

# Packaging and packaging waste

2022/0396(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 476 votes to 129, with 24 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

## Subject matter

The proposed Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market. It also establishes requirements for extended producer responsibility, packaging waste prevention, such as the reduction of unnecessary packaging and the reuse or refill of packaging, as well as collection and treatment, including recycling, of packaging waste.

## Requirements for substances in packaging

Packaging placed on the market should be manufactured in such a way as to minimise the presence and concentration of substances of concern in the composition of packaging materials, as well as the adverse environmental effects associated with microplastics. The Commission will monitor the presence of substances of concern in packaging and packaging components and take appropriate follow-up action.

From 18 months from the date of entry into force of this Regulation, food contact packaging should not be placed on the market if it contains per- and polyfluorinated alkyl substances (PFAS) in a concentration of or above certain limit values.

## Minimum recycled content in plastic packaging

Under the new rules, all packaging (except for lightweight wood, cork, textile, rubber, ceramic, porcelain and wax) will have to be recyclable by fulfilling strict criteria. The amended text also includes minimum recycled content targets for plastic packaging and minimum recycling targets by weight of packaging waste.

By 1 January 2040, any plastic part of packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging type and format as referred to in Table 1 of Annex II, calculated as an average per manufacturing plant and year: (a) 50 % for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component; (b) 25% for contact sensitive packaging made from plastic materials other than PET; (c) 65 % for single use plastic beverage bottles; (d) 65 % for plastic packaging other than referred to before.

By 1 January 2030, the manufacturer or importer should ensure that the packaging placed on the market is designed so that its weight and volume is reduced to the minimum necessary for ensuring its functionality taking account of the shape and material that the packaging is made of.

## Labelling of packaging

From 42 months from the date of the entry into force of this Regulation, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting.

## Excessive packaging

By 1 January 2030, or 36 months after the entry into force of the delegated acts adopted pursuant to the second sub-paragraph, whichever is the latest, economic operators who fills the packaging in grouped packaging, transport packaging or e-commerce packaging, should ensure that the empty space ratio is maximum 50 %.

## Prevention of packaging waste and reuse

Each Member State should reduce the amount of packaging waste produced per inhabitant, compared to the amount produced in 2018, by at least: a) 5% by 2030; b) 10% by 2035; c) 15% by 2040.

Certain types of single-use plastic packaging should be banned from 1 January 2030. These include packaging for unprocessed fresh fruit and vegetables, packaging for foods and drinks packaged and consumed in the hotel and catering sector, and packaging for individual portions (e.g. condiments, sauces, cream or sugar), miniature packaging for toiletries and very light plastic bags (with a thickness of less than 15 microns), with the exception of very light plastic bags required for reasons of hygiene or supplied as packaging for bulk wet foodstuffs such as raw meat, fish or dairy products.

The new rules set specific 2030 reuse targets are foreseen for alcoholic and non-alcoholic beverages packaging (except e.g. milk, wine, aromatised wine, spirits), transport and sales packaging, as well as grouped packaging. Member States may grant a five-year derogation from these requirements under certain conditions.

Consumers should always have the opportunity to purchase takeaway foodstuffs and beverages in reusable containers or in containers belonging to them, under conditions that are no less favourable than for foodstuffs and beverages offered in single-use packaging. Economic operators selling takeaway foodstuffs or beverages should give consumers the option of buying these foodstuffs or beverages in their own containers or in reusable packaging.

Final distributors of beverages and takeaways must also endeavour to offer 10% of their products in reusable packaging by 2030.

## Deposit and return systems

By 1 January 2029, Member States should take the necessary measures to ensure the separate collection of at least 90% per year by weight of single use plastic beverage bottles with the capacity of up to three litres; and single use metal beverage containers with a capacity of up to three litres. They should also take the necessary measures to ensure that deposit return systems are set up for the relevant packaging formats and to ensure that a deposit has to be charged at the point of sale.