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Deutsche Umwelthilfe



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To the kind attention of:
Martin Spolc, Head of Unit, DG FISMA

Cc: Peter Wessman, Legal Officer, DG ENV

Brussels, 9th September 2022

Subject: Clarification on the manufacture of plastic packaging goods in the fourth delegated act of the EU Taxonomy

Dear Martin Spolc,

Ahead of the adoption of the delegated act covering all environmental objectives except climate change mitigation and adaptation by the European Commission by the end of the year, we would like to draw your attention to the technical screening criteria for the manufacture of plastic packaging with regards to its contribution to the transition towards a circular economy. The undersigned organisations strongly support the Technical Screening Criteria put forward by the Platform, particularly the following recommendations.

Exclusion of pre-consumer waste in the recycled content calculation: pre-consumer waste is material diverted from the waste stream during a manufacturing process. Excluding this type of waste from the calculation of recycled content in plastic packaging is an incentive for producers to improve the efficiency of production processes, and ensure the circular use of plastics through the market uptake of recycled materials. consistency within the European legislative framework. The Single-Use-Plastic Directive (SUPD)¹ and the Packaging and Packaging Waste Directive (PPWD) only consider post-consumer waste as inputs for recycled material.

Use of batch-level mass balance to calculate recycled content: this methodology ensures the highest physical and chemical traceability along the chain of custody, when segregation is not feasible, as it enables the producer to assess the amount of recycled material introduced at each batch of the production process. The reference to the use of 'batch-level' mass balance in the taxonomy guarantees the unity of the European legislative framework as clearly stated in the implementing act on recycled plastic for food contact material application². This mention, also called controlled blending approach, encourages the uptake of the market for recycled content in plastic products and is an opportunity to achieve the structural changes needed for a transition to a circular economy.

¹ Article 6(5) of the Directive

² Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC

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The material conversion rate of chemical recycling technologies should meet the one of mechanical recycling: to ensure the most efficient use of resources and a level playing field between recycling technologies, the choice to convert plastic waste into new material shall be based on the intrinsic properties of the technology to reduce it at its maximum. Material leakages hinder the circularity of plastic packaging.

Lower GHG emission of recycled plastic compared to virgin plastic: in line with the European Green Deal and the Circular Economy Action Plan, the European Union shall aim at carbon neutrality by 2050, and the overall legislative framework shall support this commitment following the principle of effectiveness.

Thank you for considering our considerations.

We remain at your disposal for any further clarifications.

Kind regards,

ClientEarth
Deutsche Umwelthilfe (DUH)
Environmental Coalition on Standards (ECOS)
European Environmental Bureau (EEB)
Sekab Biofuels&Chemicals
Zero Waste Europe (ZWE)