Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 02/12/2015 - Legislative proposal

PURPOSE: to prevent and reduce the impact of packaging and packaging waste on the environment in order to facilitate Europe's transition to a circular economy.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with Council.

BACKGROUND: the Commission considers that recent trends suggest that **turning waste into a resource is an essential part** of increasing resource efficiency and closing the loop in a circular economy. The Union's economy currently loses a significant amount of potential secondary raw materials that are found in waste streams. **In 2013, total waste generation in the EU amounted to approximately 2.5 billion tons of which 1.6 billion tons were not reused or recycled** and therefore lost for the European economy. It is estimated that an additional 600 million tons could be recycled or reused. By way of example, only a limited share (43%) of the municipal waste generated in the Union was recycled, with the rest being landfilled (31%) or incinerated (26%).

With respect to **waste management**, the Union also faces large differences amongst its Member States. In 2011, while six Member States landfilled less than 3% of their municipal waste, 18 landfilled over 50%, with some exceeding 90%. This uneven situation needs to be redressed.

The proposal aiming to amend Directive 94/62/EC on waste is part of a **series of measures** on the circular economy which also includes proposals to amend:

- Directive 2008/98/EC on waste;
- Directive 1999/31/EC on the landfill of waste;
- Directive 2000/53/EC on end-of-life vehicles;
- Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators;
- Directive 2012/19/EU on waste electrical and electronic equipment.

The proposals build in part on the proposal that the Commission tabled in July 2014 and subsequently **withdrew in February 2015**. They are in line with the objectives of the Resource Efficiency Roadmap and the 7th Environment Action Programme including:

- full implementation of the waste hierarchy in all Member States;
- decline in absolute and per capita waste generation;
- ensuring high quality recycling and the use of recycled waste as a major, reliable source of raw materials for the Union.

They also contribute to the implementation of the EU Raw Materials Initiative and address the need to prevent food waste.

IMPACT ASSESSMENT : the impact assessment led to the conclusion that the options envisaged will bring the following benefits:

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reduction of the administrative burden in particular for small establishments or undertakings, simplification and better implementation including by keeping targets 'fit for purpose';
- **more than 170,000 direct jobs could be created** by 2035, most of them impossible to delocalize outside the EU;
- **GHG emission reduction** – more than 600 millions of tons of green house gas could be avoided between 2015 and 2035;
- **positive effects on the competitiveness** of the EU waste management and recycling sectors as well as on the EU manufacturing sector ;
- **reinjection into the EU economy of secondary raw materials** which in turn will reduce the dependency of the EU on raw materials imports.

CONTENT: the proposal aims to **amend the targets set by Directive 94/62/EC for the recovery and recycling of packaging and packaging waste** to make them better reflect the Union's ambition to move to a circular economy.

The main points are as follows:

Recovery, recycling and reuse: the proposal provides for an **increase in the targets** for preparing for re-use and the recycling of packaging waste. Thus, Member States must take the necessary measures to fulfil the following targets:

- **no later than 31 December 2025 a minimum of 65%** by weight of all packaging waste will be prepared for reuse and recycled;
- no later than 31 December 2025 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

1. 55 % of plastic;
2. 60% of wood;
3. 75% of ferrous metal, aluminium, glass, and paper and cardboard;

- **no later than 31 December 2030 a minimum of 75%** by weight of all packaging waste will be prepared for reuse and recycled;
- no later than 31 December 2030 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

1. 75% of wood;
2. 85% of ferrous metal, aluminium, glass, and paper and cardboard.

The Commission may propose **revised levels of the targets for plastics for 2030** based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics.

Packaging waste exported from the Union: this may only be counted towards the attainment of the targets laid down by the Member State in which the packaging waste was collected if the certain requirements are met and if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council, the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took place in conditions that are equivalent to the requirements of the relevant Union environmental legislation.

Rules on the calculation of the attainment of the targets: the proposal provides for the adoption of harmonised methods of calculation for recycling rates throughout the EU. To ensure harmonised conditions for those calculations, the Commission will adopt detailed rules on the determination of

recognised preparation for re-use operators and deposit-refund schemes and on the collection, verification and reporting of data.

Member States should establish an **effective system of quality control and traceability** of the packaging waste.

Reporting: in order to ensure the reliability of the data gathered on preparation for re-use the proposal sets out common rules for reporting. It lays down more precisely the rules according to which Member States should report what is effectively recycled and can be counted towards the attainment of the recycling targets.

Early warning system: the proposal establishes an early warning system to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets. The Commission shall draw up reports three years before each time-limit laid down.

Simplification and streamlining of reporting obligations: it is proposed to repeal provisions obliging Member States to produce implementation reports every three years and use exclusively the statistical data which Member States report every year to the Commission.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.