

Key recommendations for a revised Packaging and Packaging Waste Regulation

July 2023

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Ensure the PPWR legislative process is concluded in this parliamentary term

To stop the continuous growth of packaging waste, the legislative process must be concluded in this parliamentary term. Unfortunately, the publication of the Commission proposal was delayed by over a year compared to what had been announced in the Circular Economy Action Plan. The proposal also comes after an extensive period of impact assessments and stakeholders consultations (started in 2019), and it is therefore now key to complete this work. Any delays at this stage would make it difficult to finalise the discussions before the end of this legislature creating further legal uncertainty.

The PPWR offers an important opportunity for the much-needed transition towards more circular packaging systems at a time where it is crucial to tackle emissions, pollution and resource use in all sectors. Though we are already witnessing deliberate efforts by laggards in the packaging sector attempting to delay the legislative process, we count on policy makers to prioritise consumer and environmental protection by ensuring a timely adoption of the legislation.

Consumer safety & harmful chemicals in packaging

1. More ambitious measures in the PPWR regarding the restriction on the use of substances of concern in packaging or packaging components, to protect consumers and notably vulnerable groups.

All substances recognized in the EU as substances of concern and very high concern should be restricted from use in packaging.

The proposal is too vague on substances of concern and falls further short of the requirements of the EU Chemicals Strategy for Sustainability. It lacks provisions and incentives to avoid harmful chemicals in packaging. However, this is fundamental to a safe circular economy that does not want to keep recycling pollutants into new products.

Tests show that toxic recycling (i.e. recycling that continues to co-recycle harmful substances) leads to diffuse and non-traceable contamination of products, including products for children. Therefore, materials that are not free of harmful substances should not be recycled. The same chemical requirements must apply to the use of recycled materials as to new materials.

The PPWR should include a clear link to REACH restrictions process when there is an unacceptable risk to human health or the environment identified, arising from the use of a substance in the manufacture of packaging or packaging components, or from a substance present in packaging or packaging components when they are placed on the market, or during their subsequent life cycle stages, including the waste phase.

Compare Annex: Table 1: Consumer safety & harmful chemicals in packaging

Waste prevention and reuse

Prevention (in the sense of using fewer resources through fewer products/packaging and including waste prevention) must be a central concern of the PPWR. Prevention and reuse must always have priority over recycling in accordance with the waste hierarchy. We cannot recycle our way out of the packaging crisis.

1. Substantially increase packaging waste reduction targets at a minimum of 15% by 2030 and 50% by 2040

Packaging waste generation has [grown by 20% in 10 years](#), faster than economic growth and without intervention packaging waste is projected to grow by another 20% over the next 7 years (until 2030), this growth is driven particularly by our addiction to single-use throwaway solutions.

The packaging waste crisis is also a crisis of overexploitation of resources which are too often used inefficiently for short-lived throwaway applications. The [packaging sector is one the main user of virgin materials](#) (in the EU 40 % of all plastics and 50% of all paper is used for packaging).

To tackle the uncontrolled growth of packaging waste and the related environmental impacts (in terms of emissions, resource use, water, pollution, biodiversity loss...), we need more effective EU rules to prevent its production and consumption wherever this is possible. This means adopting measures in the PPWR that help us to (i) prevent excessive & avoidable packaging and (ii) scale up well-designed reuse systems.

The corresponding restrictions in Article 22 and Annex V need to be tightened up, as they allow too many exceptions. They must also not be reduced to single-use plastic packaging. Single-use packaging for take-away/delivery of food and beverages should be banned and included in Annex V, or at least drastically reduced through ambitious reuse targets in this sector (see below).

Compare Annex: Table 2: Waste prevention and reuse

2. Don't allow for material substitution (e.g: from single-use plastics to single-use paper) but rather focus on moving away from single-use packaging altogether and build efficient reuse systems.

It is important to recognise that all packaging materials come with their respective impacts and this is why this legislation should aim to reduce the unnecessary and avoidable single use items rather than driving simple material substitutions like replacing single-use plastic with single-use paper.

Compare Annex: Table 2: Waste prevention and reuse

3. Reuse targets should be more ambitious and expanded to other key sectors (e.g. retail sector for food and non-food applications, including cosmetics, cleaning products, personal hygiene products, etc.)

Reuse targets should also be expanded to other key sectors and product groups, such as the retail sector¹. The targets proposed apply only to a limited number of product groups, and are less ambitious compared to those already in place in some Member States:

- *Austria: reuse targets of 25% by 2025 and at least 30% by 2030 for beverage packaging;*
- *France: 5% of all packaging to be reusable by 2023 and 10% by 2027;*
- *Germany: reuse target of 70% for beverage packaging;*
- *Romania: 5% packaging to be reusable by 2020, plus a 5% annual increase until 2025.*
- *Portugal: 30% of all packaging to be reusable by 2030;*
- *Sweden: increase of reusable packaging by at least 20% by 2026 and by at least 30% by 2030*

In addition, the targets set in the regulation must be higher enough in order to achieve reuse at scale. Their achievement should be monitored via interim targets and an annual progress report. It is incomprehensible that - in particular the reuse targets for beverage bottles - are very low, as there is already substantial experience in this area in a number of Member States. In Germany, for example, reuse targets for beverage bottles of over 40% have been achieved for decades.

The following reuse targets should be set in Article 26:

	Until 2025	Until 2030
Food packaging (retail sector)	20%	50%
Detergents and cleaning products	30%	75%
Cosmetics and personal care products	20%	50%
Beverages (alcoholic/non-alcoholic)	30%	75%
Take-away, delivery + in-house-consumption (food & beverage)	restrict completely	
E-commerce	30%	70%
B2B incl. Transport packaging	50%	100%

The exemptions for cardboard boxes in Chapter 26, paragraphs 10, 12 and 13 must be deleted as this is a loophole for single-use and not a sustainable alternative to reusable transport packaging. Viable alternatives exist.

4. Secure the reuse targets for the takeaway beverage & food sector in line with the Commission's proposal

Retail and HORECA increasingly offer take-away ready-prepared food, e.g. salad bars, and therefore contribute a significant share to single-use packaging consumption. Also, these packaging, since they are mostly consumed on the go, mostly end-up in the municipal mixed waste bin or are littered in the environment. Not surprisingly, these packaging types are in the top 10 items of the most commonly found single-use plastic items on European beaches representing 70% of all marine litter in the EU.

These items represent a significant part of the municipal waste and a recent study in Ireland has estimated that between 2012 and 2017 approximately €409 million has been spent by 24 Councils on street cleaning, litter and street rubbish bin collections. This equates to an average of €68 million per year. Also, their end-of-life disposal consists of incineration and landfill in most of the cases.

Reusable packaging systems for take-away already exist in many Member States (France, Netherlands, Germany, Spain, Belgium, Austria, ...) and have proven to reduce packaging waste significantly.²

¹ See also here: [We Choose Reuse - Effective Reuse Targets](#)

² For examples, see: [Factsheet on 7 reasons why reusable take-away packaging is a sustainable alternative compared to single-use packaging](#)

Similar provisions are already in force in some Member States, for instance:

- [France: Circular Economy Law - Loi n° 2021-1104 du 22 août 2021 portant lutte contre le dérèglement climatique et renforcement de la résilience face à ses effets](#),
- [Luxembourg: Loi du 9 juin 2022 modifiant la loi modifiée du 21 mars 2012 relative aux déchets ; et la loi modifiée du 31 mai 1999 portant institution d'un fonds pour la protection de l'environnement](#). (Article 9, paragraph 2) - Luxembourg mandated that, as of January 2025, containers, trays, plates and cutlery used in the context of takeaway meals have to be reusable.
- [Germany: The legislation on the placing on the market, return and high-quality recycling of packaging](#) mandates for restaurants and take away establishments over 80 square metres and 5 employees to offer reusable cups and food containers by January 2023.
- [Portugal: Decreto-Lei n.º 78/2021 de 24 de setembro - Article 6](#). Portuguese law mandates that by January 2024, restaurants are required to provide reusable packaging to its customers (through a deposit) for takeaway or delivery of food and beverages. It also instructed that the price of reusable packaging should not be higher or less advantageous than the single-use packaging. Also, restaurants must provide reusable utensils for onsite consumption of food or beverages in their establishments
- [Netherlands: Regeling kunststofproducten voor eenmalig gebruik](#) mandates that horeca operators shall provide the end user with a reusable alternative to single-use plastic drinking cups or single-use plastic food containers for the consumption of beverages or food outside the food delivery site

Finally and critically there is a growing body of independent evidence base which suggests that under the right conditions reuse in take-away sector delivers a considerable environmental advantage when compared to single use alternatives based on life cycle assessment:

- Accorsi et al (2022) reuse performs better than single use after 15 rotations
- Zhou et al (2020): reuse scenarios reduce waste generation by 92%, emissions and water impacts by 66%
- Hitt et al (2023): reuse performs better than single use under most conditions
- Camps-Posino (2021) reusable packaging reduces emissions by 54%

5. Sector specific reuse targets should be achieved only through 'systems for reuse' and 'refill' should be counted as part of the waste prevention targets.

In the current Commission's proposal, article 26 mixes reuse and refill targets for most sectors (excluding transport and e-commerce packaging). Nevertheless, as recognised in Article 3 on definitions, reuse and refill are different approaches to packaging: The action of refill, as defined in the proposal, means an operation by which an end-user fills its own container. In this sense, the container is, in fact, not a packaging but a consumer-owned product. Therefore, the action of refill by a consumer should be considered as a waste prevention measure and should be counted within the overall waste prevention targets. On the other hand, as laid down in the proposal, 'reuse' means an operation by which a reusable packaging, which is an asset owned by the system operator, is used again for the same purpose for which it was conceived and must be part of a 'system for reuse'.

These two different measures should not be confused or combined to prevent risks in implementation and enforcement. The calculation methods and metrics for reuse and refill are not the same.³ Reusable packaging within a system for reuse is easily traceable by units using a serial number (tracking how many were placed on the market, how many were returned, how many times it was refilled, etc.). However, it is very difficult to measure refills through consumer-owned products (how many kilos/litres of a certain product the consumer is refilling and how many times, etc.), especially in public/farmers markets. Therefore, mixing prevention and reuse will lead to a huge margin of error, and less robust data. Furthermore, the targets should not include single-use packaging provided at refill stations.

³ See also: [ZWE, Packaging Reuse vs. Packaging Waste Prevention](#)

Extended Producer Responsibility

The limited provisions related to EPR must be strengthened to genuinely support waste prevention and support the transition to reuse. That's why we propose:

1. Fund for change: EPR schemes should dedicate a minimum of 10% of their budget to finance reuse infrastructure (systems for reuse).

Due to the lack of level playing field with single-use packaging, raising revenues to create a 'Fund for Change', could ensure financial support for reuse systems to overcome barriers to entry, such as capital investments for collection vehicles or washing facilities. They could also be used by municipalities and communities to invest in waste prevention/reuse local systems. E.g. CITEO (the French PRO) dedicates part of its budget to meet the 5% target of reusable packaging in accordance with the French Circular Economy Law.

2. Litter clean-up costs: need to include a requirement for producer responsibility schemes to cover the costs of management and clean-up of litter caused by packaging as well as the costs of awareness raising measures to prevent and reduce such litter.

The revision of EU rules on packaging offers the opportunity to better apply the polluter pays principle for all packaging formats which are among the main sources of littering (mirroring the approach of the Single-Use Plastic Directive), thus shifting the financial responsibility from public authorities and taxpayers to producers.

3. Ensure transparency on packaging data and on chemicals contained in packaging and right-to-know.

To implement the right-to-know and to ensure that authorities are able to take action and targets are met the relevant EPR data, as well as other data on packaging and packaging waste, must be collected in full along the entire supply chain, and must be made transparently and comprehensively available to the public.

Compare Annex: Table 3: Extended Producer Responsibility

Deposit Return Schemes (DRS)

1. DRS should be mandatory for all beverage packaging, including plastic bottles, metal cans, glass bottles, and other recyclable beverage containers

The PPWR needs to address all packaging and packaging waste from a material neutral perspective. The adoption of the Single-use Plastic Directive has unfortunately led to a big shift of materials, since it has addressed only plastics. However, the PPWR should be material neutral and address single-use packaging as a whole, since each material comes with their related impacts. Therefore, to help ensure material neutrality for packaging, we recommend that deposit return schemes are mandatory for all beverage packaging, including plastic bottles, metal cans, glass bottles, and other recyclable beverage containers.

[Single-use glass has the highest overall environmental footprint compared to other single-use materials.](#) On the other hand, glass is a material with a very high potential for reusability (e.g.: reusable glass bottles easily reach 25-30 rotation cycles). As the material performs environmentally at best being reused, and at its worst being single-use, it should be part of a reuse system.

2. DRS should accommodate reusable packaging from the outset

To maximise the efficiency and convenience of DRS systems, as well as lower their costs, it is critical that the reverse logistics infrastructure accepts both single use and reusable packaging. The collection infrastructure and other DRS functionalities can be easily integrated and used for both single-use and reusable packaging with a

deposit. This is already the case in several Member States, such as Germany, the Baltics (Estonia, Lithuania) and the Scandinavian countries (Finland, Denmark, and Sweden). From the perspective of both consumers and retailers, there is a single point of return, and both types are on an equal footing (there is no discrimination of refillables on convenience since all beverage containers are with a deposit and have to be returned back).

Existing deposit and return systems shall be given a timeframe of 5 years after the entry into force of this Regulation to comply with this requirement.

Standardisation

1. Standardisation on the characteristics needed to deploy well functioning reuse systems should be included in the PPWR

The proposed PPWR barely refers to standardisation although it foresees that standardisation efforts in this area would bring environmental and economic benefits, including for economic operators that are willing to use standardised packaging formats.

Standardisation is a crucial element of systems for reuse. It does not only streamline the packaging formats, but also the entire infrastructure, making them interoperable, facilitating logistics and collaboration of value chain actors, making it more accessible; creating economies of scale; and largely improving the overall environmental and economic benefits of the system.

Recycling, recyclability and recycled content

1. The PPWR should clearly prioritize those recycling technologies with the lowest environmental impact and the highest efficiency

All recycling technologies require energy and imply material losses, simply due to physics/thermodynamics (dissipation),⁴ which is one reason why prevention and reuse is to be prioritized according to the EU waste hierarchy. Chemical recovery (often referred to as “chemical recycling”) should generally not be considered for packaging as it is a waste of resources and energy. A study by CE Delft shows that mechanical recycling and short-loop recycling convert plastic waste more effectively in recyclate, which are therefore environmentally preferable over long-loop chemical recycling.⁵ A recent study from Ökoinstitut shows that chemical recycling consumes 9x more energy than mechanical recycling.⁶ Also the infrastructure of renewable energy needs resources and time, which is why energy will always be a limiting factor.⁷

The methodology allocating recycled content should integrate an environmental consideration to favour recycling technologies, which are with the lowest environmental impact to minimise the climate impact of recycling activities and support the more efficient ones.

2. Remove the concept of “innovative packaging” in the proposal

The concept of “innovative packaging” as currently defined in the Commission’s proposal is problematic as packaging producers would not be required to document on the packaging properties (including on its recyclability) before five years after the first placing on the market. Such a concept would lead to increasing loopholes when it comes to the recycling stage with packaging put on the market without having recycling technologies able to address this ‘innovative’ format, and when no information would have been shared beforehand. Therefore, innovative packaging that is unlikely to drive sufficient demand and consequently is unlikely to create enough volumes to justify building a dedicated collection and recycling infrastructure, should

⁴ <https://360dialogues.com/360portfolios/ce-impossibilities>

⁵ <https://zerowasteurope.eu/library/impacts-of-allocation-rules-chemical-recycling/>

⁶ Ökoinstitut (2022): [Climate impact of pyrolysis of waste plastic packaging in comparison with reuse and mechanical recycling](#)

⁷ <https://360dialogues.com/360portfolios/ce-impossibilities>

be discouraged. We strongly recommend removing this provision from the proposal. Recyclability as a key property must be already part of the eco-design of the packaging.

Compare Annex: Table 4: Recycling, recyclability and recycled content

False solution “bio”plastic

1. PPWR should not incentivize the production and marketing of single-use "bio"plastic packaging and its disposal through bio-waste collection.

Biodegradable or compostable plastic packaging is a false solution to the packaging crisis. Their production is energy- and resource-intensive and they consist to a large extent of fossil components. They usually degrade insufficiently in industrial composting plants, cause impurities due to the additives in the compost product and do not generate plant nutrients - thus have no added value for the compost. The composting of biodegradable plastics in the packaging sector is therefore pure disposal, which contradicts the idea of a circular economy. A shift to un-packaged and re-use is the only sustainable solution.

Biobased plastics, which are produced partly or entirely from renewable raw materials, are also resource-intensive consuming valuable land. Biodegradable and bio-based plastics also contain as many unknown and sometimes harmful chemicals as conventional plastics.

A product meant to be compostable should have no (unknown) substances, which can harm the environment and the human health but be 100% degradable to un-harmful, organic components. This requires complete transparency on all ingredients as well as additional mandatory toxicity testing ("bio" tests) regarding non-intentionally added substances (NIAS) in the existing standards.

Compare Annex: Table 5: False solution „bio“plastic

About EXIT PLASTIK

As alliance of German civil society organizations, we have been working together since 2020, promoting holistic solutions to the plastic crisis and address the dangers associated with plastic for people, the environment, and the climate. We are part of the global BreakFreeFromPlastic movement.

Alliance members: a tip: tap e.V., Bund für Umwelt und Naturschutz Deutschland e.V., Forum Umwelt und Entwicklung, Greenpeace e.V., HEJSupport e.V., Küste gegen Plastik e.V., Women Engage for a Common Future e.V. (WECF), Zero Waste Germany e.V. & Zero Waste Kiel e.V.

Contact

Carla Wichmann (Coordination): carla.wichmann@exit-plastik.de

Exit Plastik

Alliance for Ways out of the Plastic Crisis

c/o HEJSupport e.V. | Von-Ruckteschell-Weg 16 | 85221 Dachau | Germany

www.exit-plastik.de

Annex

Table 1: Consumer safety & harmful chemicals in packaging

Original text	Amendments	Rationale
<p>Article 5 Requirements for substances in packaging</p> <p>1. Packaging shall be so manufactured that the presence and concentration of substances of concern as constituents of the packaging material or of any of the packaging components is minimised, including with regard to their presence in emissions and any outcomes of waste management, such as secondary raw materials, ashes or other material for final disposal.</p>	<p>Packaging shall be so manufactured that the presence and concentration of substances of concern as constituents of the packaging material or of any of the packaging components is completely avoided minimised,</p>	<p>Minimized is not strong enough. Non of these chemicals should be present in packaging. The definition of „substance of concern“ only includes very harmful substances, that should not be present in packaging at all.</p>
<p>2. Without prejudice to the restrictions on chemicals set out in Annex XVII of Regulation (EC) No 1907/2006 or, where applicable, to the restrictions and specific measures on food contact packaging in Regulation (EC) No 1935/2004, the sum of concentration levels of lead, cadmium, mercury and hexavalent chromium resulting from substances present in packaging or packaging components shall not exceed 100 mg/kg.</p>	<p>Without prejudice to the restrictions on chemicals set out in Annex XVII of Regulation (EC) No 1907/2006 or, where applicable, to the restrictions and specific measures on food contact packaging in Regulation (EC) No 1935/2004, the sum of concentration levels of lead, cadmium, mercury and hexavalent chromium resulting from substances present in packaging or packaging components shall not exceed 100 mg/kg, not be present in the packaging and waste materials and the ALARA principle should be applied.</p>	<p>there should be no derogations, there is no reason why it cannot be applicable</p> <p>All substances are EDCs, where no threshold is safe, some are carcinogenic</p>
<p>4. Recyclability requirements established in delegated acts adopted pursuant to Article 6(5) shall not restrict the presence of substances in packaging or packaging components for reasons relating primarily to chemical safety. They shall address, as appropriate, substances of concern that negatively affect the re-use and recycling of materials in the packaging in which they are present, and shall, as appropriate, identify the specific substances concerned and their associated criteria and limitations.</p>	<p>Recyclability requirements established in delegated acts adopted pursuant to Article 6(5) shall not in addition restrict the presence of substances in packaging or packaging components for reasons relating primarily to chemical safety. They shall address, as appropriate, substances of concern that are harmful to human health and the environment and negatively affect the re-use and recycling of materials</p>	<p>Chemicals safety should be addressed also for recycling content. Recycled materials shall meet the same strict requirements for chemicals safety than the virgin materials.</p>
<p>Article 6</p> <p>2. Point (a) shall apply from 1 January 2030 and point (e) shall apply from 1 January 2035.</p> <p>3. Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6.</p> <p>6. The Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements: [...]</p>	<p>2. Point (a) shall apply from 1 January 2025 2030 and point (e) shall apply from 1 January 2035.</p> <p>3. Recyclable packaging shall, from 1 January 2025 2030, comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and, from 1 January 2027 2035, also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6.</p> <p>6. Remark: Does not address important points regarding chemicals contained in packaging and „toxic recycling“.</p>	<p>2030 is too long. Too much material will be on the market that is not ready for recycling in terms of chemicals and other aspects</p> <p>Rationale: too late</p> <p>Too much important content is being laid out in Annexes and future delegated acts. Hard to evaluate now.</p> <p>Toxic recycling must be avoided.</p>
<p>Article 11 Labelling of packaging</p> <p>1. From [OP: Please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.</p>	<p>1. From [OP: Please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition and contained chemicals, including additives. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.</p>	<p>Implement right-to-know and chemical safety and transparency.</p>

Packaging subject to deposit and return systems referred to in Article 44(1) shall, in addition to the labelling referred to in the first subparagraph, be marked with a harmonised label established in the relevant implementing act adopted pursuant to paragraph 5.	Packaging subject to deposit and return systems referred to in Article 44(1) shall, in addition to the labelling referred to in the first subparagraph, be marked with a harmonised label established in the relevant implementing act adopted pursuant to paragraph 5.	
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➤ *Return to main text: Consumer safety & harmful chemicals in packaging*

Table 2: Waste prevention and reuse

Original text	Amendments	Rationale
<p>Article 22</p> <p>(2)</p> <p>By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2030.</p>	<p>By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2025.</p>	<p>2030 is too late. There is no justification for such a derogation. In different EU countries (e.g. Germany) reusables for take-away and in-house consumption in HORECA are already in use.</p>
<p>(3)</p> <p>Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.</p>	<p>Delete paragraph 3</p>	<p>Rules should also apply to micro-companies. The focus should be on the development and expansion of reuse infrastructures and pool-reuse-systems as new standard.</p>
<p>Annex V (Table)</p> <p>1.</p> <p>Packaging format: Single-use plastic grouped packaging</p> <p>Restricted use: Plastic packaging used at retail level to group goods sold in cans, tins, pots, tubs, and packets designed as convenience packaging to enable or encourage end users to purchase more than one product. This excludes grouped packaging necessary to facilitate handling in distribution.</p>	<p>Packaging format: Single-use plastic, single use composite or other single use grouped packaging</p> <p>Restricted use: Plastic Single use packaging used at retail level to group goods sold in cans, tins, pots, tubs, and packets designed as convenience packaging to enable or encourage end users to purchase more than one product. This excludes grouped packaging necessary to facilitate handling in distribution.</p>	<p>This should apply to all materials (not only to plastic) in order to reduce resource use and waste and to prevent the substitution of single-use plastic packaging by single-use packaging of other materials (e.g. paper). Handling in distribution should also be facilitated by reusable solutions/reusable packaging. An exception for handling in distribution would leave too many loopholes.</p>
<p>2.</p> <p>Packaging format: Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables</p> <p>Restricted use: Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss or turgidity loss, microbiological hazards or physical shocks.</p>	<p>Packaging format: Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables</p> <p>Restricted use: Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss or turgidity loss, microbiological hazards or physical shocks.</p>	<p>Exemption leaves too many loopholes.</p>
<p>3.</p> <p>Packaging format: Single use plastic, single use composite packaging or other single use packaging</p> <p>Restricted use: Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector, which</p>	<p>Packaging format: Single use plastic, single use composite packaging or other single use packaging</p> <p>Restricted use: Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector, which</p>	<p>This kind of packaging especially often escapes into the environment (e.g. found on beaches) or is being littered. The transition to reuse for take-away ready-prepared foods and beverages in HORECA can significantly reduce resource consumption and waste, water consumption, CO2-emissions and save</p>

include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption	include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption as well as single use packaging for take-away ready-prepared foods and beverages intended for immediate consumption without the need of any further preparation	money. A range of materials are used for single-use take-away packaging including PET, PP, aluminium, paper lids, waxed papers, and bio based plastics. Due to their contact with food there are particular toxicity, health and safety concerns for take-away containers. This said, well designed pooling and washing systems for reuse systems can ensure health and safety. In different EU countries (e.g. Germany) reusables for take-away and in-house consumption in HORECA are already in use. (see e.g. study “ Realising Reuse ”)
4. Packaging format: Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector Restricted use: Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, except such packaging provided together with take-away ready-prepared food intended for immediate consumption without the need of any further preparation	Packaging format: Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector Restricted use: Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, except such packaging provided together with take-away ready-prepared food intended for immediate consumption without the need of any further preparation	Unjustified exception. This packaging has even more ability to escape into the environment, causing litter and damage. Restriction necessary to save resources and waste and protect consumer’s health (compare above). Condiments etc. can be added before take-away or at home.
5. Packaging format: Single use hotel miniature packaging Restricted use: For cosmetics, hygiene and toiletry products of less than 50 ml for liquid products or less than 100 g for non-liquid products	Packaging format: use hotel miniature packaging Restricted use: For cosmetics, hygiene and toiletry products of less than 50 ml for liquid products or less than 100 g for non-liquid products	Unjustified exception. Good reusable or refillable alternatives exist and are used in various places.

➤ *Return to main text: Waste prevention and reuse*

Table 3: Extended Producer Responsibility

Original text	Amendments	Rationale
Article 39 Register of producers 1. Member States shall establish a register which shall serve to monitor compliance of producers of packaging with the requirements set out in this Chapter. The register shall provide links to other national registers of producers’ websites to facilitate, in all Member States, registration of producers or appointed representatives for the extended producer responsibility.	Register of producers 1. Member States shall establish a publicly available register, accessible free of charge , which shall serve to monitor compliance of producers of packaging with the requirements set out in this Chapter. The register shall provide links to other national registers of producers’ websites to facilitate, in all Member States, registration of producers or appointed representatives for the extended producer responsibility.	Implement right-to-know principle.
10. Where the information in the register of producers is not publicly accessible, Member States shall ensure that providers of online platforms allowing consumers to conclude distance contracts with producers are granted access, free of charge, to the information in the register.	Where the information in the register of producers is not publicly accessible, Member States shall ensure that providers of online platforms allowing consumers to conclude distance contracts with producers are granted access, free of charge, to the information in the register. Member States shall ensure that the information in the register of producers is publicly accessible and free of charge.	Implement right-to-know principle.
Annex IX Information for registration and reporting to the register referred to in Article 39	Add:	To implement the right-to-know and for ecomodulation, information on

B. Information to be submitted for reporting [a-g]	h) Quantity by weight and exact name of additives and chemicals used in the packaging.	additives contained in packaging must be part of the reporting.
Article 40 Extended Producer Responsibility [1-3]	Ensure that the following EPR elements are covered: Producers cover costs for – cleaning up littered packaging; – measures to prevent packaging and packaging waste; – measures to implement prevention and reuse-targets; Producers promote – design and creation of distribution systems adapted to local conditions and without the use of disposable packaging as well as pool-reuse-systems and DRS; – development of resource-efficient and toxic-free packaging that can be recycled safely and with high quality at the end of its use-phase (following EU waste hierarchy focusing on reusable packaging if packaging cannot be prevented)	Implementing the polluter-pays principle; promoting prevention and reuse over single-use; ensuring safe and toxic-free mechanical recycling.
Article 42 Authorisation on fulfilment of extended producer responsibility 3. The measures to be established by Member States in accordance with paragraph 2 shall include measures ensuring that: [a-e]	Add: (f) At least 10% of the budget generated under the EPR measures shall be invested in systems to prevent packaging and to promote pool-reuse-systems; (g) the measures put in place by the producer or producer responsibility organization are covering the costs for cleaning up littered packaging in public spaces as well as the implementation of prevention measures and targets to avoid packaging and packaging waste.	Implementation of polluter-pays principle. Counteract unequal competitive conditions and the systemic favoring of single-use packaging (resulting e.g. from externalising environmental and health costs to general public) over reusable packaging and promote infrastructure for packaging prevention and comprehensive expansion of pool-reuse-systems. Costs that were previously borne by the general public (e.g. costs for cleaning littered packaging waste) must be covered by the producers of that packaging.
Article 51 Packaging databases 1. Member States shall take the necessary measures to ensure that databases on packaging and packaging waste are established, where not already in place, on a harmonised basis.	Article 51 Packaging databases 1. Member States shall take the necessary measures to ensure that databases on packaging and packaging waste are established and publicly accessible free of charge, where not already in place, on a harmonised basis.	Ensure transparency on packaging and chemicals contained in packaging and right-to-know.

➤ *Return to main text: Extended Producer Responsibility*

Table 4: Recycling, recyclability and recycled content

Original text	Amendments	Rationale
	Add where appropriate: Members make sure that products must only be allowed to be placed on the market if there is a proven, existing, and contractually guaranteed mechanical recycling method for the recovery of materials. In addition,	Only mechanical recycling is resource- und energy effective, therefore only packaging should be produced that can actually be recycled mechanically. ⁹

⁹ <https://www.oeko.de/publikationen/p-details/climate-impact-of-pyrolysis-of-waste-plastic-packaging-in-comparison-with-reuse-and-mechanical-recycling>

	each product should be digitally tagged (Digital Product Passport ⁸) with regard to complete transparency of components and also the disposal route to be followed, so that compliance with disposal and the location of the product can be checked without any doubt. The Digital Product Passport must be transparent, therefore actually accessible by NGOs, end-consumers and the general public.	
Article 6 (9) From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market for a maximum period of 5 years after the end of the calendar year when it has been placed on the market. Where use is made of this derogation, innovative packaging shall be accompanied by technical documentation, referred to in Annex VII, demonstrating its innovative nature and showing compliance with the definition in Article 3(34) of this Regulation.	Delete complete article.	Exception for „innovative packaging“ creates a loophole for non-recyclable packaging well after 2030. Recyclability must be key property of innovative packaging and must be already part of the ecodesign of the packaging.
Article 46 (2) Without prejudice to paragraph 1, point (a), a Member State may postpone the deadlines set out in paragraph 1, points (b)(i) to (vi), by up to 5 years, under the following conditions [...]	Delete article	The Member State shall not postpone the deadlines set out in paragraph 1 because they are still quite far away (2025 and 2030) and the critical situation of the recycling quotas must be resolved as soon as a possible.
Art 47 (3) Member States shall calculate the weight of packaging waste recycled in a given calendar year. The weight of packaging waste recycled shall be calculated as the weight of packaging that has become waste which, having undergone all necessary checking, sorting and other preliminary operations to remove waste materials that are not targeted by the subsequent reprocessing and to ensure high-quality recycling, enters the recycling operation whereby waste materials are actually reprocessed into products, materials or substances.	Member States shall calculate the weight of packaging waste recycled in a given calendar year. The weight of packaging waste recycled shall be calculated as the weight of packaging that has become waste which, having undergone all necessary checking, sorting and other preliminary operations to remove waste materials that are not targeted by the subsequent reprocessing and to ensure high-quality recycling, enters leaves the recycling operation whereby waste materials are actually reprocessed into products, materials or substances. Recycling and recovery technologies must also be resource-energy efficient, therefore mechanical recycling is to be given preference.	The weight of recycled packaging waste must be measured when the waste or, in this case, the resulting secondary materials leave the recycling operation. Moreover, the weight must reflect the materials that can actually be used (without any doubt for the environment and health) otherwise the recycling rate does not reflect the reality and is simply wrong. Even after having sorting there is a tremendous amount of plastic that is still lost during the recycling process and will not be recycled. In 2021 about 25% are process losses of all plastic packaging and this must be reflected in the recycling rates. ¹⁰ There are also always material losses, simply due to physics/thermodynamics (dissipation), ¹¹ this must be adequately reflected and must not be ignored. Mechanical recycling is also an energy and resource intensive process; therefore re-use needs to be given priority in general as circular economy has limits. ¹² But in comparison with chemical recovery it is much more resource- and energy efficient. There is no study that compares the resource losses between the two technologies, but we can assume that the material loss is much greater with chemical recovery. A recent study from Ökoinstitut proves that chemical recovery consumes 9x more energy than

⁸ The Digital Product Passport is important but also needs to be usable and accessible, a BUND paper on the requirements will be published here: www.bund.net/produktpass

¹⁰ https://www.bvse.de/dateien2020/2-PDF/01-Nachrichten/03-Kunststoff/2022/Kurzfassung_Stoffstrombild_2021_13102022_1_.pdf

¹¹ <https://360dialogues.com/360portfolios/ce-impossibilities>

¹² <https://www.routledge.com/The-Impossibilities-of-the-Circular-Economy-Separating-Aspirations-from/Lehmann-Hinske-Margerie-Nikolova/p/book/9781032154435>

		mechanical recycling, ¹³ so it should generally not be considered for packaging as it is a waste of resources and energy. Also the infrastructure of renewable energy needs resources and time, so it will always be limited. ¹⁴
Art 47 (4) Composite packaging and other packaging composed of more than one material shall be calculated and reported per material contained in the packaging. Member States may derogate from this requirement where a given material constitutes an insignificant part of the packaging unit, and in no case more than 5 % of the total mass of the packaging unit.	Composite packaging and other packaging composed of more than one material shall be calculated and reported per material contained in the packaging. Member States may derogate from this requirement where a given material constitutes an insignificant part of the packaging unit, and in no case more than 5 % of the total mass of the packaging unit.	Aluminum is (unfortunately still) an essential part in beverage cartons and has a weight below 5% total mass. It should nevertheless be calculated and indicated, because a replacement of this material or at least a recycling is important. Aluminum is extremely fueling the climate crisis, on the one hand through the enormous energy demand and on the other hand - and this aspect is almost unknown in the debate: through the generation of the highly climate-relevant F-gases during primary aluminum production. ¹⁵ These by-products have extremely high GWPs (up to 14,000) and lifetimes of up to 50,000 years. Monitoring the use and reduction of aluminum packaging and components is therefore central to resource and climate protection. Also plastic layers on paper packaging are never recycled but burned, whereas parts of the paper could be recycled. Composite packaging should be phased-out as its complete recycling will never be possible. Therefore composite packaging should always be completely reported, also to monitor changes: improvements and worsening.
Art 47 (5) Packaging waste exported out of the Union shall be calculated as recycled by the Member State in which it was collected only if, in accordance with Regulation (EC) No 1013/2006, the exporter can prove that the shipment of waste complies with the requirements of this Regulation and that the recycling of packaging waste outside the Union took place under conditions that are broadly equivalent to those prescribed by the relevant Union legislation.	Delete article	We know from many reported cases (e.g. Turkey, Malaysia) that plastic waste is often not properly recycled, outside of the EU. ¹⁶ Therefore, it should not be counted as recycled. Plastic waste exports out of the EU should be banned.
Art 47 (6) For the purposes of paragraph 3, the weight of packaging waste recycled shall be measured when the waste enters the recycling operation. By way of derogation from the first subparagraph of this Article, the weight of the packaging waste recycled may be measured at the output of any sorting operation provided that: (a) such output waste is subsequently recycled; (b) the weight of materials or substances that are removed by further operations preceding the recycling operation and are not subsequently recycled is not included in the weight of waste reported as recycled.	For the purposes of paragraph 3, the weight of packaging waste recycled shall be measured when the waste enters leaves the recycling operation. By way of derogation from the first subparagraph of this Article, the weight of the packaging waste recycled may be measured at the output of any sorting operation provided that: (a) such output waste is subsequently recycled; (b) the weight of materials or substances that are removed by further operations preceding the recycling operation and are not subsequently recycled is not included	The weight of recycled packaging waste must be measured when the waste or, in this case, the resulting secondary materials leave the recycling operation. Moreover, the weight must reflect the materials that can actually be used (without any doubt for the environment and health) otherwise the recycling rate does not reflect the reality and is simply wrong. Even after having sorting there is a tremendous amount of plastic that is still lost during the recycling process and will not be recycled. In 2021 about 25% are process losses of all plastic packaging and this must be reflected in the recycling rates. ¹⁷ There are also always material losses, simply due to physics/thermodynamics (dissipation), ¹⁸ so they must be adequately reflected and must not be ignored.

¹³ Ökoinstitut (2022): [Climate impact of pyrolysis of waste plastic packaging in comparison with reuse and mechanical recycling](https://360dialogues.com/360portfolios/ce-impossibilities)

¹⁴ <https://360dialogues.com/360portfolios/ce-impossibilities>

¹⁵ <https://muellundabfall.de/ce/gefaehrlicher-trend/detail.html>

¹⁶ Vgl. Environmental Investigation Agency (2021) [The Truth Behind Trash: The scale and impact of the international trade in plastic waste](https://www.bvse.de/dateien2020/2-PDF/01-Nachrichten/03-Kunststoff/2022/Kurzfassung_Stoffstrombild_2021_13102022_1_.pdf)

¹⁷ [https://www.bvse.de/dateien2020/2-PDF/01-Nachrichten/03-Kunststoff/2022/Kurzfassung Stoffstrombild 2021_13102022_1_.pdf](https://www.bvse.de/dateien2020/2-PDF/01-Nachrichten/03-Kunststoff/2022/Kurzfassung_Stoffstrombild_2021_13102022_1_.pdf)

¹⁸ <https://360dialogues.com/360portfolios/ce-impossibilities>

	in the weight of waste reported as recycled.	
Art 47 (8) The amount of biodegradable packaging waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output with a similar quantity of recycled content in relation to input, which is to be used as a recycled product, material or substance. Where the output is used on land, Member States may count it as recycled only if this use results in benefits to agriculture or ecological improvement.	Delete article	Biodegradation is not recycling, no nutrients are provided, only CO2 is produced. Biodegradable single-use packaging is a waste of resources and not better than incineration, ¹⁹ adding it to recycling rate is wrong.
Art. 48 (1) A Member State may decide to attain an adjusted level of the targets referred to Article 46(1) for a given year by taking into account the average share, in the preceding three years, of reusable sales packaging placed on the market for the first time and re-used as part of a system for re-use of packaging. The adjusted level shall be calculated by subtracting: (a) from the targets laid down in Article 46(1), points (a) and (c), the share of the reusable sales packaging referred to in the first subparagraph in all sales packaging placed on the market, and (b) from the targets laid down in Article 46(1), points (b) and (d), the share of the reusable sales packaging referred to in the first subparagraph, composed of the respective packaging material, in all sales packaging composed of that material placed on the market. No more than five percentage points of the average share of reusable sales packaging shall be taken into account for the calculation of the respective adjusted target level.	Delete article	Re-use and recycling are two different stages of the waste hierarchy and should therefore not be mixed. Mixing is a great threat to the proper reporting of the successes and/or failures of the circular economy of the EU.

➤ *Return to main text: Recycling, recyclability and recycled content*

Table 5: False solution „bio“plastic

Original text	Amendments	Rationale
(36) For limited packaging applications made of biodegradable plastic polymers, there is a demonstrable environmental benefit of using compostable packaging, which enters composting plants, including anaerobic digestion facilities under controlled conditions. Furthermore, where appropriate waste collection schemes and waste treatment infrastructures are available in a Member State, there should be a limited flexibility in deciding whether to mandate the use of compostable plastics for lightweight plastic		Packaging should not be compostable. Life cycle assessment show that “bio” plastics is not better than conventional plastics. There are a lot of negative effects, e.g. the intensive resource use and also chemicals that are not adequately discussed. A shift to unpackaged and re-use is the only sustainable solution and “bio” plastics should not be promoted. ²⁰

¹⁹ https://www.bund.net/fileadmin/user_upload_bund/publikationen/chemie/chemie_biokunststoffe_hintergrund.pdf

²⁰ BUND-Hintergrund (2022): "Bio"-Kunststoffe

<p>carrier bags on its territory. In order to avoid consumer confusion about the correct disposal and considering the environmental benefit of circularity of the carbon, all other plastic packaging should go into material recycling and the design of such packaging should ensure that it does not affect the recyclability of other waste streams.</p>		
<p>Art 3 (Definitions) (41) compostable packaging' means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;</p>	<p>compostable packaging' means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that all of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions; Suitable biotests evaluating the human, terrestrial, and aquatic toxicity must be added to all existing norms such as DIN EN 13432 and DIN EN 14995.</p>	<p>A product meant to be compostable should have no (unknown) substances, which can harm the environment and the human health but be 100% degradable to unharmed, organic components.</p> <p>As "bio" plastics are expected to become more common in the future due to expected production increases as well as incorrect disposal, they will increasingly be released into the environment, it is very important to assess their human toxicity as well as ecotoxicity as well as persistence in the environment.</p> <p>The certifying standards DIN EN 13432 and DIN EN 14995 set maximum limits for heavy metals and other toxic substances, and require a determination of the ecotoxic effect of the resulting composts on higher plants. However, this is not sufficient, since it does not provide any information about possible accumulation in the environment and negative consequences for other living organisms. Especially for the "NIAS", (eco-) toxicity studies are necessary.</p> <p>In several recent publications, plastics, including "bio"-plastics and those for food contact, were tested and numerous substances have been found in them. Two recent studies investigated everyday products made of conventional and plastics as well as "bio" plastics in the form of plastic raw materials (pellets) as well as products for their chemical composition and toxicity (Zimmermann et al., 2019, 2020). They were tested for acute toxicity to luminescent bacteria, possible initiation of mutagenic or carcinogenic effects ("oxidative stress") and by means of cell tests for endo-endocrine effects by means of cell tests. The result was: the majority of the plastics investigated - both conventional and "bio" plastics - contained toxic chemicals. In groups, one quarter and one third, respectively, showed no toxic effect of the extracts.</p> <p>A follow-up study has shown that even under real conditions (dissolving out the chemicals with water instead of methanol), thousands of chemicals leach out of the plastics and can thus be released into food and the environment (Zimmerman et al. 2021). Various groups of researchers have developed biotest batteries, which can be used to evaluate the human, terrestrial, and aquatic toxicity (Koster et al. 2012; EFSA, 2019; Koster et al. 2016; Neale Neale et al. 2016 and 2017; Schmidt et al. 2017; Brack et al. 2019; DiPaolo et al. 2016; Braun et al. 2021). From the variety of test methods and test batteries, a suitable combination should be selected for all "bio"-plastics, especially for biodegradable ones, tests should be developed, which then have to be mandatorily applied on the basis of the precautionary principle.</p> <p>For bio-based plastics, existing concepts such as "Green Toxicology" should be used. These should be as comprehensive as possible, but also cost and effort-efficient as possible, evaluate possible toxic and ecotoxic</p>

		toxic and ecological properties of products, starting already in the product development process.
Art (7) 4 Paragraphs 1 and 2 shall not apply to compostable plastic packaging.	Delete Paragraph	We argue that compostable packaging is a waste of resources and should therefore not become the norm in general. When biobased or compostable packaging is produced, it should be recyclable and also contain high amounts of recycle. Therefore, the production must be limited to the existing conventional and to very few limited new plastic types. Only then recycling can be effective and any plastic (also „bio“-plastic) must contain as many recycle as possible as virgin material is very resource- and energy intensive.
Art 8		In general this article needs to include criteria concerning chemicals in compostable materials. Compostable materials must not contain chemicals providing a risk to human health or the environment. The standard excludes an ecotoxic effect of the additives. With 1-5 % IAS + NIAS content, the following can be calculated from the 870,000 t/a biodegradable plastics produced globally in 2017 (Haider et al., 2019): approx. 9,000 to 40,000 t of barely known chemicals released uncontrolled into the environment every year. ²¹
Art 8(1) By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.	By [OP: please insert the date = 24 months from the entry into force of this Regulation], for packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities a packaging free or reusable alternative should be used. All compostable packaging must be fully compostable under industrially controlled conditions in biowaste treatment plants. No microplastic particles or harmful may enter the compost product. Compostable packaging should not contain any harmful chemicals and must be transparent on all added substances. Suitable biotests evaluating the human, terrestrial, and aquatic toxicity must be added to all existing norms such as DIN EN 13432 and DIN EN 14995.	Most of the products listed here are not necessary. Sticky labels can be omitted or replaced by e.g. marking on the shell and no plastic carrying bags (regardless of how light) should be distributed. Re-use is the only sustainable alternative. German supermarkt chains are already practicing alternative methods to mark fruits without plastic. Microplastics still harms the environment Also chemicals in compostable packaging are very harmful. The rationale of the former line also applies for this article. The whereabouts of the IAS and NIAS contained in the products is largely unclear. For example, waste bags certified to DIN EN 13432 contain an average of contain an average of about five percent additives; neither these and their degradation behavior, nor their ecotoxicity are sufficiently regulated by the standard (Wiss. Dienste Dt. Bundestag, 2021). The standard excludes an ecotoxic effect of the additives. With 1-5 % IAS + NIAS content, the following can be calculated from the 870,000 t/a biodegradable plastics produced globally in 2017 (Haider et al., 2019): approx. 9,000 to 40,000 t of barely known chemicals released uncontrolled into the environment every year. ²²
Art 8(2) Member States are empowered to require that lightweight plastic carrier bags shall be made available on their market for the first time only if it can be demonstrated that those lightweight plastic carrier bags have been entirely manufactured from biodegradable plastic polymers, which are compostable in industrially controlled conditions.	Delete article.	The demonstration is difficult als conditions vary depending on the product and the composting process. In Germany, packaging/bags made of biodegradable „bio“plastics are not approved for disposal in the organic waste bin because they take too long to decompose in the composting plant. In the composting plants, they cannot be distinguished from conventional plastic bags, so they are sorted out and burned. This article also omits the measuring of impacts of microplastics and chemicals coming from the composted product. We calculated that globally approx. 9,000 to 40,000 t of barely known chemicals are released uncontrolled into the environment every year. ²³

²¹ Siehe BUND-Hintergrund (2022): ["Bio"-Kunststoffe](#)

²² Ibid.

²³ Siehe BUND-Hintergrund (2022): ["Bio"-Kunststoffe](#).

<p>Art 8(5) The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend paragraphs 1 and 2 of this Article by adding other types of packaging to the types of packaging covered by those paragraphs when it is justified and appropriate due to technological and regulatory developments impacting the disposal of compostable packaging and under the conditions set out in Annex III</p>	<p>Delete article.</p>	<p>Biodegradable /compostable packaging is not sustainable. Single-use packaging that becomes CO2 and does not provide any nutrients (which is always the case) is like incineration: using many resources and providing no environmental benefit. Also consumers will be fooled and confused and will leave more packaging in the environment. Therefore, biodegradable packaging should not become the norm of packaging, but only be used in very few and specific applications where it actually is useful. This will never be the case for single-use packaging.²⁴</p> <p>We further see this very critical: the Commission would have the power to amend the PPWR via delegates acts at any point in time. At least periods for the revision should be set. The way this article is drafted will result in constant lobbying, which is undemocratic because it's only wealthy companies and associations who can afford it, and (b) would take up lots of capacity of the commission needed for other work.</p>
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➤ *Return to main text: False solution "bio"plastic*

²⁴ Ibid.