



EDA input

Packaging and Packaging Waste Directive Inception Impact Assessment

General remarks

- EDA welcomes the Commissions effort to review the Packaging and Packaging Waste Directive, including the Essential Requirements, with a focus on ensuring a European framework for **investments in new and cutting-edge packaging solutions**, supporting the **reduction of packaging waste** and **enhancing the sustainability** of packaging in an **economically viable manner**.
- **The dairy industry is involved in many initiatives to further streamline the environmental impact of its packaging and strives to also find improved solutions for collection and recycling.** Most dairy companies have targets on reusability, recyclability, composability, as well as recycled content, sorting and collection, design, and carbon footprint of packaging.
- In view of the need to achieve an overall minimization of the environmental footprint, we support an **integrated approach** aimed at designing the most suitable group of measures, including amongst others **design for sorting/recyclability**, both quantitative and qualitative recycling targets in all Member States, and reduction of packaging waste for disposal. The latter should not be confused with packaging reduction.
- We would like to help reflecting on a different angle of approach to the question of packaging. It may be more suitable, having in mind environmental impact and societal costs, to see for the best way to improve them on the longer term by **defining an end-point** (and suitable intermediate goals) for the whole economic chains to work towards. That would ensure the predictability and an economically viable industry-lead strive to a solution, assure addressing consequences and drivers of the current unsatisfactory situation and avoid undesired trade-offs.

Food safety and quality

- The design of dairy packaging must assure **safety and quality as a non-negotiable baseline**, before addressing logistics, recyclability, and other criteria. Many dairy products require specific handling at production, in transportation and in the consumer's home. This can only be achieved with the adequate packaging that safeguards the products from external influences and remains as light and practicable as possible.
- The dairy sector is fully engaged for the sustainability of dairy products and their packaging as long as it is abiding by all the **safety requirements under EU legislation**. Dairy producers have an extensive set of rules to comply with, namely the **Hygiene Regulation** (EC) No. 853/2004, the **Food Contact Material Regulation** 1935/2004 and the **General Food Law Regulation** (EC) No. 178/2002. Many packaging materials do not meet the necessary quality and food safety requirements for food and drink applications.
- From the perspective of dairy and other fresh produce, **reusable or refilling of packaging will have concerns of hygiene and shelf life** and therewith increase food safety and food waste risks.



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Life cycle approach

- When choosing the appropriate packaging for a product, companies consider the full life cycle of a product, encompassing the environmental pressures and benefits, the trade-offs, and areas for achieving improvements. In this framework, the choice to substitute packaging materials must be done carefully by taking a **life cycle approach** (see also our [Dairy pilot on Product Environmental Footprint](#)) to assess on a case-by-case basis whether substituting totally or partly some packaging materials would result in an overall better environmental performance through the full life-cycle of the product. For example, according to a recent European study¹, if plastic were to be replaced by other materials, in its principal applications, the weight of packaging would increase almost fourfold; there would be a 60% increase in the volume of waste produced and a 57 % increase in lifecycle energy consumption.
- We support – as also stated in the Inception Impact Assessment – that the environmental impacts to be assessed must include **several indicators** like reduced greenhouse gas emissions, increased resource efficiency, reduced pollution to water (including marine litter), soil and air from landfilling and incineration and related ecosystem degradation and health risks. Such environmental impacts should refer not only to the packaging but the whole product including packaging.

Food waste

- We use packaging to protect our food through the entire chain and shelf life. **The environmental impact of the food inside the packaging exceeds that of the packaging** by far. Food waste already is one of the main concerns regarding global GHG impact, and the Commission has the ambition to halve the per capita food waste by 2030. We urge the Commission to take no measures that could increase food waste (even slightly).
- Indeed, the **design of dairy packaging plays an integral part in reducing food waste** by keeping dairy products fresh and safe for longer. In some cases, packaging reduction cannot coexist with food waste reduction, e.g. by providing individually portioned packs that are important to help consumers having a healthy and balanced diet as well as cut down food waste in households. There has been an increase in 1- and 2-person households over the past years. Driving them into larger, family size packaging will increase the risk of food waste. In order to address food waste there is a conscious effort to do the exact opposite, increasing the number of smaller packs' sizes and making these more cost effective. From a life cycle perspective this is far better for the environment.

Packaging minimisation

- The Inception Impact Assessment points out that the essential requirements – by leaving too much room to interpretation – spurred a trend towards **light-weighting of packaging**, sometimes at the expense of recyclability. As this was encouraged by the legislative framework in place, we would like to remind how relevant it is for the industry to have **long-term planning certainty** for packaging related investments.
- Whereas other types of products – especially non-food products – may have bigger packaging in relation to the size/volume of the item sold, dairy products do not have so much margin for reduction, as **any further reductions or light weighting in packaging would compromise food safety and increase food waste**.
- Regarding “over-packaging”, **an objective and fact-based definition is needed to determine where over-packaging occurs**. A forced reduction in packaging material can lead to more **food waste**.

¹ European Commission, press release, 16 January 2018, in EESC opinion on the Plastic Strategy (NAT/721)



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Collection, sorting and recycling

- Packaging design must consider the difficulties and costs of **treatment of packaging waste (including collection and sorting)** without overlooking food safety, food waste prevention, and consumer acceptance. This is a shared **responsibility of all actors** including municipalities for efficient infrastructures.
- All Member States should have an **efficient infrastructure for collection, sorting and recycling** packaging material.
- In addition to the initial investments required to establish **reuse systems** and shift towards certain reusable packaging types – as recognised in the Inception Impact Assessment – it is key to also underline that for dairy this would be delicate from a hygienic perspective, as **milk products are microbiologically sensitive** and organic residues like **fat and proteins may be difficult to remove**. Disinfection can be realised by a broad range of substances with different properties regarding killing effectiveness, stability in aqueous solutions, biodegradability and material corrosivity. Cleaning of fat and proteins' residues require aqueous solutions assembled case-by-case. Moreover, their solubility can be influenced by pH, temperature, dissolved salts (water hardness) and added compounds, detergents and sanitisers.²

Internal market

- We support the Inception Impact Assessment in advocating for the **harmonisation of rules on packaging** across the internal market to preserve its integrity and allow for a smooth free movement of packaging and packaged goods. We agree that uncoordinated national measures would result in obstacles to the free movement of goods and hinder the development of markets for secondary raw materials. Regarding the latter, the increased uptake of **food grade and competitive secondary materials** from recycled packaging would facilitate reaching the recycling targets set by the PPWD.
- A **level playing field** is important for a well-functioning internal EU-market. Targets and measures that vary between Member States should be avoided. Therefore, target-setting should eventually be at EU-level.

Other recommendations

- We would suggest that the Commission launches a **consumer information campaign** on how to reduce consumer packaging waste or even better the overall environmental impacts of consuming food.
- Only 8 countries within the EU (and Switzerland and Norway) have adopted landfill restrictions. **Reinforcing landfill restrictions** for packaging materials in all Member States would effectively reduce packaging waste.

² FDM BREF: https://eippcb.jrc.ec.europa.eu/sites/default/files/2020-01/JRC118627_FDM_Bref_2019_published.pdf, pp. 347-348.

