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The Hague, 15 April 2020
HvS/AA/EP20-001

Reference: Guidance on SUPD

Dear [REDACTED]

I write on behalf of the European Paper Packaging Alliance (EPPA). The Alliance brings together the leading companies in the fiber-based food and foodservice packaging sector from across Europe.

Our priorities are to find concrete solutions to increase recycling and to reduce carbon emissions of food and foodservice packaging without compromising food safety and human health protection. EPPA is committed to working with European policymakers to support these common priorities. The Alliance supports evidence-based policy making.

While EPPA was not itself at the Webinar on 3 April, many of our members were. We are therefore responding to the request for comment on the definition of plastic.

EPPA wishes to register its significant concerns at the draft guidance relating to the Single Use Plastics Directive (SUPD) definition of plastic produced by consultants for consideration by DG Envi and thereafter by the Commission.

The draft guidance appears to give no weight to the word 'main'. This is a key comparator word in the Directive and should not be discounted. It sets expectations in the Directive on which polymeric components are to be treated as 'plastic' for the purposes of the Directive.

It is clear that if a component is 'main' then other components are not main – i.e. they are 'minor'. Therefore, even if all components or materials are required, some will be main and others minor. As almost all packaging comprises several materials, the difference in the priority order of the components should not be ignored.

According to the draft definition there are no entirely polymer-free alternatives within the scope of the SUPD. The draft guidance would therefore create significant environmental, social and

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economic issues and lead to negative and far-reaching unintended consequences:

- It would likely lead to the replacement of renewable wood fiber mostly sourced from sustainably managed European forests with far heavier, potentially unrecyclable, plastic items mostly coming from outside EU. Such non-substitution effects are contrary to the objectives of the SUPD.
- It would therefore have a negative and cooling effect on innovation and associated investment in Europe.
- As wood fiber has a lower climate impact than plastic it would make a lower-carbon economy harder to deliver.
- Identifying paper as plastic would create consumer confusion in both selection and recycling.

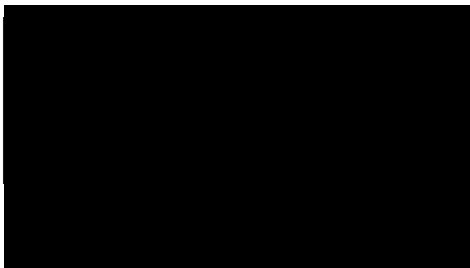
It is EPPA's view that a threshold approach reflects the SUPD legal text and is both appropriate and proportionate.

Our members have also raised two other issues we wish to share with you.

- Firstly, they have asked that the guidance explain under what circumstances and using what criteria, the Commission will approve restrictions by Member States that go beyond those set out in Article 5. The industry believes this will provide legal certainty and prevent the introduction of disproportionate and unquantified measures.
- Second, you will appreciate the critical role food packaging plays in food hygiene and food safety. This role is stated in the SUPD, but we feel this responsibility of Member States not to do anything which weakens European standards should be highlighted.

Please let me know if you require any clarification.

Kind regards,



European Paper Packaging Alliance (EPPA)

