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WASTE
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Food packaging: safety first

Towards toxic-free and future-proof packaging

Executive summary

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Despite increased attention being paid to the sustainability and principles of circular economy in the European Union, there is a general lack of holistic and harmonised legislative approaches towards materials' circularity and the critical aspects of their chemical safety. **A more coherent EU policy on consumer safety issues is not only highly desirable, but human biomonitoring data on harmful chemicals detected in the entire EU population show that it is urgently needed.**

Food packaging and other food contact materials (FCMs) can release a variety of substances into food and drink, and **represent a considerable source of human exposure to hazardous chemicals. The body burden of those chemicals on EU citizens** – such PFAS, bisphenols and plasticisers to mention the most recognisable – are a health concern and **call for additional regulatory action.**

Current regulation of food packaging is subject to a complex interplay of different laws, but the systematic evaluation of *Food Contact Materials (FCMs) Regulation* completed last year revealed a number of shortcomings which **prevent it from effectively achieving** its two main objectives: to secure **a high level of protection of human health and consumer interests**, and to ensure the optimal functioning of the internal market. Ironically, the EU rules on chemicals in food contact materials chemicals are less protective than other EU chemical regulations.

The **regulatory focus on plastic packaging** is prominent, but **harmonised EU rules are lacking for most other materials where harmful chemicals can be found**, for example in food packaging made of paper and board, metal, multi-materials and other food contact materials.

Unfortunately, **a revision of EU legislation on Food Contact Materials as well as of REACH legislation is facing further delays**, and it is very unsure when and what changes to the current system will be proposed.

Therefore, the **Packaging and Packaging Waste Regulation provides an excellent opportunity to regulate not only sustainability aspects of food packaging, but also improve and harmonise at EU level the rules on substances of concern in packaging materials and articles.** This is also in agreement with the EU's *Chemicals Strategy for Sustainability*, which calls for complementary and coherent approaches to assess and manage chemicals in sectorial legislations, especially those that regulate consumer products.

Importantly, consumer surveys show notable concerns about the negative impact food packaging could have on health and a **significant support from consumers for more protective EU actions on reducing the use of hazardous chemicals in food packaging.**

Finally, further harmonisation of EU legislation will have a positive effect on intra-EU trade and will support that technological and innovative progress regarding chemicals and materials used in food packaging is adequately considered.

Our recommendations

- As more sustainable circular economy solutions are developed, **the critical aspect of chemical safety cannot be left behind**. Significant improvements in food packaging design to **enable reuse and recycling** must go hand in hand with well-proven safety from the chemicals perspective.
- **Avoiding the upstream introduction of hazardous substances to food packaging is a preferable approach to ensuring its safety**. EU legislation should urgently phase out the most hazardous chemicals and ensure that food packaging and other food contact articles are safe for use, reuse and recycling. As a principle, products that cannot be safely used, reused and recycled should not be produced or placed on the market in the first place. This will require specifically testing the safety of the final packaging product.
- **The *Packaging and Packaging Waste Regulation* should introduce harmonised EU rules on substances of concern applied to all materials and packaging articles**, i.e. incentivise avoidance of the most harmful chemicals and require reporting on the use and tracking of such chemicals along the supply chain.
- **Coherence and synergy between chemicals legislation and all EU regulations have to be ensured**. The presence of substances that are already restricted in the EU, and those meeting the REACH criteria for Substances of Very High Concern, such as CMRs or endocrine disruptors, should be automatically prohibited in all consumer products, including food packaging, without delay.
- **As a matter of priority, to truly ensure a high level of protection of human health, the *Food Contact Material Framework Regulation (EU 1935/2004)* needs a comprehensive revision**. A reformed FCM regime should respect the principle of ‘no data, no market’ already required within the *REACH* regulation.



Zero Waste Europe (ZWE) is the European network of communities, local leaders, experts, and change agents working towards the prevention and elimination of waste in our society. We advocate for sustainable systems; for the redesign of our relationship with resources; and for a global shift towards environmental justice, accelerating a just transition towards zero waste for the benefit of people and the planet. www.zerowasteurope.eu



Rethink Plastic is an alliance of leading European NGOs, representing thousands of active groups, supporters and citizens in every EU Member State. We are part of the global Break Free From Plastic movement, consisting of over 11,000 organisations and individuals worldwide demanding an end to plastic pollution. www.rethinkplasticalliance.eu



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