packaging waste from commerce and industry with limited recovery of packaging waste from households.
11. The share of the overall cost of recycling which is met by 'producers' varies hugely across countries (from close to 0% to 100%).
12. There are some inconsistencies across Member States in how composite materials are treated under the Directive.

**Are there any issues related to the existing targets which you feel are important and should be added to those listed above? If so, please describe up to three additional issues in the text boxes below (please ensure that you only enter one clearly defined**

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<sup>1</sup> Article 6(1)d states that: 'no later than 31 December 2008 between 55 % as a minimum and 80 % as a maximum by weight of packaging waste will be recycled.'

issue per box). Please note that these issues should be associated with the existing targets, not with other issues related to the general state of, for example, markets for the materials packaging waste recycling.

#### 1. Additional issue

It should be assessed whether it is feasible to increase the recycling target for plastic packaging waste and whether this would ensure that more plastic packaging waste is being recycled. For the other streams, i.e. paper, metal, glass, it should be studied in how far the recycling rates for these streams can be increased without causing a disproportionately higher cost.

#### 2. Additional issue

It should be assessed whether a target for wood waste would still be useful, as there is no clear evidence whether there is a market for it, other than for incineration.

#### 3. Additional issue

### 1.2 Suggestions for Revision

A number of suggested options for change to the Packaging Directive targets are listed below, in no particular order. Please note, once again, that matters related to the Essential Requirements and eco-design are being considered under a separate study. If you feel that there are possible solutions which are missing from the list, and which you feel should be given careful consideration, you may identify up to three additional solutions which you feel are important in the free text boxes below.

For each solution that has been identified please give a score, on a scale of 1 to 5, to clearly demonstrate your preference for the solution proposed. For example, give a score of 1 to any options you feel are not worth further consideration and a score of 5 to options you believe are extremely good ideas and should be given serious consideration (this is not a ranking exercise so you may give the same scores to more than one option).

A = poor idea, not worth consideration

C = moderately good idea, may be worth further consideration

E = very good idea, definitely deserves further consideration

1. The methodology for calculating recycling rates should be standardised so that data (and hence performance levels) are comparable across Member States. **E**
2. Remove from the Packaging Directive the target for packaging waste from municipal sources and include it into the Waste Framework Directive to ensure full consistency with the existing target on municipal waste recycling. **A**
3. Bring the recycling targets for different materials closer together to ensure a more level playing field. **A**
4. Incorporate “weightings” for materials recycled based on environmental benefits derived from recycling the material. **C**
5. The targets for some packaging materials could be subdivided into subcategories; for example, metals could be divided into non-ferrous and ferrous metals. The same could apply for plastic; for example, separate targets could be set for PET, LDPE, and HDPE. **A**

6. Set specific targets for recycling of packaging waste from households to encourage further recycling of household packaging. **A**
7. Remove from the Directive the maximum limit of 80% that stipulates how much packaging waste a Member State is allowed to recycle. **E**
8. Introduce a target for prevention of packaging waste (the development of waste prevention targets is covered in a broader manner in a later section of this consultation). **A**
9. Adjust the definitions for reuse and recycling in the Packaging Directive to be consistent with those contained in the Waste Framework Directive. **E**
10. Expand the recycling target to include reuse, by allowing the reuse of packaging to be credited to the recycling target. **A**
11. Introduce targets for reuse for commercial transit packaging. **A**
12. Introduce targets for reuse for all packaging. **A**

Are there any other proposals in addition to the above that you feel deserve serious consideration? If so, please describe up to three additional solutions in the text boxes below (as in the list above, please ensure that you only enter one clearly defined solution per box). Please only include options which you strongly favour.

**1. Additional solution**

In general, FEAD members consider that a slight increase of the recycling rates for different materials might be a valuable approach. However, keeping in mind the need to maintain quality, this increase should first be properly assessed. This is why FEAD has not suggested specific higher targets in the table below.

**2. Additional solution**

If targets for reuse for commercial transit packaging are introduced (suggested option number 11), it could pose some significant hindrance for the functioning of the internal market. To introduce targets for reuse for commercial transit packaging, first there is a need to take into account different systems operating across Member States.

The introduction of such targets would also possibly require the establishment of mortgage and leasing systems, which are often associated with high administrative costs that do not always justify their use according to a cost-benefit analysis. Especially in Member States with a separate and well organized collection, these systems may do little to increase recycling rates. Therefore, the decision on introduction of such targets shall be taken on case by case basis following a cost benefit analysis.

**3. Additional solution**

In order to promote greater recycling, FEAD members recognise the importance of a wide spread of different economic instruments (e.g. extended producer responsibility) based on a cost-benefit analysis. This would secure the financing aspect of developing new infrastructures, as well as an improvement of the product design in order to boost a high quality recycling that enables a circular economy.

The Commission is keen to encourage higher rates of recycling. It recognises, however, the need to maintain the quality of recycled material so that it can be used profitably and with losses kept to a minimum between the collection and recycling stages. Keeping in

mind the need to maintain quality, please select from the dropdown lists below the highest level of recycling that you believe could reasonably be achieved for each of the materials. Below you will be asked the year by which you believe these targets could realistically be achieved (i.e. between 2020 and 2025).

Paper and cardboard	Glass	Metals	Plastic	Wood	All Packaging	Other Material (please specify)
60%	60%	50%	22.5%	15%	55%	15%
65%	65%	55%	25%	20% 20%	60%	20%
70% 70%	70%	60% 60 %	30%	25%	65%	22.5%
75%	75%	65%	35%	30%	70%	25%
80%	80%	70%	40%	35%	75%	30%
85%	85%	75%	45%	40%	80%	35%
90%	90%	80%	50%	45%	85%	40%
>90%	>90%	85%	55%	50%	90%	45%
		90%	60%	55%	>90%	50%
		>90%	65%	60%		55%
			70%	65%		60%
			75%	70%		65%
			80%	75%		70%
			85%	80%		75%
			90%	85%		80%
			>90%	90%		85%
				>90%		90%
						>90%

If you have entered a recycling rate for "Other Material" above, please state what material this is for.

Please indicate the year by which you think it would be possible to achieve the recycling rates that you have defined for each of the materials listed above.

Paper and cardboard	Glass	Metals	Plastic	Wood	All Packaging	Other Material (as defined above)
2020	2020	2020	2020	2020	2020	2020
2021	2021	2021	2021	2021	2021	2021
2022	2022	2022	2022	2022	2022	2022
2023	2023	2023	2023	2023	2023	2023
2024	2024	2024	2024	2024	2024	2024
2025	2025	2025	2025	2025	2025	2025