

16.11.2023

A9-0319/474

Amendment 474
Grace O'Sullivan
on behalf of the Verts/ALE Group

Report
Frédérique Ries
Packaging and packaging waste
(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

A9-0319/2023

Proposal for a regulation
Annex II – table 2 a (new)

Text proposed by the Commission

Amendment

Table 2a: Indicative parameters to be considered when establishing design criteria for recycling under Article 6

<i>Design for recycling criteria</i>	<i>Description</i>
<i>Additives</i>	<i>The presence of additives in the packaging containers can lead to incorrect sorting of the packaging materials during the sorting process and contaminate the resulting secondary raw materials.</i> <i>Different types of plastic have a different density, which is used for the separation of materials in the sorting technology. If this specific density of a plastic type is artificially changed by adding density modifying materials (i.e. additives), the sorting process can no longer be used. A decisive limit is the density above or below 1 g/cm³.</i>
<i>Labels/sleeves</i>	<i>Full sleeves or sleeves in a package can lead to incorrect sorting during the sorting process and can degrade the quality of the secondary raw materials.</i> <i>For bottles, if the material of the sleeve is not identical to that of the bottle and/or the sleeve is printed all over, the colour of the bottle (e.g. transparent) cannot be assigned and sorted correctly.</i>

Closure systems and small parts	<p><i>Closures that are not firmly attached to the packaging can increase littering and also reduce the efficiency of the sorting and subsequent recycling processes. Small parts can be attached mechanically to enable easy removal in the sorting process.</i></p> <p><i>Plastic closures should be designed in such a way that they can be separated before disposal or during the sorting process. In PET bottles, if sealing foils are used, they must be easy to remove without leaving any residue</i></p> <p><i>Closures of PET bottles shall ideally have a density less than 1 g/cm³ to allow separation during the sorting or recycling process.</i></p> <p><i>From 2024 onwards, the adhesion of the closure (according to Article 6 of Directive 2019/904) must be guaranteed for the time of intended use for beverage containers of up to 3 litres.</i></p>
Adhesives	<p><i>Adhesive components should be designed in such a way that they can be easily separated in the recycling process or by the end user (OR do not affect the efficiency of the sorting and recycling processes). The presence of adhesive residues on the packaging can downgrade the quality (purity) of the secondary raw materials.</i></p> <p><i>Adhesive materials containing metal or aluminium (with a layer thickness of > 5 µm) can lead to unwanted sorting into the metal fraction.</i></p> <p><i>Adhesives should be water washable to ensure separation from the main packaging and that no adhesive residue would remain.</i></p>
Colours	<p><i>Heavily dyed materials in paper or plastics can cause problems with regard to sorting and can downgrade the quality of secondary raw materials.</i></p> <p><i>For instance, carbon black-based dyes, can, in the context of infrared sorting detection during the plastics sorting process, lead to incorrect classification of the material, or the material being eliminated in the sorting process. However, there are already black and dark dyes available that can be detected with infrared and are not carbon-black based.</i></p>
Material composition	<p><i>Use of mono-materials or material combinations that permit easy separation and ensure high yield of secondary raw materials is preferable.</i></p>

Barriers/coatings	<p><i>The presence of barriers/coatings within the packaging can make recycling more difficult. However, if barrier requirements exist, materials such as silicon oxide or aluminium oxide can be used up to a certain percentage.</i></p> <p><i>For paper/carton packaging, coating should be avoided in principle. However, single-sided plastic coatings or plastic laminate can be used so to ensure fibre content in the best case higher than 95%.</i></p>
Inks/printing	<p><i>The use of inks with substances of concern hinders recycling, as those packaging units cannot be recycled. Printing inks when released can contaminate the recycling stream through the washing water. Likewise, printing inks, which are not released can impair the transparency of the recycling stream.</i></p>
Product residues/ease of emptying	<p><i>The design of the packaging should enable the easy emptying of its content and when disposed of should be in a fully drained condition.</i></p> <p><i>In fact, residues in the packaging can have negative effects on recycling fractions.</i></p>
Ease of dismantling (design feature of the packaging)	<p><i>Design approaches can facilitate the ease of dismantling of packaging products into different parts, e.g. in parts that are rich in valuable materials and/or hazardous substances. This helps to extract the target material from the packaging and thus increase the recyclability potential of the packaging.</i></p>

Or. en

Justification

While ENVI AM 321 sets out a list of criteria that the Commission should consider when drawing up the Design for Recycling Delegated Act, it is also useful to include a description of such criteria. This would serve as a useful steer to industry, allowing packaging producers to already start adapting their packaging before the Commission publishes its Delegated Act.

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Proposal for a regulation

Annex V – row 2

Text proposed by the Commission

2.	Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables	Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss or turgidity loss, microbiological hazards or physical shocks.	Nets, bags, trays, containers
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Amendment

2.	Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables	Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss, greening , or turgidity loss, microbiological hazards or physical shocks, or unless these products are subject to PDO (Protected Designation of Origin) and PGI (Protected geographical indications) under Union legislation. <i>The list of products concerned shall be established by the Commission in consultation with Member States and after receiving the opinion of the European Food Safety Agency by ... [six months from the date of entry into force of this Regulation]. It shall take into account the risks of spoilage and food waste, when</i>	Nets, bags, trays, containers
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		<i>those products are sold in bulk.</i>	
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Or. en

Justification

The ENVI report limits the restriction on single-use packaging for fruit and vegetables to single-use plastic and composite packaging only, but this is not justified. This is an important waste prevention measure and it should therefore apply to all materials, including single-use paper. Some exemptions to this provision are justified, which is why this amendment maintains the exemptions that are included in ENVI AM 329.

16.11.2023

A9-0319/476

Amendment 476

Grace O'Sullivan

on behalf of the Verts/ALE Group

Report

Frédérique Ries

Packaging and packaging waste

(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

A9-0319/2023

Proposal for a regulation

Annex V – row 3

Text proposed by the Commission

3.	Single use plastic, single use composite packaging or other single use packaging	Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector which include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption	Trays, disposable plates and cups, bags, foil, boxes
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Amendment

3.	Single use plastic, single use composite packaging or other single use packaging	Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector , which include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption, <i>except for micro-companies that can demonstrate the need to use single-use packaging because they are unable to access infrastructure that is necessary for the proper operation of a reuse system.</i>	Trays, disposable plates and cups, bags, foil, boxes
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(Linked to the amendment to Article 22, paragraph 6 by the same author.)

Or. en

Justification

ENVI AM 330 allows for an exemption for any company from the prohibition to use single use packaging for indoor dining if they can demonstrate the need to use single-use packaging. Such a sweeping exemption, based on vague and subjective criteria, would completely undermine the obligation to use reusable packaging. Micro-companies - and only micro-companies - should indeed be exempted, but only if it is not technically feasible for them to use reusable packaging or to obtain access to infrastructure that is necessary for reuse.

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Proposal for a regulation

Annex V – row 4

Text proposed by the Commission

4.	Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector	Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, except such packaging provided together with take-away ready-prepared food intended for immediate consumption without the need of any further preparation	Sachets, tubs, trays, boxes
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Amendment

4.	Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA sector	Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, <i>except in the following cases:</i> <i>(a)</i> such packaging provided together with take-away ready-prepared food intended for immediate consumption without the need of any further preparation; <i>(b)</i> <i>in centres where individualised attention and service is required, such as hospitals, clinics, and nursing homes;</i>	Sachets, tubs, trays, boxes
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Or. en

Justification

This amendment simply deletes point (c) from ENVI AM 331 because farmers' markets should not be considered as part of the HORECA sector.

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