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# EU INSTITUTIONS

## ***Commission leak of the Packaging and Packaging Waste Directive***

A first leak of the upcoming proposal to replace the [Packaging and Packaging Waste Directive](#) with a Packaging Regulation occurred. You can find [here the proposal](#), and [here the Annex](#) to the proposal. Industry and civil society have welcomed the draft acknowledging the Commission's ambition to put in place binding targets of reuse. The expected proposal aims to minimise packaging and packaging waste's negative environmental impacts, whilst strengthening the internal market. The final proposal is expected by 30 November 2022.

The document is clearly an unfinished draft version of the final proposal, but it includes some points that are worth highlighting from the perspective of our sector. The draft spells out direct obligations for retailers and wholesalers in their role as distributors, importers, and manufacturers in the case of own brands. Minimum recycled content in plastic packaging targets is established, as well as re-use and refilling targets. The draft provides requirements for packaging to be considered recyclable and gives the opportunity to the Commission to establish harmonized labelling for packaging via implementing act. Lastly, there is a mention of deposit and return systems.

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## ***The European Commission published a call for evidence on the Polluter Pays Principle***

On 11 November, the European Commission [published](#) a call for evidence on the Polluter Pays Principle to conduct a fitness check of its application to the environment. The Polluter Pay Principle is a very well-established principle in environmental law, and it essentially means that polluters must pay for measures to prevent, control and remedy for pollution and the cost to the society.

The fitness check investigates how is this principle used both at the European Union level and at the Member States level. The call for evidence results will feed into recommendations on how better to implement the Polluter Pays Principle in 2024, and it is open until 9 December 2022. The public consultation is expected to be published in Q1 2023.

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# CIRCULAR ECONOMY

## ***EuroStat publishes new data on the consumption of plastic carrier bags***

EuroStat [publishes](#) new data on the consumption of plastic carrier bags. The bags at the centre of the study are those that are usually given to the consumer in shops to carry its products. The [Plastic Bag Directive \(EU\) 2015/720](#) lays down consumption reduction target of plastic carrier bags, to combat littering.

Most of these plastic bags are now produced in a way they are light and durable, nonetheless, they have been identified as one of the most littered products in European beaches. The new data shows that between 2018 and 2020 there was a reduction of 7.6% in the consumption of these plastic bags in Europe. However, on average a person is still buying 87 plastic bags per year.

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### ***Commission standardisation request on recycled plastics accepted by the standardization bodies***

In August, the Commission [published](#) a standardization request on recycled plastic to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (CENELEC). The document mandates CEN and CENELEC, the two standardization bodies, to revise 11 European Standards, as well as to develop around 45 new deliverables. These standardization bodies have [approved](#) the Commission request in September.

This request is part of the [EU Strategy for Plastic in a Circular Economy](#). The strategy calls, among other things, for design-for-recycling for plastic products and on quality of plastic waste and recycles. The Commission also launched the [European Circular Plastic Alliance](#) to mobilize every actor in the supply chain. To meet the targets of the declaration of the European Circular Plastic Alliance, there is the need to revise the standardization deliverables. Hence, the standardization request by the Commission.

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### ***FEICA published a position paper on the revision Packaging and Packaging Waste Regulation***

FEICA, the European voice of the adhesive and sealant industry, published a [position paper](#) on the revision of the [Packaging and Packaging Waste Directive](#). FEICA welcomes the revision as it could potentially bring the opportunity for more harmonization of packaging requirements within the internal market and among the Member States.

FEICA advocates for the following key points to be considered by legislators: (1) Design-for-recycling (DfR) guidelines are a useful tool, adhesive should be recognized in the guidelines in their applied form; (2) a legally recognised pathway to prove recyclability of a specific package through testing should be provided; (3) a general negative list for substances or products must be avoided to not eliminate from the market packaging that is already recyclable and recycled in practice; (4) upgrading sorting and recycling infrastructure is needed; (5) certain improvements in recycled material may be reached through improved washing and cleaning operations; (6) definition of recyclability should not require a closed product loop; (7) advanced technologies should be fully recognized; and (8) the introduction of reuse targets may jeopardise previous industry's efforts.

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# WASTE

## *The Council of the European Union formally adopts the amendments on persistent organic pollutants*

On 24 October, the Council of the European Union has formally [adopted](#) a [Regulation to reduce limits for the presence of persistent organic pollutants in waste](#). The adoption of the Regulation follows a political agreement in June 2022. The Regulation revises the Annexes IV and V to the [persistent organic pollutants Regulation](#). The amendments introduce new chemicals among the substances whose presence needs to be restricted in waste and strengthens the concentration limit values of certain substances. The aim is to ensure higher health and environmental protection.

Persistent organic pollutants are harmful substances that are not often used in new products, nonetheless, they can still be found in waste of consumer products (e.g., waterproof textiles, furniture, plastics, and electronic equipment). To ensure circular economy and the targets of the European Green Deal, persistent organic pollutants must be limited as much as possible in waste.

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## *Recycling Magazine publishes an article on how sensor-based sorting technology is driving advances in e-waste recycling*

Recycling Magazine [writes](#) how sensor-based sorting technology is driving advances in e-waste recycling. According to the UN's Global E-scrap Monitor 2020, global e-scrap will reach 74 million metric tons (Mt) by 2030, making it the fastest growing waste stream in the world. Europe is the third largest generator of e-scrap. E-scrap is waste from electronic products, and it often contains a significant amount of valuable and scarce raw materials, as well as, it might contain hazardous substances.

The goal of e-scrap processing is to recover valuable material. Europe governs the management of e-waste via the [Waste from Electrical and Electronic Equipment Directive](#) (WEE) to promote sustainable consumption, and stimulate re-use, recycling, and recovering, and via the [Restriction of Hazardous Substances Directive \(RoHS\)](#) to avoid threats to human health and the environment by establishing material content requirements. The article by Recycling Magazine explains in details how sensor-based sorting technology can improve recycling plant of e-waste as there is no "one-size fits all solution". Sensor-based solutions offer this flexibility. Recycling Magazine expects more forward thinking in the next years and new developments in this sector.

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# RESPONSIBLE SUPPLY CHAIN

## *Updates in the Council for the Due Diligence Proposal*

The latest [document](#) of the Czech Presidency on the [Corporate Sustainability Due Diligence Proposal](#) (dated 14 November) seems to propose more loose liability for companies than expected. The draft mentions that businesses should only be held liable if "a due diligence failure was caused only by its business partners in its value chain". Furthermore, the text proposes to shield companies from liabilities if they have joined an industry initiative based on a multistakeholder approach (e.g., certified sustainability program) unless they are found guilty of gross negligence or intent.

Additionally, some countries (e.g., Italy, Spain, and Portugal) are not happy with the definition of value chain in the draft. They would rather focus the application of the Directive on the supply chain. Ambassadors are set to discuss and potentially even adopt the Corporate Sustainability Due Diligence Proposal on 1 December at the Competitiveness Council.

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***Parliament approved the agreement regarding the Corporate Sustainability Reporting Directive (CSRD)***

On 10 November 2022, the European Parliament [approved](#) the agreement on the CSRD proposal. The new EU sustainability reporting requirements will apply to: (1) all large companies, whether listed on stock markets or not; (2) non-EU companies with substantial activity in the EU (with a turnover over €150 million euro in the EU); and (3) listed SMEs will also be covered, but they will have a longer transition period. This means an extension of the scope compared to the existing Non-financial Reporting Directive.

According to the Parliament, the Commission will adopt the first set of CSRD reporting standards by June 2023. The timeline for the application looks as follows: from 1 January 2024 onwards for large public-interest companies (with over 500 employees) already subject to the non-financial reporting directive, with reports due in 2025; from 1 January 2025 for large companies that are not presently subject to the non-financial reporting directive (with more than 250 employees and/or €40 million in turnover and/or €20 million in total assets), with reports due in 2026; and from 1 January 2026 for listed SMEs and other undertakings, with reports due in 2027 (SMEs can opt out until 2028). The Council is expected to adopt the proposal on 28 November.

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## PUBLICATIONS

***Commission's Joint Research Centre (JRC) has [published](#) the study on the review of the cooking appliances regulations.***

[Ecodesign and Energy Labelling Regulation of domestic cooking appliances](#) entered into force in 2015. Since then, the market has evolved, and new technologies are available. The study has been launched by DG ENER and conducted by the Joint Research Centre. The current approach for energy declaration allows the use of heating modes that are not consumer representatives. Another failure are current

efficiency measurement methods that are not pushing the market to energy efficiency. Other aspects require further research. As a result, the study presents a set of policy options per product (e.g., electric ovens, gas ovens, hobs, cooking fume extractors), and horizontal policy options.

Based on the study, JRC presents a number of products that might be included in the scope of the regulation. Moreover, for new regulation, a recommendation coming from different stakeholders is to have a uniform approach for the three product groups, either horizontally under Regulation 1275/2008 or vertically with specific requirements in the new cooking appliances Ecodesign Regulation. Lastly, JRC analyses policy options related to material efficiency and hydrogen as a possible energy source.

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***The Danish Environmental Protection Agency publishes a framework for wireless data loggers and sensors for environmental monitoring***

The Danish Environmental Protection Agency [publishes](#) a framework agreement on the supply of wireless data loggers and sensors for monitoring water levels and temperature in groundwater and streams (environmental monitoring). Mobile data connections will direct the measurements to the common public environmental databases in the Danish Environmental Portal's infrastructure. The electronic tendering system can be seen [here](#).

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***Beverage carton industry publishes design for recycling guidelines***

The beverage carton industry [publishes](#) guidelines and a press release on design for recycling. The Design for Recycling (DfR) Guidelines aim to provide producers of beverage cartons with technical guidance to identify the materials needed in the packaging composition that are compatible with existing recycling processes and how the recyclability of beverage cartons can be optimized. Click [here](#) to read the guidelines.

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## EVENTS

***INERISA organizes the Technical Day on Polluted Sites and Soil***

The French National Institute for Industrial Environment and Risks (INERISA) organizes the Technical Day Polluted Sites and Soil 2022 on **1 December 2022**. The event will take place together with the Ministry of Ecological Transition and Territorial Cohesion. The hybrid event (Paris) will provide information and feedback on the management of polluted sites and soils. More information will follow [here](#).

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### ***How to monitor and report food loss and waste?***

The EU-funded project FOODRUS is organizing a series of workshops called "[FOODRUS inspiring solutions to improve our food systems](#)". The first workshop will be held on Monday, **5 December 2022** from 15:00 to 17:00 CET and focus on how to monitor and report food loss and waste. Registration is possible [here](#).

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