

Europos Parlamento nariams:

2023 m. spalio 16 d., Nr. 23-158AR

p. Andriui Kubiliui
p. Liudui Mažyliui

DĖL PAKUOČIŲ IR PAKUOČIŲ ATLIEKŲ REGLAMENTO

Šiuo raštu Lietuvos verslo konfederacija, kurios nariai yra asociacija „Lietuvos gėrimai“, atstovaudama gėrimų industrijos verslo bendruomenę, kreipiasi į Europos Parlamento narius Andrių Kubilių ir Liudą Mažylį dėl Pakuočių ir pakuočių atliekų reglamento (angl. *Packaging and Packaging Waste*, PPWR).

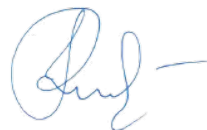
Šiuo metu Europos Parlamente yra svarstomas Europos Parlamento ir Europos Tarybos reglamentas (toliau – Reglamentas) dėl pakuočių ir pakuočių atliekų, kurio nuostatos yra itin reikšmingos gėrimų pramonei. Norėdami užtikrinti, kad šios industrijos atstovų balsas diskusijose būtų girdimas, dalinamės europinės asociacijos UNESDA, kuri atstovauja Europos nealkoholinių gėrimų pramonei, pastabomis dėl kai kurių Reglamento nuostatų.

Europos nealkoholinių gėrimų industrijos asociacijos poziciją su šiuo metu Europos Parlamente aptariamomis Reglamento nuostatomis bei aktualiomis industrijos pastabomis, susijusiomis su pakuočių rūšiavimu ir kitais esminiais aspektais, rasite prie šio rašto pridedamame dokumente.

Dėkojame už bendradarbiavimą ir pridedamų pastabų įvertinimą.

Pagarbiai

Generalinė direktorė



Ineta Rizgelė

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Europos Parlamento nariui
p. Viktor Uspaskich

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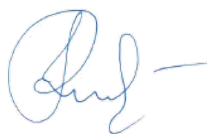
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UNESDA – Soft Drinks Europe

Comments & asks regarding latest PPWR compromise amendments

On Deposit and Return Systems (DRS):

Mandatory DRS:

Key ask: Maintain the obligation for Member States to set up a DRS for beverage packaging, with a potential exemption for certain Member States under well-defined conditions (Art. 44)

- DRS have a key role to play in achieving high collection and high-quality recycling of beverage packaging. Given current collection performances across the EU, without a DRS, many EU Member States are unlikely to achieve the 90% collection target from the Single-Use Plastics Directive (SUPD) as well as the recycled content targets from both the SUPD and the PPWR.
- As stipulated in the current compromise amendments to art. 44, setting up DRS should remain mandatory in all EU Member States with the exception of Member States where a high collection rate is attained via other means.

Minimum requirements for DRS:

Key ask: Complete the list of minimum requirements for well-designed DRS (Annex X)

Two critical minimum requirements are missing from the current compromise amendments and should be added to Annex X:

- The DRS shall be led by the industry financing and participating in the system, in a not-for-profit structure.
- The revenues coming from the sales of the collected materials and unredeemed deposits shall stay in the system to cover both setup and operational costs. This is key to ensure that the cost of DRS to consumers stays as low as possible and that DRS revenues are not allocated to other initiatives, to the detriment of the functioning of the DRS itself (please see ENVI Amendments 2665 and 2671).

On recycled content:

Access to the necessary recycled materials:

Key ask: Create a priority access right to the feedstocks for recycling derived from food contact packaging (Art. 6, 43 and Annex X)

- We strongly support the compromise amendment to article 43.1 (a) as a way to 1. provide the sectors covered by recycled content targets a fair access to sufficient recycled materials to be able to meet those targets; and 2. enable closed-loop recycling, whenever this makes sense from an environmental and technical perspective.
- In the case of beverage packaging, it makes sense to implement such a priority access mechanism in the DRS itself as it's already the case in the Swedish and Slovak DRS and will be in the Austrian DRS.

- We therefore strongly recommend to revise the wording of the compromise amendments to article 6.7 (a) and Annex X to move from a voluntary measure (with the word “may”) to a mandatory approach (with the word “shall”).

Calculation method:

Key ask: Calculate recycled content as an average per manufacturer per Member State (Art. 7)

- The PPWR should remain consistent and not distance itself from the approach adopted for beverage packaging in the Single-Use Plastics Directive (SUPD) where recycled content is calculated on average within the territory of a Member State.
- Placing a recycled content obligation on each unit (as proposed by the Commission) or each plant and format (as proposed in the current compromise amendments) has significant implications: no better environmental impact, a potential negative impact on affordability, supply constraints, availability issues, industrial and economic constraints.
- We therefore strongly recommend to modify the current compromise amendments and align them with ENVI Amendments 1096 and 1158 or, alternatively, Amendments 24 and 28 adopted by the ITRE Committee.

On reuse and refill (Art. 26):

Discrimination between product categories:

Key ask: Don't discriminate between product categories without a proper justification

- The current compromise amendments on art. 26 should be modified to avoid any discriminatory measure which would differentiate between product categories without any justification. For example, we fail to understand why the targets for non-alcoholic beverages have increased while the ones for alcoholic beverages have remained stable. Indeed, the European Commission had not identified any reason for such a differentiated approach between the two categories.
- All product categories should also be able to benefit from the same safeguards. While the latest compromise amendments introduce a safeguard to ensure final distributors must allow manufacturers of non-alcoholic beverages the flexibility to propose reusable packaging across their portfolio, such flexibility does not seem to be explicitly granted to non-alcoholic beverages, without any justification.

Level of the targets:

Key ask: Do not increase the reuse and refill targets without further impact assessment and do not create a patchwork of national targets

- In the absence of further impact assessment, we strongly recommend to modify the current compromise amendments to maintain the reuse and refill targets at the levels proposed by the European Commission (10% by 2030 and 25% by 2040). It is indeed crucial that any reuse and refill target is based on a proper environmental and economic impact assessment to allow our sectors to understand the conditions under which reuse and refill will bring benefits. Without a thorough impact assessment, there won't be any guarantee that the proposed reuse measures will lead to the desired outcomes. As little is still known about the impact of scaling-up reusable systems in different EU countries, the best approach is to move step by step and give flexibility to invest in the best packaging mix from an environmental and economic viewpoint. It should not be forgotten that achieving the reuse and refill targets proposed by the European Commission will already represent a huge cost.

- We also strongly recommend to modify the current compromise amendments to avoid giving Member States the possibility of going beyond the proposed reuse and refill targets for 2030 and 2040 by introducing the words “at least” in front of the reuse and refill targets. Indeed, this goes directly against the objective of the European Commission to promote harmonization and risks fragmenting the EU Single Market by creating a patchwork of national targets that will have a considerable impact on Europe’s competitiveness. This would also increase the complexity of the implementation of the targets and the reporting obligations of businesses. It is also worrying that such an approach is not even justified by a proper impact assessment.

Scope of the systems covered by the targets:

Key ask: Maintain “systems enabling refill” in the reuse and refill targets

- The reuse and refill targets should be attainable via the full scope of available reusable and refill solutions and we therefore strongly recommend to modify the current compromise amendments to maintain “systems enabling refill” in the systems available to achieve the targets.
- A too narrow scope would considerably limit the flexibility of economic operators to invest in the most relevant mix of reusable and refill options in each country and would direct all investments towards only one system: the traditional returnable refillable packaging. This does not make sense from neither an environmental, economic nor a consumer perspective.
- Indeed, offering convenient and attractive solutions to consumers is key to change purchasing patterns in the long term.
- A traditional returnable bottle may not always, and under all conditions, be the best solution from an environmental perspective.
- Forcing economic operators to focus all their investments in reuse on traditional returnable bottles also represents an unnecessary financial burden.
- Systems enabling refill have a great potential in terms of packaging reduction. They can dispense a high volume of beverages without any, or with a very limited amount of packaging.

Exemption mechanism:

Key ask: Provide a workable exemption that ensure the complementarity of reuse, refill and recycling systems

- We strongly support the compromise amendment to Art. 26. 6.a (New). As recognized by the report adopted in the ITRE Committee, reusable and refillable solutions won’t bring environmental benefits in all situations and for all packaging, and it is therefore important to provide a form of exemption if certain environmental/waste management criteria are met.
- However we would recommend some adjustments to the compromise amendment to bring further clarity on its implementation: what is the precise scope of the exemption and to who/what does it apply? and what will happen to packaging not meeting a 85% recycling rate in 2027 and 2028 but meeting this target a few years later, for example thanks to the later set-up of a DRS?