Unwrapping the EU’s packaging law proposal
An overhaul of the EU packaging and packaging waste directive (PPWD), the main EU-level instrument dealing with how food packaging is placed on the market and requirements for its end-of-life, is due 30 November.

But a leaked draft of the proposal has been met with consternation by stakeholders.

In this Event Report, EURACTIV takes a closer look at what this PPWD entails and what impact its contents will have on the agrifood sector.
MEP: ‘Ideologically driven’ EU packaging law endangers food value chain

EU’s new packaging law risks sidelining food waste, security, stakeholders warn

Food packaging is an essential part of European food system
An ideologically driven EU packaging law based on rigid targets could end up endangering the food packaging and the food system value chain, Finnish MEP Elsi Katainen told EURACTIV in an interview.

An overhaul of the EU packaging and packaging waste directive (PPWD), the main EU-level instrument dealing with how food packaging is placed on the market and requirements for its end-of-life, is due 30 November.

But a leaked draft of the proposal has been met with consternation by stakeholders, including the liberal lawmaker.

“I am concerned that the Commission is pushing forward a regulation that is not necessarily based on evidence and is driven by ideology,” she told EURACTIV.

The MEP particularly took umbrage with the fact that the draft proposal places too strong an emphasis on reusable packaging, despite the fact this is “robust evidence and data available that reusable packaging is not the best option in all settings,” such as in quick service restaurants.
For Katainen, the ideology against the use of biomass in recyclable products is “hard to understand” given that EU forests are sustainably managed, which the MEP defined as meaning forests are “grow[ing] more than they are harvested”.

As such, there is a risk that the new legislation may in fact increase the amount of plastic packaging in the EU market, she said.

In this way, the leaked proposal seems “contrary to the long-standing goal of the EU’s Green Deal agenda,” she said, stressing the need for the circular economy to be front and centre of the proposal.

**Food value chain ‘at risk’**

Some of the targets in the draft include 30% of reusable packaging for cold and hot beverages by 2030 and 95% by 2040, as well as 20% of takeaway ready-prepared food by 2030 and 75% by 2040.

According to the MEP, an ill-conceived proposal based on rigid targets could have far-reaching consequences for the agri-food chain.

“By unrealistic thresholds, the Commission will put food packaging and the food systems value chain at risk,” she warned, stressing the need for “more concreteness” about the role of packaging in food security.

Instead, the Commission should take a more holistic approach to the food systems value chain, including food packaging, she said, stressing its crucial role in ensuring food safety and food availability.

Food packaging has also a role in preventing food waste which, for the MEP, is not given enough attention.

Stressing that as much as a third of all food goes to waste, she said that food packaging can “help reduce food waste because it increases the shelf life and hygiene of food and enables suitable packaging sizes”.

“When the recycling obligations and systems are in order, packaging made with renewable raw materials can achieve good results in terms of the environment,” she explained.

“There should be more room left for innovations and I am not sure if setting rigid targets is the right solution for this,” she said.

**Battle of the competences**

It is for this reason that the MEP, who is also vice-chair of the European Parliament’s agriculture committee (AGRI), is fighting for her committee to have its say in the proposal.

Competence on packaging issues is usually held by the powerful Parliament’s environment committee (ENVI), which clashed with AGRI on several occasions on the assignment of crucial dossiers.

Recently, AGRI tried to become the sole committee responsible for the revision of the EU’s pesticide regulation at the expense of ENVI since plant protection products (PPPs) are normally discussed by agriculture ministers at the Council level.

In the end, MEPs in the agriculture committee managed to get a shared competence, and even exclusive on some aspects related to the EU’s farming subsidies programme.

Katainen hopes for a similar development on the packaging dossier as well, since, without the involvement of agriculture lawmakers, she fears that the holistic approach that is required will be impossible to achieve.

“Environmental issues are important, but a balanced and sustainable result can only be reached when food hygiene, food transport chains, food safety and also issues related to food production are taken into account,” she concluded.
Food waste and security of supply must take a central focus in the EU’s new packaging law, stakeholders urge, warning that the current proposal falls short of what is required.

An overhaul of the EU packaging and packaging waste directive (PPWD), the main EU-level instrument dealing with how food packaging is placed on the market and the requirements for its end-of-life, is due on Wednesday (30 November).

Pointing out that as much as a third of the food currently produced goes to waste at a considerable economic and environmental cost, Charles Héaulmé, CEO of Finnish consumer packaging company Huhtamäki highlighted the crucial role that packaging plays in minimising this loss.

“The best solution to reduce food waste [is] to secure the shelf life,
that’s to make sure that consumers get the quantity that they need, and not much more than what they need, therefore not getting into food waste – and that’s the role of packaging,” he explained at a recent event focused on the proposal, calling food safety and security packaging’s “number one societal role”.

While estimates vary, as much as 88 million tonnes of food waste are generated annually in the EU, representing 10% of the global greenhouse gas emissions associated with the food system at an estimated cost of €143 billion.

But a leaked draft of the proposal has prompted concerns from stakeholders that food security and wastage have been sidelined.

The latest version of the draft proposal, seen by EURACTIV, reads that some derogations can be permitted to the targets set out in the proposal in cases where food security is threatened.

“In evaluating the justification of such adjustment, the Commission shall assess requests [...] and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment,” the leaked proposal reads.

However, for Finnish liberal MEP Elsi Katainen, this falls far short of what is needed.

“Packaging is a crucial part of our single-market, making transport of goods possible and ensuring availability of food for European people,” she said, adding that she is “worried” by what she has seen so far of the proposal.

Highlighting the need to see the ‘full picture’ regarding packaging, she said that the EU “hasn’t been vocal enough on the global food crisis and food security, which are cornerstones of the societies”.

Meanwhile, from the farmers’ perspective, Pekka Pesonen, secretary general of the EU farmers’ association COPA-COGECA, warned that the EU ‘cannot afford’ a situation whereby reducing excess packaging adversely impacts either food security or safety.

“Food security and packaging is a crucial part of this discussion,” he said, noting that, due to the disruption caused by Russia’s invasion of Ukraine, food security is firmly ‘back on the agenda’.

“So we need to have sustainable packaging, a more efficient value chain – but we need to make sure that we also have long-term policies in place,” he said.

However, for Jean-Pierre Schweitzer from the green campaign group European Environmental Bureau (EEB), more can be done from both the food production side of the chain and the retailers to ensure that excess packaging is not required in the first place.

For example, this could include focusing on the production and consumption of food groups that require less packaging in the first place, such as vegetables, rather than high-risk products, such as meat.

Meanwhile, for Schweitzer, there should be more focus on how retailers market items to reduce both packaging and food waste.

“There are types of packaging which increase food waste,” he said, offering the example of multipacks which result in people buying more food than they need.

“Ultimately, [consumers] over-purchase and end up wasting food. So there are examples of food packaging which actually increase food waste,” he pointed out.

However, despite their key role in reducing packaging, Schweitzer criticised that the PPWD proposal does not include any reuse target for retailers.

“Despite the strong evidence we have on food waste [that] is actually about supermarket retail, we don’t have a target there,” he pointed out.
Developing a truly regenerative and circular economy, improving the circularity of post-consumer packaging and reducing residual waste is best achieved by full harmonization across EU Member States and by providing incentivization for the creation of recycling infrastructures, education and support to consumers so they actively recycle.

Thomasine Kamerling is EVP of Sustainability and Communications at Huhtamaki.

Ensuring the materials used in packaging are recycled and generate additional value within the wider economy (not limited to a narrow packaging-only loop) should be an absolutely fundamental objective of the revised packaging and packaging waste legislation. If gotten right,
we see the proposed Packaging and Packaging Waste Regulation supporting the EU’s Green deal and the single market by stimulating material and resource efficiency and the regeneration value which in turn will likely affect future investment and innovation decisions in Europe.

Unfortunately, the European Commission’s proposal for Packaging and Packaging Waste Regulation, which was published on November 30, 2022, does not fully grasp these opportunities. The proposed regulation, if adopted, will instead work against the objectives of the Green Deal and result in major unintended consequences, as well as having a material impact on Europe’s economy, its environment, and its citizens.

This is because the proposed regulation affects virtually all packaging goods traded in Europe using any type of technology and material including paper, cardboard, or plastic-based packaging. This includes packaging that protects food and personal care products. Indeed, the importance of food packaging is more evident than ever as demonstrated by both the COVID-19 pandemic and by the current challenges to the food system and resultant global food crisis.

In our view, the fact that the impact assessment used as basis for the regulation did not consider in any way the potential effect of the proposals on Europe’s food system is a significant omission and one that should be addressed during the co-decision process. This to ensure that the policy is based on real world data and does not result in unintended consequences.

Many stakeholders had hoped that this proposal would address the need to foster innovation in the supply chains for food and stimulate the development of recycling and waste management infrastructures to create a “recycling super-highway” fit for the 21st Century. Rather, the proposal suggests replacing existing, established, and reliable systems with unproven models which are environmentally, economically, and hygienically inferior. This will have consequences for all parts of the food chain, from farmers to consumers.

On the contrary, the proposal goes against the CO2 reduction target set by the European Commission within the EU Green Deal. In particular, the replacement of recyclable and renewable paper-based food packaging with rigid plastic reusables will lead to a significant increase in the energy and water required to meet hygiene requirements and keep consumers safe. It is deeply concerning that the latest scientific studies, which use real-world data, appear to have been entirely discounted in the European Commission’s proposals.

Equally, the requirement in the Commission’s proposal to include a significant share of recycled content in food contact plastic packaging goes against current food safety regulations, which today prevent most recycled polymers from being reused in food applications for obvious reasons namely maintaining the highest hygiene and safety levels for European consumers.

As a result of the above, we at Huhtamaki join others representing the interests of European consumers and call upon the European Parliament and European Council to harness industry and scientific expertise to ensure that avoidable unintended consequences are removed from the legislation, and that the environment along with global, European, national and household food security and affordability are not harmed now and in the future.
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