



LIFE Platform Meeting Plastic waste prevention and reuse systems

Latest EU Regulatory developments related to plastic waste prevention and reuse with the focus on the new Packaging and Packaging Waste Regulation

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Disclaimer: the information and views expressed in this presentation do not necessarily reflect the official position of the European Commission

Overview of plastic reduction policies

Implementation of existing measures

- **Single Use Plastics Directive (2018/904)**
- **Waste Shipment Regulation (2024/1157)**
- **Eco-design for sustainable products Regulation (2024/1781)**
- **Packaging and Packaging Waste Regulation (2025/40)**

ongoing or upcoming new initiatives

- **Targeted revision of the WFD (ongoing)**
- **Proposal for Pellets Regulation (ongoing)**
- **Circular Economy Act (CEA) (2026)**
- **Revision of the SUPD (2027)**

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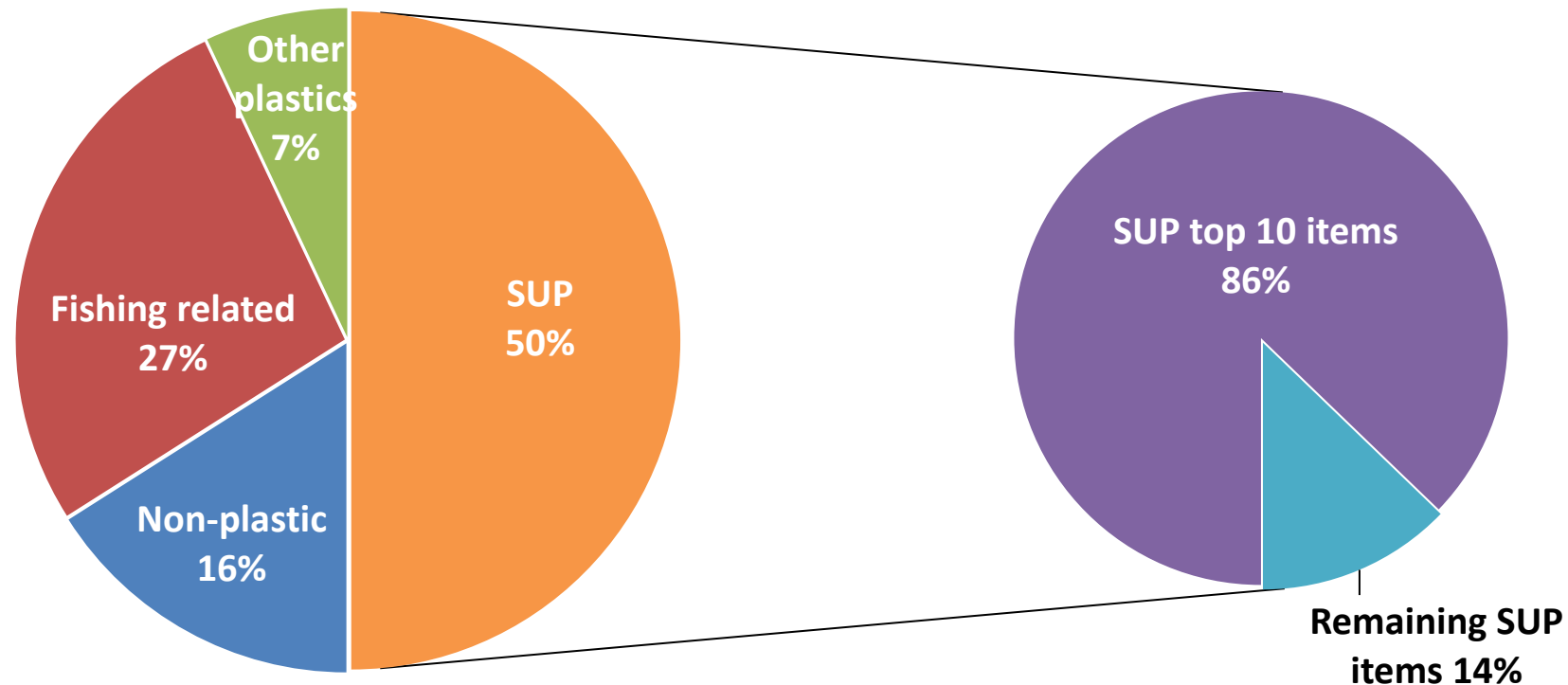


Single Use Plastics Directive state of play



Single Use Plastics Directive: Approach

Most found marine litter items on European beaches (count)



- The policy covers 70% marine litter: top 10 SUP items (43%) + fishing gear (27%)

Measures applied to SUP products and fishing gear

	Consumption reduction (Art. 4)	Market restriction (Art.5)	Product design (Art. 6)	Marking required (Art. 7)	EPR (Art. 8)	Separate collection (Art. 9)	Awareness raising measures (Art.10)
Food containers	X				X		X
EPS food & beverages containers, cups		X					
Oxo-degradable products		X					
Cups for beverages	X			X	X		X
Cotton bud sticks		X					
Cutlery, plates, stirrers, straws		X					
Sticks for balloons		X					
Balloons					X		X
Packets & wrappers					X		X
Beverage containers, their caps & lids			X		X		X
Beverage bottles			X		X	X	X
Tobacco product filters				X	X		X
Sanitary items: Wet wipes,				X	X		X
Sanitary towels				X			X
Plastic carrier bags					X		X
Fishing gear					X		X

Transposition by Member States

- MS had to transpose the SUP Directive into national laws and regulations by **3 July 2021**
- COM is monitoring the transposition:
 - For MS that had not adopted the transposition measures in time, we have launched non-communication cases (2 cases still open)
 - Bad transposition:
 - Conformity studies launched: results came in 2024 for most MS; for 3 MS expected in 2025
 - Based on these studies:
 - transposition OK in 10 MS,
 - 2 infringements launched,
 - 6 infringements under preparation
 - 6 MS under assessment

Reporting by Member States to COM

Member States report to COM (Commission Implementing Decision (EU) 2022/162) on:

- a) Cups for beverages & food containers placed on the market
- b) Measures to reduce consumption of cups for beverages & food containers
- c) Separate collection of beverage bottles
- d) Fishing gear placed on the market & waste fishing gear collected
- e) Recycled content in beverage bottles
- f) Post-consumption waste of filters for tobacco products

(a) - (d): first reporting by mid-2024 for 2022

(e) + (f): first reporting by mid-2025 for 2023

Evaluation of the SUP Directive

COM will evaluate SUPD by 3 July 2027 and if appropriate, review:

- all the other measures listed in the SUPD
- annex listing SUP products
- binding quantitative EU targets (consumption reduction for food containers and beverage cups and collection rates for fishing gear)
- change in materials used in the SUP products
- criteria or a standard for biodegradability in the marine environment
- binding measures for the reduction of filters

PPWR amendments for SUPD

PPWR amended SUPD as restrictions(Art. 67(5) and Art. 71):

- Cups, food and beverage containers made of expanded (EPS) or **extruded (XPS) polystyrene**
- Shrink wrap used in airports or train stations protecting luggage during transport
- Chips of polystyrene & other plastics used to protect packed goods during transport & handling
- Multi-pack plastic rings used as grouped packaging
- Changes will apply **from 12 February 2029**

Waste Shipment Regulation



17 November 2023 – 3:00 am: provisional agreement on new waste shipment rules

31 January 2021:

- Evaluation of current Regulation

17 November 2021:

- Commission proposal
- Communication: “Our waste, our responsibility”

EP:

- Adopted its position in plenary: 17 January 2023

Council:

- Adopted its mandate in Coreper: 24 May 2023

*Few technical meetings with EP
and many working parties with MS;*

3 political trilogues, 24 technical meetings



Main challenges linked to waste shipments (I)



Exports outside the EU:

Negative impact on environment and public health in destination countries and loss of valuable resources for the EU economy. Reputational risk for the EU.

Drivers for this are:

- insufficiently clear EU rules
- lack of control and inspection

Remedies in new WSR:

- no export to non-OECD countries unless demonstration of env sound management of waste (ESM)
- audit of destination facilities
- safeguard mechanism for OECD countries;
- specific regime for plastic waste

Main challenges linked to waste shipments (II)

Shipments within the EU:

Waste shipment rules do not sufficiently facilitate shipments of waste for recycling and the transition to circular economy models

Drivers for this are:

- Lengthy, paper-based procedures
- Non-harmonised approaches and interpretations and lack of uniform enforcement throughout the EU
- Fast track procedures (especially for pre-consented facilities) are not used to their full extent

Remedies in new WSR:

- Digitalisation of procedures
- Discouraging shipment to final disposal
- Boosting pre-consented facilities



Main challenges linked to waste shipments (III)

Waste trafficking:

High level of illegal shipments of waste within the EU and to 3rd countries, with links to organised crime

Drivers for this are:

- insufficient enforcement and sanctions
- lack of transparency in the waste supply chain

Remedies in new WSR:

- enhanced rules on inspections and planning of enforcement and sanctioning
- OLAF engagement
- waste shipment enforcement group





entry into force: **May 2024**

general application date: **May 2026**

new regime for the export of **plastic waste** to non-OECD countries: **November 2026**

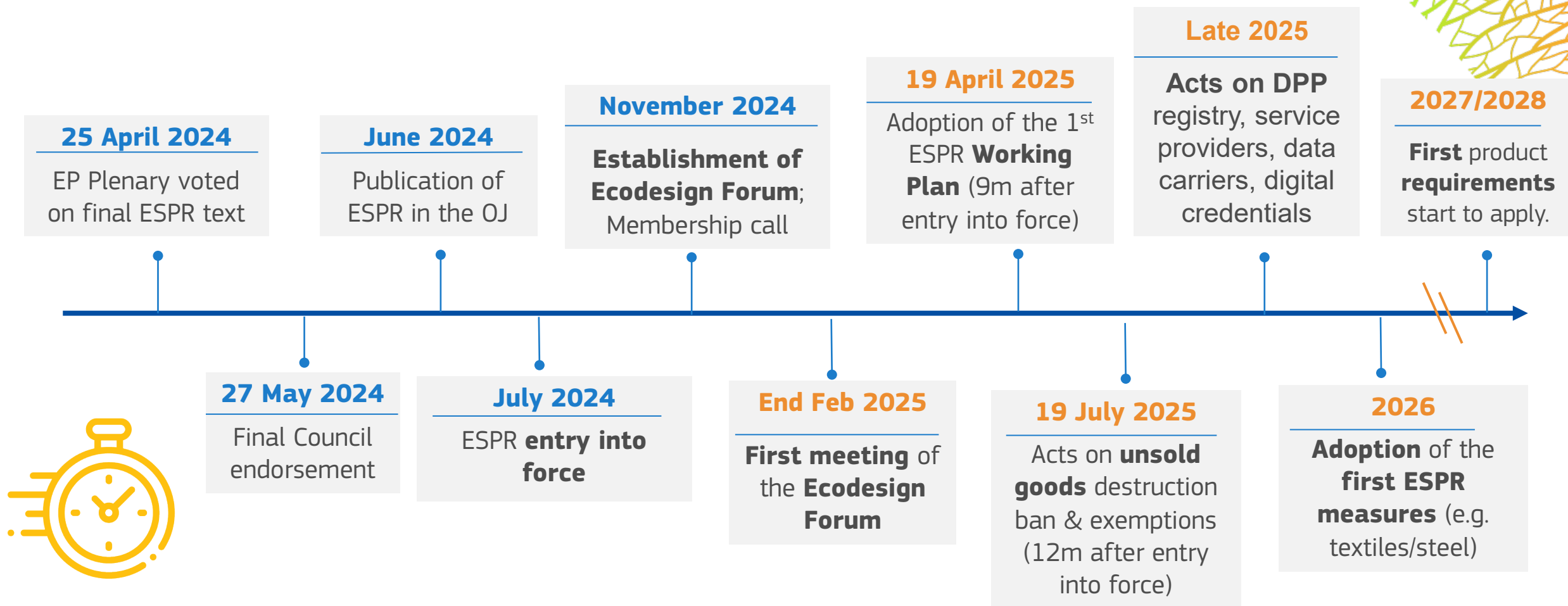
New regime for export to non-OECD countries for other waste: **May 2027**



Eco-design for sustainable product Regulation



ESPR – tentative timeline & milestones



Acts on Destruction of unsold goods

- ESRP introduces **a general principle to prevent destruction** of unsold consumer products (Art. 23)

Disclosure / Transparency obligation (Art 24)

- Obligation for economic operator discarding unsold products to **disclose information** on discarded unsold consumer products **per FY on their website**.
- COM to adopt **implementing act** on disclosure format/verification by **19 July 2025**

Prohibition of destruction

- Destruction of unsold consumer products listed in Annex VII (apparel, footwear) prohibited
- COM to adopt **Delegated Act to set out derogations by 19 July 2025**
- **Consultation** of Eco-design Forum, MS Sub-group. Comitology group as applicable

ESPR and plastics

- Polymers and plastics are not suggested for inclusion in the first ESPR working plan (ref. JRC Study on product priorities – Nov. 2024).
- A separate study is envisaged on chemicals (which could, to some extent, include petrochemicals/polymers/plastics) to further explore potential approaches to regulating these as intermediates under ESPR, for consideration in a following working plan.
- However, plastics/polymers used in final products might still be directly or indirectly impacted by eco-design rules (e.g. performance or information requirements) on products (such as furniture or tyres) as well as horizontal requirements (e.g. on recyclability/recycled content) as well as requirements related to Substances of Concern
- Raw material related aspects (including recycled/renewable content) – for all relevant materials, including plastics – will be assessed within the respective impact assessment studies for measures and products proposed for inclusion in the ESPR working plan



Packaging and Packaging Waste Regulation



1. State of play

- Commission's proposal: 30/11/2022
- European Parliament's position for negotiations: 22/11/2023
- Council's position for negotiations (the General Approach): 18/12/2023
- Technical (many...) and two political trilogues: between January – March 2024
- Provisionally agreed text on 24/04/2024
- Lawyer linguists' correction procedure (June – November 2024)
- **Final adoption:** 19 December **2024**
- **Publication:** 22 January 2025: [Regulation \(EU\) 2025/40 of the EP and the Council](#)
- [Entry into force:](#) **11 February 2025**
- [Application:](#) 18 months after the entry into force (**12 August 2026**); but application of several provisions only by 2030 or linked to the adoption of secondary legislation (whichever is the latest)
- Regulation to be complemented by many delegated and implementing acts [14], guidelines [4], standardization requests [3] and studies and reports [13].

2. Impact Assessment

Objectives



- Reduce the generation of packaging waste
- Promote circular economy, *i.a.*, via recycled content in packaging
- improve the functioning of the internal market

Regulation with internal market legal basis :



- More harmonisation of requirements for placing packaging and packaged products on the EU market:
=> level playing field for economic operators
- directly applicable & enforceable requirements (avoiding delayed or incorrect transpositions)

3. Key measures

- **Full harmonisation of sustainability requirements** (hazardous substances, recyclability, recycled content in plastic packaging, compostability, minimisation, reusability)
- **packaging waste prevention targets on MS** of 5% (2030), 10% (2035), 15% (2040) measured against waste generation from 2018
- **Mandatory deposit and return systems** for beverage cans and plastic bottles (obligation on MS)
- Harmonised **packaging labels for sorting** of packaging waste (except for DRS packaging)
- All packaging must be **recyclable by 2030**; by 2035, it will have to be “effectively” recyclable
- **Minimum recycled content for plastic** packaging (with limited exemptions)
- **Prohibited substances** in packaging by 2030, (4 heavy metals and PFAS; a report to identify others)
- **Prohibited single use packaging formats (Annex V and amendment of SUPD)**
- **Reuse targets** for transport packaging, e-commerce packaging and beverages sold in retail sector
- **Empty space ratio** of 50% for grouped, transport and e-commerce packaging
- **Take-away sector** to offer customers the possibility of bringing their own containers (by 2027), ensure re-use offer by 2028 and shall endeavour offering 10% of their products in reusable packaging by 2030.
- More harmonisation of **extended producer responsibility** for packaging



4. Implementation

- Implementing act Art. 44(14) – Extended Producer Responsibility (EPR) registration and reporting format: 12 February 2026
- Implementing act Art. 12(6) – harmonised labels for reusable packaging, deposit and return systems, recycled content and to facilitate consumer sorting, and Art. 13(2) – harmonised labels for waste receptacles: 12 August 2026
- Implementing act Art. 12(7) – digital labelling for identifying material composition of packaging: 12 August 2026
- Implementing act Art. 7(8) – methodology for the calculation and verification of recycled content: 31 December 2026
- Delegated act Art. 7(9) – sustainability criteria for plastic recycling technologies: 31 December 2026
- Implementing act Art. 7(10) – methodology for assessing equivalence of recycled content rules in third countries: 31 December 2026
- Implementing act Art. 56(7) – Reporting to the Commission on various targets (recycling, waste prevention): 12 February 2027
- Implementing act Art. 30(3) – calculation rules on reuse targets: 30 June 2027
- Delegated acts Art. 6(4) – design for recycling criteria: 01 January 2028
- Delegated act Art. 29(12) –pooling arrangements for reusable packaging for beverages: 01 January 2028
- Implementing act Art. 24(2) – Methodology for calculating empty space ratio: 12 February 2028
- Implementing acts Art. 6(5) – recycled at scale methodology: 01 January 2030
- Implementing acts Art. 63(1) – Minimum requirements for Green Public Procurement: **12 February 2030**

Reuse targets

User

Transport packaging or “sales packaging used for transporting products” in the form of pallets, foldable plastic boxes, boxes, trays, plastic crates, intermediate bulk containers, pails, drums and canisters, flexible formats or pallet wrappings or straps

40% within the EU from 2030

70% within the EU from 2030
(aspirational)

100% within the same company and for B2B within the same MS in 2030

Final distributor

sales packaging for **alcoholic** and **non-alcoholic** beverages

10% from 2030

40% (aspirational) from 2040

<MS may allow 5 distributors to form **pools** & **Own brands'** beverages must contribute

Take-back obligation for the reusable packaging of the same type, form and size

User

grouped packaging in the form of boxes excluding cardboard

10% from 2030
25% (aspirational) from 2040

Reuse targets' exemptions

MS may exempt operators if the MS is reaching recycling rates 5% above the targets for 2025 and 2030, and packaging waste reduction target of 3% in 2028 compared to 2018

Micro-enterprise or economic operator with < 1000 kg of packaging per year.

MS may exempt final distributors with a sales area < 100 m² & on islands < 2000 inhabitants (beverages)

Certain beverage packaging (highly perishable, grapevine products, aromatised wine, alcoholic spirituous beverages)

Possibility to adopt delegated acts to exempt additional economic operators or packaging formats due to economic constraints, hygiene and food safety issues and environmental issues

Reuse and Refill

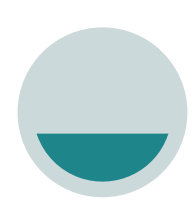
Refill

- As of 2030, final distributors with a **sales area > 400 m² endeavour that 10 % of that sales area is dedicated to refill stations** for food/non-food products
- By Feb. 2027, final distributors in **HORECA sector** that make available hot or cold beverages and ready-prepared food in **take-away packaging** provide a system for consumers to **bring their own container** to be filled

Reuse

- By Feb 2028, final distributors in the HORECA sector that make available hot or cold beverages and ready-prepared food in **take-away packaging** shall give consumers the **option of obtaining the products in reusable packaging**
- From 2030, final distributors shall **endeavour to offer 10% of products in reusable** (micro enterprises exempted)
- MS can render this **aspirational 10% targets mandatory or higher** under certain conditions (necessary to meet waste prevention targets, compliance with the Treaty)

11.3 Fostering reuse and refill (besides targets)



Reusable packaging

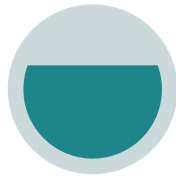
sustainability requirement

Packaging must comply with a series of conditions

Accomplish as many trips or rotations as possible, and be recyclable

Delegated Act to set minimum number for rotations for reusable packaging for the most frequently used packaging formats in re-use: by Feb. 2027

Art. 11



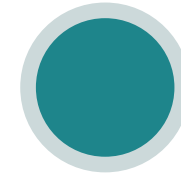
Reuse/refill systems

Economic operators that use reusable packaging must participate in an existing reuse system or a new reuse system compliant with Annex VI – part of technical documentation

Economic operators ensure that reusable packaging is reconditioned pursuant to Annex VI

Information to consumer requirements for refill systems, compliance of refill systems with Annex VI

Art. 26 - 28



Enabling measures

MS to encourage the use of re-use and refill systems incl. through:

- DRS systems for reusable packaging
- economic incentives (e.g. on retailers)
- additional reuse targets

MS to ensure that EPR and DRS systems use a minimum % of their budget for reduction and prevention measures

Art. 51

12.3 Bans on the use of certain packaging – Article 25 and Annex V

- **From 1/1/2030**, ban on placing on the market of packaging formats and for the uses listed in **Annex V**
- MS may **maintain restrictions adopted before 1/1/2025** on the PoM of packaging in the formats and for the uses listed in Annex V but made **from materials not listed in Annex V**.
- Possibility for MS to **exempt ME from restrictions in point 3** of Annex V, where it is not technically feasible or no infrastructure for re-use
- **Guidelines in 24 months** after the EIF – in consultation with MS and EFSA

Annex V

- 1) Single-use plastic grouped packaging
- 2) Single-use plastic packaging for unprocessed fresh fruit and vegetables
- 3) Single-use plastic packaging for food and beverages consumed in situ in the HORECA
- 4) Single-use plastic packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector
- 5) Single-use accommodation sector packaging intended for an individual booking
- 6) Very lightweight plastic carrier bags

12.1 Waste prevention – Article 43

Reduction targets : Member States must reduce packaging waste generated per capita compared to 2018 levels: 5% by 2030, 10% by 2035, 15% by 2040

Plastic packaging: “in achieving the targets, MS shall endeavour to reduce the quantity of plastic waste generated”

Member States are allowed to implement PW prevention measures in addition to measures in the Regulation: such measures must be aligned with the Regulation and the Treaty and shall not lead to lighter packaging.

MS are allowed to exceed the minimum WP targets

- **MS shall incentivise restaurants to use tap water use:** Encourage reusable/refillable tap water options in food service.

On the other hand:

- **MS may request the COM to use another base year** (other than 2018) under strict conditions and
- COM to establish a correction factor to account for the fluctuations in tourism in relation to the base year
- **Review and update:** by February 2032, the COM shall review the targets, with the possibility to propose material-specific targets.



Commission proposal on a targeted revision of the Waste Framework Directive



Textiles: Elements of the Commission Proposal



- **Extended Producer Responsibility (EPR) for textiles and footwear**
- **Producer Responsibility Organisation (PRO)**
- **General rules on textiles waste management**

Food Waste: Objectives of the Commission Proposal

Setting binding targets by **31 December 2030** for Member States to:

- a) reduce** the generation of **food waste in processing and manufacturing by 10%** in comparison to the amount generated in 2020;
- b) reduce** the generation of **food waste** per capita, **jointly in retail and other distribution of food, in restaurants and food services and in households, by 30 %** in comparison to the amount generated in 2020.



State of play and next steps

5 July 2023 – Adoption of the Commission Proposal

14 March 2024 – Adoption of the ENVI committee report by the European Parliament Plenary

17 June 2024 – Council General Approach

October 2024 – Starting of trilogue

Beginning 2025 – Expected adoption of the amending Directive

Microplastics



Microplastics

Intentionally added to products: e.g. cosmetics, detergents

- Towards a ban through REACH restriction (Regulation (EU 2023/2055)
- Possible reduction ~ 500 000 tonnes over 20 years

Unintentional releases: Paints, tyres, pellets, textiles, geotextiles, detergent capsules

- 700 000 – 1 600 000 tonnes/year
- Brochure „EU Action against microplastics“
- Existing and possible measures along the value chain



**30% reduction of
microplastic releases by
2030**

Main sources of unintentional microplastics release to the EU environment

Lower and higher estimates
(2019 - tonnes/year)



Paints

863 000
231 000



Tyres

540 000
360 000



Pellets

184 290
52 140



Textiles

61 078
1 649



Geotextiles

19 750
6 000



Detergent
capsules

5 980
4 140

EU legislation

- **EURO 7 Regulation:** tyre abrasion limits will be set for passenger car (C1) tyres by Sept 2025 (measurement method exists already from UNECE)
- **Marine Strategy Framework Directive:** microplastics included as an aspect to be measured (guidelines from 2023 include use of harmonised methods for monitoring)
- **Drinking Water Directive:** methodology to measure microplastics in water intended for human consumption
- **Urban Wastewater Treatment Directive:** develop a methodology to measure microplastics in urban wastewaters and sludge (by July 2027)

Proposal for pellets regulation

**Proposal in 2023,
now in trilogues**



- **Prevent – Contain – Clean-up:** best handling practices & up-to-date risk assessment plan
- **Mandatory certification** (large firms) & **self-declarations** (small firms): to assist national competent authorities in verifying compliance
- A **harmonised methodology** to estimate losses
- **Lighter requirements** for micro & small enterprises
- **Specific measures** for EU and non-EU carriers



Circular Economy Act

